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REPORT OF THE

REGIONAL & TRIBAL COUNCILS

REVIEW CO-ORDINATING COMMITTEE

viii. The Extent of MACA Funding 49
ix. Transferring Money to Municipalities 49
x. Reporting Relationships 50
xi. A Possible New Funding Policy 54

V. OTHER REGIONAL BODIES 54

i. Baffin Region 55
ii. Keewatin Region 56
iii. Kitikmeot Region 56
iv. Fort Smith Region 57
a) Deh Cho Regional Council 57
b) Dogrib Tribal Council 58
c) South Slave Regional Council 58
v. Inuvik Region 58
a) Beau-Del Regional Council 58
b) Shihta Regional Council 59
vi. All Regions 59
vii. Local Bodies 59

VI. PRINCIPLES, LEGISLATION, POLICY AND PRACTICES 60

i. Principles 60
ii. Legislation 62
iii. Policies of the Government of the NWT 64
a) Role of Regional Directors 68
b) Other Government Policies 69
iv. Practices 70
a) Funding 71
b) Proliferation of Regional Bodies 72
c) Regional Directors 72

VII. EVALUATION FRAMEWORK 73

i. Introduction 73
ii. Auditing Framework 73
iii. Evaluation Framework 75
iv. Self-Evaluation 75
v. Program Audit 75
vi. Comprehensive Evaluation 76

VIII. CRITICAL ISSUES FOR REGIONAL COUNCILS 77

i. Previous Research 77
ii. Issues Arising From Previous Research 80
iii. Regional Structures for the Future 81
iv. How Regional Councils View Their Role 84
v. Critical Issues Identified
by Regional Councils 86

a) The Future of Regional Councils 86
b) Aboriginal Issues and Public Government 87
c) The Value of Regional Councils 88
d) The Views of Large Tax-Based Municipalities 90
e) The Adequacy of Funding 90
f) Future Development of Regional Councils 91
g) Problems with the Act 92

IX. CRITICAL ISSUES 93

i. Committee Discussions 93
ii. Four Options 96
a) The First Option: Retaining the Status Quo 97
b) The Second Option: Abolishing Regional Councils 97
c) The Third Option: Program Delivery 98
d) The Fourth Option: Regional Government 99
iii. Committee Conclusions 99

X. ISSUE STATEMENTS 101

i. Statements of the Issues 101
Issue #1 101
Issue #2 101
Issue #3 102
Issue #4 102
Issue #5 103
Issue #6 103
Issue #7 104
Issue #8 104
Issue #9 104
Issue #10 104
Issue #11 105
Issue #12 105
Issue #13 105
Issue #14 105
Issue #15 105
Issue #16 106
Issue #17 106
Issue #18 106
Issue #19 106
Issue #20 106
ii. Issues Related to Implementation 107
iii. Additional Suggestions 109
iv. Recommendation 109

VOLUME TWO: APPENDICES

TABLE OF CONTENTS

Letter of Transmittal

I. INTRODUCTION 1

i. Objectives of the Committee 1
ii. Committee Membership 2
iii. The Committee's Work Plan 2
iv. Committee Activities 3
v. Committee Staff 4

II. HISTORY OF REGIONAL COUNCILS IN THE NWT 6

i. Baffin Regional Council Created First 6
ii. Regional Community Conferences Funded 7
iii. Funding Policy Needed 8
iv. Common Legislative Framework Developed ... 10
v. Relationship with Regional Directors 10
vi. The South Mackenzie Region 11
vii. Mackenzie Delta-Beaufort Sea 12

III. PROFILES OF REGIONAL COUNCILS 15

i. Baffin Regional Council 15
Membership 15
Officers 15
Meetings 15
Range of Interests 16
Funding 17
Relationship with Regional Bodies 17
Other Regional Bodies 19

ii. Deh Cho Regional Council 20
Membership 20
Speaker 20
Meetings 21
Range of Interests 21
Programs 21
Funding 22
Relationship with Regional Bodies 22

iii. Dogrib Tribal Council 23
Membership 23
Officers 23
Meetings 23
Range of Interests 24
Funding 24
Relationship with Other Regional Bodies .. 24

iv. Keewatin Regional Council 24
Membership 24
Officers 25
Meetings 25
Range of Interests 25
Funding 26
Relationship with Other Regional Bodies .. 27

v. Kitikmeot Regional Council 28
Membership 28
Officers 29
Meetings 29
Funding 30
Relationship with Other Regional Bodies .. 30

vi. Shihta Regional Council 31
Membership 31
History of the Council 32
Officers 32
Council Committees 32
Range of Interests 32
Funding 33

vii. South Slave Regional Council 34
Membership 34
History 35
Officers 35
Meetings 36
Range of Interests 36
Funding 36

viii. Regional Bodies:
Mackenzie Delta/Beaufort Sea 37
Beau-Del Regional Council 40

IV. FINANCING OF REGIONAL COUNCILS 40

i. GNWT Funding for Regional Councils, 1977-1987 40
ii. Funding Policy for Regional and Tribal Councils 42
iii. Requirements of the Act 43
a) Honoraria 43
b) Memoranda of Agreement 44
iv. Provisions of the Act 44
v. Adequacy of Funding 46
vi. Differing Views 47
vii. Extra Funds for Program Costs 48

I. INTRODUCTION

i. Objectives of the Committee

The Regional and Tribal Councils Review Co-ordinating Committee was established by the Executive Council in October, 1986. The Committee was asked to undertake a major review of Regional and Tribal Councils in the Northwest Territories in order to provide a base from which the Executive Council could consider options and develop policies regarding regional councils and regional government. A number of specific tasks were set as part of this major review.

The specific objectives were:

1) To establish a comprehensive profile of Regional and Tribal Councils in the Northwest Territories;

2) To determine the variety and role of other regional boards and agencies existing in each area, establishing their relationship with the respective Regional and Tribal Councils;

3) To determine if current financial assistance to incorporated and unincorporated Regional Councils is appropriate;

4) To determine a standard, measurable, and relevant framework for ongoing evaluations and audits of regional bodies, both internally and externally;

5) To determine whether the principles, objectives, and legislation of the Regional and Tribal Councils are still applicable and consistent with actual practice and perspectives of the GNWT, the councils, and the members;

6) To determine critical issues on the future development and direction of Regional Councils and the Government of the Northwest Territories.

At the time this review began, no comprehensive profile of the state of political development of Regional and Tribal Councils existed, although the councils had been funded by the Government of the NWT since 1977. Nor had a strategic review plan been developed to study the effectiveness or impact of the Regional and Tribal Councils Act or the Policy on Assistance to Regional and Tribal Councils, passed in 1983. Thus, the Review Committee had to collect and assemble information about the Regional and Tribal Councils before beginning to develop or test any theories or conclusions.

ii. Committee Membership

The Committee was named by the Hon. Nick Sibbeston, Government Leader, on October 22, 1986, with the following membership: Chairman - George Braden; Members - Al Menard, Deputy Minister, Department of Municipal and Community Affairs; Charles Overvold, Executive Director, Aboriginal Rights and Constitutional Development Secretariat; Gary Black, Fort Smith Regional Director; Jack Anawak, Mayor of Rankin Inlet; John Hill, Mayor of Inuvik; Mark Evaluarjuk, Speaker of the Baffin Regional Council and the Eastern Regional Council representative; and Chief Joe Rabesca, Chief of Rae-Edzo and the Western Regional Council representative. Gary Black was chosen by committee members to serve as Vice-Chairman.

George Braden stepped down from the chairmanship in April, 1987, and Gary Black assumed the position. Chief Joe Rabesca also stepped down from committee membership in April. Mr. Sibbeston named Gabe Hardisty, the former chief of Wrigley, and Michael Miltenberger, Mayor of Fort Smith and Speaker of the South Slave Regional Council, to fill the vacant positions. Michael Miltenberger was chosen by committee members to serve as Vice-Chairman.

iii. The Committee's Work Plan

The Committee began its work in January, 1987, by developing a work plan and several questionnaires.

To establish a comprehensive profile of Regional and Tribal Councils in the NWT, and determine the variety and role of other regional boards and agencies in each area, the work plan called for the Department of Municipal and Community Affairs and the Regional Executive Offices to prepare a detailed profile of Regional and Tribal Councils, assisted by the Committee's researcher/writer. MACA subsequently indicated that it did not have the resources to commit to researching, analyzing and compiling the information that was required, but made its files available to the researcher/writer to prepare the profile.

To determine a standard, measurable and relevant framework for ongoing evaluation and audits of regional bodies, and determine if current financial assistance to Regional Councils is appropriate, the work plan called for the Committee to approach the Priorities and Planning Secretariat and the Department of Municipal and Community Affairs for assistance in preparing an

evaluation/audit framework, and in determining if current financial assistance to Regional Councils is appropriate. MACA subsequently indicated that it did not have expertise in doing this, but would assist Priorities and Planning as required.

To determine whether the principles, objectives and legislation are still applicable and consistent with actual practice and perspective of the GNWT, the Regional and Tribal Councils and the members, the work plan called for preparing detailed questionnaires to be distributed throughout the North. The questionnaire/survey would be used in addition to meetings to obtain feedback and input on the applicability of Regional and Tribal Council principles, objectives and legislation.

To address the objective of determining critical issues on the future development and direction of Regional Councils and government in the Northwest Territories, the Committee felt it would be necessary to draw on the experiences of other jurisdictions as well as seek input from the North.

iv. Committee Activities

Detailed questionnaires (see Appendix B) were sent to all Regional and Tribal Councils as a guideline for discussions with the Committee. A shorter questionnaire was sent out to groups, organizations and government.

Meetings were requested with the Tungavik Federation of Nunavut; Dene/Metis Negotiations Secretariat; NWT Association of Municipalities; the Western Constitutional Forum and Nunavut Constitutional Forum; Committee for Original Peoples' Entitlement; Inuit Tapirisat of Canada; Metis Association of the NWT; and Dene Nation.

In response, the NWT Association of Municipalities, Metis Association of the NWT, Western Constitutional Forum and Nunavut Constitutional Forum indicated that their member groups would be speaking individually to the Committee. Meetings were held with the Inuvialuit Regional Council and with the president of the Dene Nation.

Invitations to meet with the Committee were extended to all Ministers and Deputy Ministers and Members of the Legislative Assembly. The Committee heard from two Ministers, Hon. Dennis Patterson and Hon. Bruce McLaughlin, during its visits to Regional Councils. The Committee heard by letter from the Deputy Minister of Renewable Resources and the Department of Economic Development and Tourism, and met with the Deputy Ministers of

Finance, Economic Development and Tourism, and Education. A lengthy submission was received in November, 1987, from the Department of Municipal and Community Affairs. (See Appendix M).

Questionnaires were sent to community and band councils; housing associations and local education authorities; Keewatin Inuit Association; Baffin Regional Inuit Association; Kitikmeot Inuit Association; locals of the Metis Association; individual band councils; the NWT Housing Corporation; and the Regional Director, Indian and Inuit Affairs.

Questionnaires were sent to all municipal councils in the NWT. Mayors of larger communities were advised that the committee would meet with Councils if such meetings were requested.

(A detailed list of requests for meetings and respondents is contained in Appendix B.)

Before meeting with individual Regional and Tribal Councils, the Review Committee met with representatives of all the councils in Yellowknife in February, 1987. Costs for the meeting were paid by the Minister of Municipal and Community Affairs. A series of eight principles were developed by the representatives and presented to the Review Committee. (These are listed in full in Chapter VIII. Critical Issues for Regional Councils.)

Meetings were held with individual Regional and Tribal Councils as the councils' and committee's schedule permitted. The Committee met with all but the Keewatin Regional Council and the Dogrib Tribal Council. Plans to meet with those councils were interrupted by weather. Subsequently, the Keewatin Regional Council sent a detailed outline of its discussions. (Summaries of the issues discussed at these meetings appear in Appendix C.)

A final meeting with the representatives of all the Regional and Tribal Councils was held in mid-November, 1987, when the Review Committee requested responses to a series of 15 questions (see Appendix G). This meeting also was funded by the Minister of Municipal and Community Affairs. Following this meeting, the Regional Council representatives provided a revised version of the original principles prepared at the earlier meeting (also contained in Chapter VIII. Critical Issues for Regional Councils).

v. Committee Staff

Dennis Lowing, Assistant Deputy Minister of the Executive Council, served as Co-ordinator of the Review Committee's work, assisted by Marjorie G. Whiting.

A consultant, Rosemary Cairns, was engaged on a part-time basis to develop profiles of Regional Councils, prepare summaries of Committee meetings for distribution to Regional Councils, prepare news releases, and do other research and report writing as required. (Summaries of research related to regional bodies appear in Chapter VIII. Critical Issues for Regional Councils, and in Appendix E.)

The Priorities and Planning Secretariat was asked to develop the evaluation framework which appears as Chapter VII. Mike Paulette, Garry Singer and Bill Davidson worked on the preparation of the evaluation framework. Debbie Delancey reviewed drafts of this report, thus assisting in the preparation of this report.

II. HISTORY OF REGIONAL COUNCILS IN THE NWT

i. Baffin Regional Council Created First

The Government of the Northwest Territories has been funding regional meetings of community councils since 1977, at first through the Research and Development (later Development and Training) Program and then through the Directorate of the Department of Local Government (now Municipal and Community Affairs).

The Baffin Regional Council was the first regional council to be established in the Northwest Territories and to a large extent, has served as the pattern for the development of other regional councils. The current NWT legislation, the Regional and Tribal Councils Act, is based on the Baffin Regional Council Ordinance, which in turn was based on the constitution drawn up by the Baffin communities themselves.

The Council grew out of a series of regional meetings held as part of a Local Government Development program sponsored by the Government of the Northwest Territories in 1974. While the idea of having Baffin communities join together into a regional council was first discussed then, the Baffin Regional Council did not meet for the first time until September, 1977, in Arctic Bay, when community leaders established a committee to prepare a constitution and bylaws. The constitution, developed with input from all Baffin communities, was completed at Pond Inlet in February, 1978, adopted by the Baffin Regional Council at Frobisher Bay (now Iqaluit) in March, 1978, and accepted on behalf of the Government of the NWT by Commissioner Stuart Hodgson in Cape Dorset in March, 1979.

The Baffin Regional Council Ordinance, developed from the BRC constitution, was developed by the territorial government, passed by the Legislature, and assented to by the Government of the NWT on November 7, 1980.

Separate program funding for the Baffin Regional Council was first identified under the Development and Training Program of the Department of Local Government in the 1977-78 territorial budget, in the amount of $33,000.00. Funding of $34,000.00 was provided in 1978-79 to cover the costs of community representatives attending one council meeting. Funding for the Baffin Regional Council rose to $65,000.00 in 1980-81 and to $163,000.00 in 1981-82.

ii. Regional Community Conferences Funded

From 1977-78 onwards, Local Government also provided funding to assist the Central Arctic Area Council (which subsequently became the Kitikmeot Regional Council in 1983) and other regional community conferences in Fort Smith, Keewatin and Inuvik regions.

Other communities, watching the Baffin Regional Council, saw some advantages in banding together regionally. Regional Councils appeared to help communities gain greater input into the central government by making government aware of community concerns. Through a regional council, small communities which individually could not expect to have major powers delegated to them from the territorial level, could gain more control over major areas (capital expenditures, land and resources, economic development, education, government administration) which affected them.

Similar ideas of the importance of regional bodies were proposed in the Metro Model concept of government put forward at this time by the Dene Nation. This proposal called for setting up strong regional bodies, perhaps holding some delegated forms of power, in order to bring government closer to the people while recognizing the sparse and scattered NWT population.

As of 1982, the numbers of regional councils began to increase dramatically, as mayors and elected community leaders who had been attending the annual government-sponsored meetings over the years decided that they needed a more formal organizational structure for their meetings. Funding for regional councils in the budget of the Department of Local Government increased accordingly to $241,000.00 in 1982-83.

Through the fall of 1981, 1982 and the spring of 1983, meetings were held which led to the drafting of the Dogrib Tribal Council constitution in July, 1983. The minutes of an early meeting show it was not always clear who was most interested in creating regional councils. At a meeting of the North Great Slave Lake Regional Council in Snare Lakes in September, 1981, the Superintendent of Local Government was asked to decide who should chair the meeting. He indicated that the GNWT thought of the meeting as something initiated by the communities rather than something initiated by the government.

In April, 1982, the mayors of the seven Keewatin Region hamlets agreed to form the Keewatin Regional Council. In August, 1982, the elected chairpersons and mayors of Kitikmeot communities organized the Kitikmeot Regional Council. In September, 1982, elected community council chairpersons and band council chiefs in the Mackenzie/Liard region drafted the

constitution for the Deh Cho Regional Council.

At this time, the Baffin Regional Council was beginning to attempt to formally bring other regional bodies together under the BRC umbrella. Amalgamation Agreements were signed with BRADIC and the Baffin Region Hunters and Trappers Association.

These agreements spelled out how the parties would work together. The Baffin Regional Alcohol and Drug Information Centre (BRADIC) and the Baffin Regional Hunters and Trappers Association (BRHTA) agreed that BRC would co-ordinate their interaction with the Legislative Assembly, Executive Council and other territorial and federal departments and agencies. In turn, the two groups would have exclusive jurisdiction in terms of BRC's objectives in alcohol and drug education (BRADIC) and renewable resources (BRHTA).

Both organizations received a voting seat on the Regional Council, and their Chairmen were named ex officio non-voting members on the BRC's Executive Council. Administration of the groups' activities was centralized within the BRC offices, with staff supervised by the BRC's Executive Director.

After preliminary talks, an attempt to amalgamate the Baffin Regional Education Society with BRC was rejected by the Society in June, 1984, and the Society decided to become a divisional board of education. The Baffin Divisional Board of Education was formed in 1985, and took on responsibility for delivery and administration of all Baffin Region schools, advanced education programs and residences. No formal relationship exists between the two groups, and attendance at meetings is by invitation only.

iii. Funding Policy Needed

Funding the Baffin Regional Council and the developing councils was beginning to strain the budget of the Department of Local Government (now Municipal and Community Affairs). A policy on regional and tribal councils, and a comprehensive funding program, appeared to be needed.

In September, 1982, the Executive Committee directed the Minister of Local Government to develop a policy on funding of regional and tribal councils, and in December, 1982, it approved a set of twelve principles governing the operation and funding of Regional and Tribal Councils. The principles dealt with membership, voting rights, community groupings within councils, the role and authority of councils, delegation of programs and services by the Government of the NWT, and responsibilities and powers of the Executive Council. (A more detailed discussion of

the principles can be found in Chapter VI. Principles, Legislation, Policy and Practice.)

In its "Priorities" document issued in May, 1983, the Executive Committee indicated that the Government of the NWT supported and encouraged regional councils. Noted the document:

"Communities across the North have expressed strong wishes to develop regional forums to resolve issues affecting all communities throughout each region. The first regional council, the Baffin Regional Council, was formally established in April, 1979. In addition to providing frequent advice to the government on the development of policies, programs and legislation affecting the Baffin, the council has also effectively voiced to the federal government and resource development companies, the goals and concerns of the people of the Baffin regarding resource development in the eastern Arctic." ("Priorities", page 45)

"In 1983," the document continued, "the Government of the Northwest Territories will establish a new policy on funding regional councils and will continue to provide support and assistance to communities in the formation of regional political and administrative groupings." ("Priorities", page 45)

The Regional and Tribal Councils Policy, approved by the Executive Council in June, 1983, said the GNWT "may provide funding to regional and tribal councils, or support in kind where appropriate". This provided for a core funding contribution, extraordinary core funding if needed, and Special Funding for research funds and organizational meetings. Funds were to be disbursed through regional budgets. This policy applied to the Baffin Regional Council as an incorporated council, and to the Keewatin, Kitikmeot and Deh Cho Regional Councils and the Dogrib Tribal Council as unincorporated bodies. A review of funding was to be done before March 31, 1984.

At the Executive Committee's request, Local Government prepared a Treasury Board submission asking the federal government to increase the GNWT's funding base by $578,000.00 to cover the added costs of funding regional and tribal councils.

The Regional and Tribal Councils policy was used to establish criteria for allocation of the $578,000.00 provided for regional and tribal councils in the Government's 1983/84 Main Estimates. Once the policy was adopted by the Executive Council, funding was allocated by the Minister of Local Government. Of the 1983/84 funding, $540,000.00 was shared among the Baffin, Keewatin, Kitikmeot and Deh Cho Regional Councils and the Dogrib Tribal Council.

iv. Common Legislative Framework Developed

A common legislative framework for the development of regional and tribal councils in the NWT was created in September, 1983, when the Baffin Regional Council Act was repealed and the Regional and Tribal Councils Act was passed. The Act recognized the Baffin, Keewatin, Kitikmeot and Deh Cho Regional Councils and the Dogrib Tribal Council. (The debate which took place around this Act can be reviewed in the NWT Hansard, 1983(2) pages 7,15,28,73-6,156-9,206-14,280-6,288-316,351,352).

In October, 1983, community and band representatives in the Great Bear or Sahtu region held a regional conference to begin drafting a proposal for a Great Bear Regional Council. Re-named the Shihta Regional Council, it was recognized in amendments to the Regional and Tribal Councils Act passed in November, 1984.

Early in 1984, the Baffin Regional Council continued to pursue its earlier attempts to assume control over the regional operations of the Department of Local Government in the Baffin Region. Delegates passed a motion that the Baffin Regional Council be deemed a board of management for the Department of Local Government in the Baffin and that the BRC's Executive Committee negotiate with the Baffin Regional Director and Superintendent of Local Government for gradual assumption of control over the department.

During the same session, the Baffin Regional Council recommended to the Nunavut Constitutional Forum that the Nunavut Constitution should recognize and support Regional Councils as prime public bodies in the region.

A new Policy on Assistance to Regional Councils was approved by the Executive Council in July, 1984, and funding for councils was increased dramatically. The 1984-85 budget included $645,000.00 for regional and tribal councils, five per cent more than in 1983/84. The total was brought to $1.145 million when $500,000.00 identified as being available for Constitutional and Political Development was added.

v. Relationship with Regional Directors

As Regional Councils grew and their interests moved into all areas of the GNWT's regional operations, changes in their relationship with the GNWT's Regional Directors were needed. The Executive Council decided in September, 1984, that Regional

Directors should become a direct link between itself and Regional and Tribal Councils.

Regional Directors were made responsible for reporting to Regional Council sessions on the regional offices' administrative activities, responding to questions and reporting progress on previous Regional Council motions. After consultation, Regional Directors could make statements on the Minister's behalf. Regional Directors were required to provide written reports on Regional Council meetings to the Executive Council through the Minister of Local Government.

Regional Directors were directed to ask regional councils to take part in developing proposed regional capital and operation and maintenance budgets; consult with Regional Councils in developing regional goals, objectives and priorities within established government priorities and departmental goals and objectives; and consult with the Executive of the Regional Council in staffing Regional Superintendent positions.

As well as indicating the role of Regional Directors, this decision clearly gave Regional Councils an important role in setting regional policy and funding priorities and in hiring senior regional staff.

A second statement on the relationship between Regional Directors and the Regional Councils was issued by the Government Leader in 1986, emphasizing the co-ordination and liaison responsibilities of Regional Directors. The instructions indicated that Regional Directors were responsible for reporting the current issues and activities of the Regional Councils to the Government Leader.

vi. The South Mackenzie Region

While regional and tribal councils had been established in the Baffin, Kitikmeot, Keewatin, Deh Cho and Dogrib regions, the situation in the South Mackenzie region and in the Mackenzie Delta/Beaufort Sea area was not so clear.

The municipal councils in the South Mackenzie area had been meeting informally for some time as the South Mackenzie Area Council before the government policy on regional and tribal councils was developed.

The Council was incorporated as a Society in September, 1981, and applied for funding as a regional council but did not meet the requirements of the government's policy on regional and

tribal councils because it included only municipal representatives and not representatives of aboriginal groups.

However, SMAC did commission studies on possible variations of regional government, including the borough system. Using Western Constitutional Forum funding, SMAC sponsored a study of regional structures done by David Michener and titled "Constitutional Development, The Future of Area Government". This study, prepared in September, 1984, called for the creation of a second tier of local government for the South Mackenzie area, based on economic ties, which would be known as the Big River Borough. The proposed Borough Council would have had a total of 28 representatives to ensure adequate representation of all interests.

The South Slave Regional Council was encouraged by the Government of the NWT as a way of bringing together the municipalities and the bands of the south Mackenzie region, which were being separately represented by SMAC and the Regional Tribal Council.

The Council's proposed constitution was drafted in April, 1985. The South Slave Regional Council is unincorporated, although a formal request for incorporation was made Feb. 17, 1986. As a result of the decision to seek formal incorporation, the Town of Pine Point withdrew from membership, and the Town of Hay River decided to limit itself to observer status until a town plebiscite was held on membership in the regional council. However, the Town of Hay River has not sent an observer to the Council meetings since that time. The presidents of the Metis locals in Pine Point and Hay River do belong to the Council.

vii. Mackenzie Delta-Beaufort Sea

Four groups with varying regional mandates exist within the Inuvik region of the Government of the NWT. Shihta Regional Council, an incorporated body, represents the Sahtu or Great Bear communities at the southern part of the Inuvik region. In the northern part of the Inuvik region, there are three groups -- the Committee for Original Peoples' Entitlement (COPE), the Mackenzie Delta Regional Council, and the Beaufort Delta Regional Communities Conference Group (more recently known as the Beau Del Regional Council).

In 1984, the Inuvialuit of the Mackenzie Delta reached a land claims settlement with the federal government. A variety of Inuvialuit societies and committees were created under the land claims settlement, but not the Western Arctic Regional

Municipality (WARM) which COPE had put forward as part of its land claims proposal. The federal government said political structures should be worked out through a separate process.

Institutions created under the Inuvialuit Final Agreement include the Inuvialuit Regional Council, the Inuvialuit Game Council, the Inuvialuit Land Corporation, the Inuvialuit Land Administration, the Inuvialuit Development Corporation, the Inuvialuit Investment Corporation, Inuvialuit Petroleum Corporation, Inuvialuit Housing Corporation, Inuvialuit Communications Society, and individual community corporations. The agreement also provided for an Inuvialuit Social Development Fund, and for the creation of a variety of wildlife management institutions in which the federal government and Inuvialuit would participate.

The Mackenzie Delta Regional Council grew out of the desire of the Delta's Dene and Metis people to represent their regional interests within the Dene/Metis claim, and has moved into economic development through the creation of a regional development corporation.

Neither COPE nor the Mackenzie Delta Regional Council qualified for funding as a regional council under the terms of the December, 1982 principles approved by the Executive Council, because neither group included within its membership all elected leaders of all communities in the region.

In July, 1983, the Government of the NWT, at the request of community and band councils in the Mackenzie Delta, hosted a preliminary conference on the formation of a regional council in the Mackenzie-Delta Region. This marked the start of the group which subsequently became known as the Beaufort Delta Regional Communities Conference Group.

In 1985-86, the Beaufort-Delta Regional Communities Conference Group received $40,000 to bring together all the leaders of the eight communities. Funding of $89,300.00 was provided to the Conference Group for 1986-87 on the basis that it qualified for funding as an unincorporated regional body.

In a letter to the Conference Group, the Minister of Municipal and Community Affairs indicated that limited funding had been provided to COPE and the Mackenzie Delta Regional Council "on condition that they hold discussions with your Conference Group in order to determine what a single regional structure should look like or if these regional bodies remain separate, what the relationships between these bodies will eventually be." The Minister indicated that the government did

not want "a duplication of roles and responsibilities or a proliferation of regional bodies with similar objectives."

Early in 1987, members of the Conference Group decided to seek incorporation as the Beau-Del Regional Council.

Meanwhile, both COPE and the Mackenzie Delta Regional Council have continued to receive some GNWT funding to study possible regional structures for the region or to work out what the relationships between regional bodies will be. In 1985/86, COPE received funding of $60,000.00 and the Mackenzie Delta Regional Council received $27,000.00 to continue exploring possible regional structures.

Despite the federal refusal to negotiate WARM as part of the Inuvialuit settlement, the Inuvialuit have continued to pursue this proposal in various other forums over the past few years. Discussions have taken place within the Nunavut Constitutional Forum and the Western Constitutional Forum, both of which have made a number of commitments to various forms of regional government. (For a more detailed discussion, refer to Chapter VIII. Critical Issues for Regional Councils.)

In October, 1986, COPE and the Inuvialuit Regional Corporation prepared a paper entitled "The Position of the Inuvialuit of the Western Arctic Region with respect to the Future Political Development of the Northwest Territories and its Institutions". This paper indicated that the Inuvialuit continue to desire and will work towards the creation of a regional government.

As explained in this document, a Western Arctic Regional Government (WARG) would be a public government, with equality of rights for all residents, which would function in the manner of a local or regional municipality. WARG would provide greater decentralization in respect of decision-making and the delivery of services, and greater control at the local level within a regional community with an identifiable particular geographical area of interest.

COPE indicated to the Review Committee that it was prepared to work with a regional council until final arrangements for the region are in place.

III. PROFILES OF REGIONAL AND TRIBAL COUNCILS

i. BAFFIN REGIONAL COUNCIL

Membership

The 13 member communities within the Baffin Regional Council are: Arctic Bay, Broughton Island, Cape Dorset, Clyde River, Iqaluit, Grise Fiord, Hall Beach, Igloolik, Lake Harbour, Pangnirtung, Pond Inlet, Resolute Bay, and Sanikiluaq. The 17 voting members include the Mayors of these communities and the Presidents of the Baffin Region Inuit Association, Baffin Regional Hunters and Trappers Association, Baffin Region Alcohol and Drug Information Centre (BRADIC) and the Baffin Tourism Association.

The 22 non-voting members include the Speaker and Deputy Speaker; the six Baffin MLA's; the Regional President, Inuit Tapirisat of Canada; and the senior employee or manager of the 13 Baffin communities.

The regional population is 8,951, resulting in a ratio of voting delegates to population of 1:526.

Officers

The Speaker and Deputy Speaker are chosen from outside the Council's membership but from within the region's residents, and are elected by the Council's voting members for two-year terms. Each voting member of the Council may nominate a person for election as Speaker; the person receiving the second-highest number of votes for Speaker is appointed Deputy Speaker. If the Speaker is acclaimed, the voting members appoint a resident of the region as Deputy Speaker.

The six-member Executive includes the Speaker, who serves as chairman, and as many Council members as the BRC deems necessary. They are elected according to the BRC by-laws.

The Council's registered office is in Iqaluit. The Executive Director is the chief administrative officer.

Meetings

Two Council sessions and five Executive meetings are held each year. The Constitution and Bylaws were developed in 1977-78 and adopted by the Council at Iqaluit in March, 1978.

The Council operates on a consensus basis with extensive discussion of motions before they are put to a vote. As a result, few motions are defeated when put to a vote. (As of September, 1985, of the 354 motions put to a vote during the 15 sessions to date, only 12 motions were defeated.) Proceedings are translated simultaneously in English and Inuktitut.

Range of Interests

Motions of the BRC are directed to MLA's, various territorial and federal departments and agencies and private businesses. Motions identify problems in the region; support specific needs of a member community or communities; suggest that action be taken by another regional body; urge MLA's to take specific action; call on territorial and federal departments and Ministers to take specific actions; call on BRC members to lobby MLA's; and support the recommendations of other organizations in the Baffin region.

Topics on which motions were presented during the most recent session included the high cost of food and consumer goods; quality of postal services; scheduled airline services within the region; hiring of social workers; alternative garbage disposal methods; the North Warning Line; oil and gas exploration in James Bay and Hudson Bay; a social services conference in Baffin; communities' banking needs; funds for Tourism Committees; the new First Air route between Baffin and Kitikmeot; support for the Agvvik Society; the vacant seat on the Lancaster Sound Land Use Planning Committee; replies to motions directed to the GNWT; and all-terrain vehicle bylaws.

Topics discussed at the fall, 1986 session included: new Local Government legislation; the GNWT Fur Incentive program; muskox hunting on Devon Island; the polar bear season; polar bear tags; income restrictions on HAP applications; Inuktitut translations of HAP information; a Task Force on the justice system; requirements that Northern contractors hire locally; alcohol education funding be directed through BRC; Special ARDA and EDA funding; funding for the Baffin Tourism Association and Chamber of Commerce.

Topics discussed at the Baffin Leadership Summit in July, 1986 included social issues; obligations and duties of mayors; Lancaster Sound moratorium and protection of aboriginal rights; business management training at the community level through the region; wildlife policy and possible exports of country food; commercial aspects of Hunters and Trappers Association activities; definition of BRIA and BRC roles; study of regional

governments within Nunavut; the Agvvik Society and its work; restructuring of Inuit Cultural Institute.

Topics discussed at BRC's October, 1985 session included: the staff housing shortage; variable user-pay housing ceilings; PCB contamination of lakes near DEW Line sites; standardization of septic tanks; a Northern work force; funding for the Baffin recreation co-ordinator; Nunavut and the Inuvialuit communities; meetings about Panarctic's Bent Horn project; the proposed Ottawa-Frobisher scheduled service; Terms of Reference for the Regional Director's accountability; an increase in the 1986-87 capital plan; inclusion of a fuel truck for Lake Harbour; Bell Canada payment problems; and an area economic development officer training plan.

In October, 1984, matters dealt with included the NWT Housing Corporation; Baffin regional hospital; the regional Hunters and Trappers Committee; First Air; BRIA; education; local government and economic development and tourism activities; relationship between BRC and the mayor of Frobisher Bay; NCPC; caribou; guide and outfitter trainig; and ADCC funding.

Funding

Dues are levied on member communities at a rate of $2.00 per person in that community, for a total revenue of about $16,000.00.

Contributions from Municipal and Community Affairs have been: (1977-78) $33,000.00; (1978-79) $34,000.00; (1980-81) $65,000.00; (1981-82) $163,000.00; (1982-83) $163,000.00; (1983-84) $217,600.00; (1984-85) $250,000.00; (1985-86) $262,500.00; (1986-87 budget) $270,360.00.

Relationship with Regional Bodies

Amalgamation Agreements have been signed with BRADIC and the Baffin Region Hunters and Trappers Association. These agreements indicate that the purpose is to strengthen all parties involved, and spell out how the two parties (BRC and the amalgamating body) will work together. BRADIC and the BRHTA agreed that BRC would co-ordinate their interaction with the Legislative Assembly, Executive Council and other territorial and federal departments and agencies. In turn, the two groups have exclusive jurisdiction in terms of BRC's objectives in alcohol and drug education (BRADIC) and renewable resources (BRHTA).

Both organizations received a voting seat on the Regional Council, and their Chairmen were named ex officio non-voting

membership on the BRC's Executive Council. The agreements provided that the organizations' operations and voting procedures would be consistent with the provisions of the Baffin Regional Council Ordinance and the BRC's bylaws. The organizations would set their own budgets, which would be included in the BRC's budget submission to the Government of the NWT. In turn, the BRC would pass on the funding for each group to that group. Administration of the groups' activities would be centralized within the BRC offices, with staff supervised by the BRC's Executive Director.

After preliminary talks, an attempt to amalgamate the Baffin Regional Education Society with BRC was rejected by the Society in June, 1984, and the Society decided to become a divisional board of education, with BRC's support. No formal relationship exists between the two, and attendance at meetings is by invitation only. The BRC assisted in the formation of the Baffin Hospital Board, and is represented on the Baffin Region Health Board. The Regional Economic Development Association, which was a committee of the BRC, has evolved into the Baffin Regional Chamber of Commerce. The Baffin Tourism Association, which was a sub-committee of the REDA, reports regularly to the BRC.

The BRC has a Working Agreement with the Baffin Region Inuit Association which allows each group to be effective in areas of exclusive concerns. BRC also is a member of the Executive of the Tungavik Federation of Nunavut and of the Nunavut Constitutional Forum.

In October, 1985, Baffin Regional Council delegates approved a motion calling on BRC and the Baffin Region Inuit Association to jointly organize a meeting of all major organizations in the Baffin region to develop plans to co-ordinate activities. This Baffin Leadership Summit, subsequently held in July, 1986, covered issues such as social issues, activities of mayors, aboriginal rights, business management training, wildlife, tourism, support for the Agvvik Society, and funding mechanisms which could be regionalized.

The Baffin leaders passed a motion calling for an examination of NWT-wide funding mechanisms to see which might best serve the region by being regionalized. As an interim step until a Nunavut government is established, the motion said, those responsible for administering Government of the NWT policies and programs in the Baffin region should be given power to carry out their responsibilities, and decisions regarding the region's future should be made in the region. Other motions directed BRIA and BRC to clearly identify and explain their roles to regional residents, and directed BRC and the Nunavut Constitutional Forum

to begin a study of forming regional governments within Nunavut by consulting various interest groups within Nunavut.

In 1984, delegates directed BRC to follow up on an earlier motion which had directed BRC to negotiate with the Government of the NWT in order to assume control and responsibility over the operations of the regional Department of Local Government. Delegates moved that BRC be deemed a board of management for the Department of Local Government in the Baffin region, and directed the BRC's Executive Committee to negotiate with the Baffin Regional Director and the Superintendent of Local Government for gradual assumption of control over this department's Baffin regional operations.

Other Regional Bodies

Other regional bodies include:

--Baffin Divisional Board of Education: developed from Baffin Region Education Committee, which acted as Local Education Authority for Gordon Robertson Education Centre and Ukkivik residence in Iqaluit and as the BRC's sub-committee on education. Evolved into an Education Society with one member appointed from each community. Became Divisional Board of Education on April 1, 1985, with responsibility for delivery and administration of all Baffin Region schools, advanced education programs and residences. First full year of operation was in 1986-87, with funding of $3,219,000.00. Budget for 1987-88 is $3,696,000.00;

--Baffin Regional Health Board administers Baffin Hospital and other regional medical services. BRC assisted in forming this board, and names one member to the board. The Board is funded under the Territorial Hospital Insurance Services program of the Department of Health;

--Baffin Region Chamber of Commerce evolved from the Regional Economic Development Association, a five-member committee of the BRC, whose purpose was to advise on regional priorities and concerns related to economic development. Subsequently, the BRC's Executive Committee recommended that the REDA be replaced by the Baffin Region Chamber of Commerce;

--Baffin Tourism Association was originally a sub-committee of the Regional Economic Development Association. The Executive Committee of the Baffin Regional Council recommended that the two organizations be split, and that the REDA be replaced by the Baffin Region Chamber of Commerce;

--Regional Housing Authority (BRC has talked to the NWT

Housing Corporation about the possibility of bringing the authority under the BRC);

--Baffin Development Impact Review Committee, created after the High Arctic Development Impact Zone group amalgamated with BRC;

--Maliganik Tukisiniakvik, the native courtworkers' association, is based in Iqaluit;

--Regional Recreation Committee: members are appointed by Baffin Regional Council;

--Agvvik Society, a regional organization with a mandate to address spousal assault problems in the region.

ii. DEH CHO REGIONAL COUNCIL

Membership

The nine communities represented include Fort Liard, Fort Providence, Fort Simpson, Jean Marie River, Kakisa, Nahanni Butte, Trout Lake, Wrigley and Hay River Dene Reserve. The 15 voting members include the chief and a band councillor from Fort Liard Band, Hay River Dene Reserve Band and Wrigley Band; sub-chief of Simpson Band at Jean Marie River, sub-chief of Fort Providence band at Kakisa and sub-chief of Fort Liard band at Nahanni Butte; chief of Trout Lake Band; chief of the Fort Providence band and chairperson of the Fort Providence hamlet council; mayor of Fort Simpson, chief of the Fort Simpson band and president of the Fort Simpson local of the Metis Association of the NWT.

The four non-voting members include the regional representatives of the Dene Nation and Metis Association of the NWT and the two MLA's whose electoral districts are within the Deh Cho Region.

The regional population is 2,801, for a ratio of voting delegates to population of 1:186.

Speaker

The Speaker is a resident of the region who is elected by the voting members of the Council to serve a two-year term. The Speaker chairs Council and Executive meetings, but does not vote except when required to break a tie vote.

The Executive consists of the Speaker, who chairs Executive meetings, and three voting members of the Council chosen by secret ballot of the Council. The registered office is in Fort Simpson. Staff include an Executive Director, Administration Officer, Resource Analyst, Clerk, and Hostel Administrator.

Meetings

With the passing of the Regional and Tribal Councils Act, an informal system of regional meetings was formalized, with most of the organizational assistance provided by the Department of Municipal and Community Affairs. The Council was incorporated under the Regional and Tribal Councils Act in September, 1983.

Three Council sessions (one of which may be designated a regional assembly to allow greater participation in the Council by regional residents) and up to 10 Executive meetings are held each year.

Procedures are determined by the Council's voting members. Agendas are prepared by staff with direction and input from the Council's executive and the entire regional membership. A resident within the region can have an issue placed on a Regional Council meeting agenda by making a formal request to the Executive Director. Meetings are conducted in accordance with Parliamentary procedure and translated simultaneously in English and Slavey.

Range of Interests

The Council has representation from all bands, municipalities and communities in the region. Its role has been to provide its members with access to expertise in various areas, help members deal with senior governments, and identify, organize and present regional concerns and consensus to extra-regional governments and industry.

Issues which the council has dealt with include health care, education, land use, parks, economic development, pipelines, oil and gas exploration, tourism licensing, economic planning, wildlife, poor postal service, telephone rate increases, highway construction, and hostel accommodation for students from outlying communities.

Programs

The Regional Council operates the regional hostel, which houses about 40 elementary and secondary school students, and is staffed by 20 people under the direction of a Hostel

Administrator who reports to the Regional Council's Executive Director and management board. The hostel is operated under a contract with the Department of Education of the Government of the NWT. The Council currently receives funding under the Economic Development Agreement for an Economic Planner for one year. No extra administrative funds are provided to the Council for the operation of these programs.

Funding

Budgets prepared by the Council have generally exceeded the amount of the grant provided by the Department of Municipal and Community Affairs. The Council's proposed 1986-87 budget was $256,872.00. The Council's proposed 1984-85 budget was $154,232.00.

Revenue received by the Council is made up for the most part of contributions from the Department of Municipal and Community Affairs, which include: $146,260.00 (1986-87 budget) and in assistance in kind through provision of office space; $142,000.00 (1985-86); $135,000 (1984-85); $66,400.00 (1983-84); $3,000.00 (1982-83).

Assistance in kind includes 1,230 square feet of office space provided in the GNWT's Fort Simpson area office, which is valued by the Department of Public Works at $19,000.00.

In the past, the Council has received funding from the Indian and Inuit Affairs Program of Indian and Northern Affairs Canada, and occasionally from the Dene Nation or Dene/Metis Negotiations Secretariat.

Relationship with Regional Bodies

The Council has been preparing a report for the Minister of Education on whether a Deh Cho Divisional Board of Education should be established, but a variety of other regional groups has not been needed because the Regional Council has worked hard to respond to the needs of the region. The Council feels that it is in the interest of all to have a strong regional organization that has a comprehensive view of the issues that face the residents of the region, rather than a large number of regional groups each with its own sectoral interest and constituency.

iii. DOGRIB TRIBAL COUNCIL

Membership

The six communities represented on the Dogrib Tribal Council include Detah, Lot 500 (also known as Rainbow Valley) within Yellowknife, Lac La Martre, Rae Lakes, Snare Lake and Rae-Edzo.

The 13 voting members include the chief and one band councillor from Yellowknife "B" Band, sub-chief of the Yellowknife "B" Band representing Lot 500, sub-chief of the Rae-Edzo Band in Lac La Martre and mayor of Hamlet of Lac La Martre, sub-chief of Rae-Edzo band in Rae Lakes and chairperson of Rae Lakes settlement council, sub-chief of Rae-Edzo band in Snare Lake and one other person elected by members of the Snare Lake settlement, mayor of the Hamlet of Rae-Edzo and chief and two band councillors chosen by the Rae-Edzo Band.

The four non-voting members include the regional representatives of the Dene Nation and Metis Association of the NWT, and the two MLA's for the Dogrib region.

The regional population is 2,500, and the ratio of voting delegates to population is 1:192.

Officers

The Council Chairperson is a resident of the region who is elected by the Council's voting members in secret ballot. The Chairperson may be a member of the Council. The Chairperson, who serves a two-year term, chairs Council and Executive meetings but votes only in the case of a tie vote. The person receiving the second highest number of votes as Chairperson is appointed as Deputy Chairperson.

The Executive consists of one voting member from each community in the Dogrib region, chosen by secret ballot of the Council. Lot 500 and Detah are considered one community for purposes of Executive membership.

The registered office of the council is in Rae-Edzo. The chief administrative officer is the Executive Director.

Meetings

The Council's constitution was approved by the Dogrib Tribal Council on July 14, 1983, at Fort Rae, and the Council was incorporated under the Regional and Tribal Councils Act in September, 1983.

Three Council sessions and four Executive meetings are held each year. Meetings may be held outside the region if the Council chooses.

Range of Interests

Discussion at one of the first meetings of the Council held in Snare Lake in September, 1981, included caribou tagging; community hunts; taxation of trapping income; cultural inclusion programs; lunch programs in the schools; local control of schools; stores at Rae Lakes and Snare Lake; transfer of social services program to Rae; forest fire management; and the community government ordinance.

Aside from minutes of steering committee meetings, no further minutes of the Dogrib Tribal Council are found in the MACA files.

Funding

Council revenue is made up of contributions from the Department of Municipal and Community Affairs: $124,630.00 (1986-87 budget); $121,000.00 (1985-86); $115,000.00 (1984-85); $71,400.00 (1983-84); $7,000.00 (1982-83).

A Memorandum of Agreement, Assistance to Regional Councils, was signed by MACA and the Dogrib Tribal Council in June, 1987, covering 1987-88 funding of up to $128,900.00.

The 1987-88 Tribal Council budget breaks down expenditures as follows: Tribal Council meetings, $39,200.00; Executive Committee meetings, $16,000.00; and Administration costs, $73,800.00 (including $33,000.00 for the Executive Director's salary).

Relationship with Other Regional Bodies

There are plans to establish a Dogrib Divisional Board of Education in 1988-89 or later.

iv. KEEWATIN REGIONAL COUNCIL

Membership

The seven communities represented include Baker Lake, Chesterfield Inlet, Coral Harbour, Eskimo Point, Rankin Inlet, Repulse Bay and Whale Cove. The seven voting members are the

mayors of those communities, although the Council proposed in its 1986/87 budget to extend voting membership to 16 delegates.

The seven non-voting Council members include the two MLA's for the Keewatin region; the President or Vice-President of the Keewatin Inuit Association; the President or senior representative of the Inuit Tapirisat of Canada; the President or Chairperson of the Keewatin Wildlife Federation, Keewatin Housing Federation, the Keewatin Regional Education Authority and any other regional body recognized by the Council.

The regional population is 4,721. Based on seven voting delegates, the ratio of voting delegates to population is 1:674. If the number of voting delegates was increased to 16, the ratio would be 1:295.

The Council was incorporated under the Regional and Tribal Councils Act in September, 1983.

Officers

The Speaker, a resident of the region who is not a member of the Council, is elected by the Council's voting members to serve a two-year term. The Speaker presides over Council and Executive meetings but does not vote except in the case of a tie vote. The person who receives the second-highest number of votes in the election for Speaker is appointed Deputy Speaker. If the Speaker is acclaimed, the Deputy Speaker is appointed by the Council's voting members from outside their membership.

The Executive includes the Speaker, who chairs the meetings, and as many voting members as the Council deems necessary and are elected by the Council.

The registered office of the Council is in Rankin Inlet, and the Executive Director is the chief administrative officer.

Meetings

Two Council sessions and three Executive meetings are held each year.

Range of Interests

Topics of discussion at the Keewatin Regional Council's meeting in April, 1986 included the boarding home for patients; birth certificates for children born in Manitoba; a birthing centre for the Keewatin; a lawyer for the Keewatin; search and rescue; polar bear quota for Eskimo Point; the name of the

federal constituency; hamlet staff housing; fire protection; land development; gravel; commercial lots; housing associations; village status for Rankin Inlet; docks; high school; young people and employment; elders' groups; creation of national parks; food subsidies; energy conservation; health; suicide prevention; and the proposed Nunavut Association of Municipalities.

In July, 1985, topics for discussion included decentralizing government departments; adult educator for Repulse Bay; elders groups; Obstetrics Evacuation Study for Keewatin; Nunavut Constitutional Forum office in the region; moving the Mental Health co-ordinator from Churchill to Rankin Inlet; monitoring contractors' hiring practices; a proposed all-terrain vehicle Act; a proposal for a suicide study; and repairs to Repulse Bay's satellite dish.

Minutes of June, 1983, indicate that the Council was then concerned about territorial electoral districts; an extension of the Eskimo Point runway; a new fire truck for Chesterfield Inlet; an airport shelter for Chesterfield Inlet; air service to Coral Harbour; involvement of the Keewatin Housing Federation in establishing terms of housing contracts; and a request to delegate the issuing of sports fishing licences to appropriate regional bodies.

Funding

Funding comes in the form of contributions from the Department of Municipal and Community Affairs. In 1982/83, the Main Estimates included $20,000.00 in the regional budget for the Regional Council; $60,000.00 was approved by the Legislative Assembly in the January, 1983, Supplementary Estimates, for a total of $80,000.00. As of November 2, 1982, the Council had spent $95,762.24 and estimated that it needed an additional $42,700.00 for the rest of the 1982/83 fiscal year ($138,500.00 in total). Special grants totalling $46,900.00 were provided to the Keewatin hamlets to cover KRC debts to them and to provide funding for the Regional Council.

Funding provided by MACA for the 1983-84 year was $103,800.00. In 1984/85, funding of $168,500.00 was provided by MACA.

In 1985-86, the proposed Council budget was $228,740.00, subsequently amended to $279,463.00; MACA contributed $177,500.00. Expenditures to December 31, 1985, were $207,863.00; 1986 operating deficit was $20,159.00. Supplentary funding of $25,000.00 was provided in October, 1986.

Funding of $10,000.00 was provided by an Executive grant to cover the Suicide Prevention study; $2,600.00 was included in the budget as an Administrative Officer training grant.

In 1986-87, the proposed Council budget was $414,000.00; the MACA grant was $182,830.00.

A Memorandum of Agreement, Assistance to Regional Councils, was signed with the Department of Municipal and Community Affairs in June, 1987, covering funding for the 1987-88 fiscal year. The agreement provides for a contribution of up to $202,500.00 by the GNWT.

The 1987-88 budget set by the Keewatin Regional Council is for $241,176.00. In it, the salary of the Executive Director is set at $40,000.00.

Relationship with Other Regional Bodies

Other regional bodies which currently are non-voting Council members include the Keewatin Inuit Association, Keewatin Wildlife Federation, Keewatin Housing Federation, and the Keewatin Regional Educational Authority. At its autumn, 1987 session in Coral Harbour, KRC delegates approved a motion to give the Keewatin Chamber of Commerce non-voting membership on the KRC. Other regional bodies include the Keewatin Regional Health Board, on which the KRC has a board member, and Travel Keewatin, a non-profit organization based in Rankin Inlet which has a board of directors from Keewatin communities.

The Keewatin Regional Tourism Committee is made up of one member from each hamlet council, appointed by the hamlet council. The chairperson of the committee sits on the board of directors of the Keewatin Chamber of Commerce.

In April, 1986, the Keewatin Regional Council proposed to the Baffin Regional Council and the Kitikmeot Regional Council that a Nunavut Association of Municipalities should be created. This followed up on a suggestion by the Keewatin Chamber of Commerce for the creation of a Nunavut Chamber of Commerce.

The KRC has proposed a Keewatin Leaders Summit to be held in mid-January, 1988, probably in Rankin Inlet. As well as Members of the Legislative Assembly, those invited to attend include representatives of the Keewatin Inuit Association, Tungavik Federation of Nunavut, Inuit Committee on National Issues and Inuit Tapirisat of Canada.

v. KITIKMEOT REGIONAL COUNCIL

Membership

The six communities which are members of the Council include Cambridge Bay, Coppermine, Gjoa Haven, Holman, Pelly Bay and Spence Bay.

The Council's 12 voting members include the mayors of the six communities and the presidents or chairpersons of the Kitikmeot Inuit Association, the Kitikmeot Hunters' and Trappers' Association, the Kitikmeot Housing Federation, the Arctic Coast Tourist Association, the Kitikmeot Education Authority, and the Kitikmeot Regional Social Affairs Committee. The additional six voting members were added by a Council motion in October, 1983, and approved by the Minister in December, 1983.

The eight non-voting members include the two MLA's whose electoral districts are within the Kitikmeot Region and administrators of each municipality in the Kitikmeot Region.

The regional population is 3,474, for a ratio of voting delegates to population of 1:289.

The Kitikmeot Regional Council succeeded the Central Arctic Area Council on April 1, 1983, assuming the Council's bank account, accounts receivable and surplus, and was incorporated under the Regional and Tribal Councils Act in September, 1983. The first meeting under the new Act was held in Coppermine Oct. 11-13, 1983, and the first Executive Committee meeting was held in Cambridge Bay Jan. 30-Feb. 3, 1984.

Officers

The Speaker, a resident of the region who is not a member of the Council, is elected by the Council's voting members for a two-year term. The Speaker presides over Council and Executive sessions, but does not vote except in the case of a tie vote. The person who receives the second-highest number of votes for Speaker is appointed Deputy Speaker. If the Speaker is elected by acclamation, the Council's voting members appoint a resident of the region who is not a Council member as Deputy Speaker.

The seven-member Executive includes the Speaker and the mayors or chairpersons of the six Kitikmeot communities.

The registered office of the Council is in Cambridge Bay, and the Executive Director is the chief administrative officer.

Meetings

Three Council sessions and three Executive meetings are held each year.

The Council was promised involvement in the selection process for senior managers in the Kitikmeot Region in a letter from Minister of Personnel Red Pedersen dated Nov. 25, 1986.

Range of Interests

At its October, 1987 meeting, the Council discussed GNWT activities and programs in the region; supported an application by Aklak Air to link Inuvik with Holman, Coppermine and Cambridge Bay; supported a request to NorthwesTel for a second lineman-technician; heard presentations from the area's MLA's; discussed the patient transient centre in Yellowknife, a workshop for the Regional Council members, postal services in the Kitikmeot region, the high cost of living, expansion of the holding facility at the RCMP building in Cambridge Bay, a Special ARDA application for the Pelly Bay co-op store, renovation of the old Spence Bay hamlet office as a crisis centre, need for a CBC regional centre in Kitikmeot, more coverage by Inuit Broadcasting Corporation, more funding for small businesses in the region; agreement to have a mental health worker based in Coppermine; progress by K.R.E.C. on the divisional board of education; concern about drinking by Akaitcho Hall students; purchase of a printer; election of Speaker and Deputy Speaker; review of Income Statement, Balance Sheet, and Trial Balance.

August, 1987 Executive Meeting: review of GNWT activities and programs in the region; transfer of health responsibility from federal to the territorial government; support for opposition to an NWT Air intervention on First Air's application; discussion about a doctor for Coppermine; a reduction of the Council's budget by MACA; effects of schedule changes by NWT Air; scientific research projects; housing; patient transient centre; funding for an outreach program; review of first quarter financial statements; review of 1986/87 audit; appointment of auditors; the North Warning System.

May, 1987 meeting: review of GNWT programs and activities in the region; the North Warning System; encouragement for First Air to include Coppermine on its Kitikmeot schedule; NorthwesTel service; meeting with Regional and Tribal Councils Review Committee; residential doctor for Coppermine; the employment outreach program; increase in honoraria rate from $75.00 to $100.00; review of financial statements; report by Kitikmeot Housing Federation; the plebiscite on the boundary; a workshop

for the KRC.

January, 1987 meeting: review of GNWT activities and programs in the region; school attendance; interpretation services; transfer of health responsibility; rental scale policy; NorthwesTel; interpretation services provided in Yellowknife by Health and Welfare; patient transient centre in Yellowknife; KRC involvement in interview board for senior GNWT positions in the region; audit report and financial statements; territorial-wide regional council meeting in Yellowknife; proposed boundary for division of the NWT; presentation on the Water and Sewage Subsidy Program.

October, 1986 meeting: report on GNWT activities and programs in the region; extension of the Spence Bay airstrip; DND presentation on North Warning Line; support for construction of a patient transient centre in Yellowknife; decentralization of GNWT programs and services; commercial fishing in Pelly Bay; housing rental scales in the Kitikmeot; the P.O.L. tank farm in Gjoa Haven; a need for larger porches; concern about information being provided by ITC; report on aboriginal languages not in Netsilikmiut dialect; decentralization of translation services; NorthwesTel rate increase application; request to reconsider a delay in building the regional Education Centre; direction of local councils and the regional council; interpreters for travelling patients; youth unemployment; KRC involvement in hiring of senior GNWT staff; financial statements; MLA's presentation.

Funding

Funding comes largely through contributions from the Department of Municipal and Community Affairs: $180,835 (87-88); $173,000.00 (86-87); $168,000.00 (85-86); $160,000.00 (84-85); $80,800.00 (83-84); $50,000.00 (82-83).

The Financial Statements for the year ending March, 1987, show proposed revenues of $183,835.00. Expenditures on Regional Council meetings in 1988 are estimated to be $60,000.00; expenditures on Executive meetings, $24,000.00; and salaries and benefits, $54,890.00.

The Council has not yet submitted its 1985/86 audit to the Department of Municipal and Community Affairs.

Relationship with Other Regional Bodies

All other regional bodies are voting members of the Council. They include the Kitikmeot Inuit Association, Kitikmeot Hunters

and Trappers Association, Kitikmeot Housing Federation, Arctic Coast Tourist Association, Kitikmeot Education Authority (Kitikmeot Regional Education Council), and Kitikmeot Regional Social Affairs Committee.

The Kitikmeot Divisional Board of Education will replace the Kitikmeot Regional Education Council as of April 1, 1988, and will be responsible for schools in Holman Island, Coppermine, Cambridge Bay, Pelly Bay, Spence Bay and Gjoa Haven. KREC decided to seek board status in October, 1986. Administration, personnel and finance responsibilities will be transferred to the new board from the Department of Education.

vi. SHIHTA REGIONAL COUNCIL

Membership

The five communities represented on the Council include Colville Lake, Fort Good Hope, Norman Wells, Fort Norman, and Fort Franklin.

The 14 voting members include the Chief and one community councillor named by the Fort Good Hope Dene Community Council; the sub-chief of the Fort Good Hope band at Colville Lake and one representative chosen by the people of Colville Lake; the mayor of Norman Wells and one councillor chosen by Norman Wells municipal council; the chief of Fort Norman band and the mayor of Fort Norman; the chief of Fort Franklin and the mayor of Fort Franklin; and the presidents of the Metis locals in Fort Good Hope, Norman Wells and Fort Norman. (The Minister has approved the addition to the voting membership of a member of the Fort Franklin hamlet council.)

The three non-voting members include the MLA for the Sahtu Region and the regional representatives of the Dene Nation and Metis Association of the NWT.

The regional population is 2,169, providing a ratio of voting delegates to population of 1:154.

History of the Council

At meetings co-ordinated by the Government of the NWT in the fall of 1982, Dene leaders of the Mackenzie Great Bear region decided to work towards creating a regional council. The Hamlet of Norman Wells was invited to send delegates to a meeting in Fort Norman in November, 1982. These meetings in 1982, 1983 and the spring of 1984 were co-ordinated by and funded by the Department of Local Government of the Government of the NWT.

Delegates reached agreement on the name, Mackenzie Great Bear Regional Council, and a proposed 1984/85 budget at the December, 1983 meeting. Funding as an unincorporated council was received from the Government of the NWT as of January, 1984.

The Shihta Regional Council was incorporated under the Regional and Tribal Councils Act as of November 9, 1984. The Mackenzie/Great Bear Development Impact Zone Society, whose mandate expired March 31, 1986, has been incorporated into the Council as the Resource Development Sub-Committee.

Officers

The Speaker, a resident of the region who is not a Council member, is elected by the Council's voting members for a two-year term. The Speaker presides over Council and Executive meetings but does not vote except in the case of a tie vote.

The six-member Executive consists of the Speaker and one voting member from each community chosen by the Council.

The Council's registered office is in Norman Wells. Council staff include an Executive Director; General Manager, Programs; and a Business Development Advisor.

Council Committees

Council committees include the Education Sub-Committee; Health/Social Affairs Sub-Committee; and the Resource Development Sub-Committee. (The Resource Development Sub-Committee developed from the Development Impact Zone Society, whose mandate expired on March 31, 1986 and which was consolidated with the Regional Council by the Council in January and February, 1986).

The Shihta Regional Council publishes a newsletter, called The SRC Informer.

Range of Interests

Topics discussed by the Shihta Regional Council over the past two years include the Fort Franklin community hall and hamlet office; Fort Franklin airport and airstrip; Colville Lake airstrip; extension of the winter road form Norman Wells to Fort Good Hope; liquor identification cards; regional education workshop; permanent office accommodation for Shihta; Norman Wells' request to become a tax-based municipality; survey of northern pipeline employment; Social Services officials; business opportunities with Petro-Canada; environmental study of Port Radium; senior citizens' homes in Fort Franklin and Fort Norman;

monitoring sport-fishing activities; banking services in the region; moving NTCL's yard in Norman Wells; a separate Sahtu region; community-based prohibition; Arctic Transportation's application to the Water Transport Committee; CMHC's current 10-year mortgage period; caribou entangled in old telephone wires; and land use permits in the region.

Shihta also has carried out various projects related to employment and economic development. It carried out a community consultation process and prepared several reports on employment and training. Delegates travelled to northern Manitoba to see how the massive Limestone hydro-electric development was being managed.

Shihta is working with the local education authorities in the Sahtu area towards creating a regional board of education. Along with the Beaufort/Delta DIZ group, Shihta lobbied for a Community Futures Program for the Inuvik region. It also is working on a needs assessment program for Sahtu Tech, an oilfield-training facility in Norman Wells under the Arctic College system.

Funding

In 1983/84, the council received $25,000.00 in start-up funding from the Department of Local Government, covering expenses for a regional meeting in Norman Wells in April, 1984; an executive meeting in Norman Wells in May, 1984, to interview for an Executive Director; and the setting up of an office.

In 1984/85, the Council approved a budget of $124,000.00; Local Government provided $95,000.00. Shihta says this budget, prepared by Local Government rather than by the Council, was based on a 10-month year rather than a full year, but this was not reflected in future year's allocations.

In 1985/86, the Council approved a budget of $139,183.00; MACA granted $119,000.00. The Council asked for additional funding from the Government Leader, and was granted $20,000.00. The Council said this enabled Shihta to cover the expenses of the three additional voting members which the Minister had approved, and "also gave us the realistic core funding for the Council's full year of operation, rather than the 9 or 10 month core funding given for the previous year" (Shihta Regional Council submission to Review Committee).

In 1986/87, the Council approved a budget of $146,777.00; MACA granted $122,570.00. A request for additional funding was turned down. In its submission to the Committee, Shihta indicated

that its budget proposal included the cost of the four additional members who have been added since Shihta began and that Shihta felt its budget is more realistic than the amount granted by government.

Other funding received from the Government of the NWT for the 1986-87 year includes $10,000.00 from Economic Development and Tourism for a partial cost-share of the one-year term Business Development Advisor (Economic Development supplies trailer accommodations and the Council pays utilities and upkeep of the trailer); $34,250.00 extraordinary funding from Energy Mines and Resources to cover a shortfall in the DIZ budget ($15,500.00 to be recoverable if and when DIAND puts in its 1986/87 funding share); $5,000.00 from MACA for Regional Council workshop held in August, 1986; $1,700.00 from Executive for porch addition to office and $1,600.00 for office renovations; and provision of office space, including operation and maintenance costs, valued by MACA at $26,400.00.

In 1985-86 and 1986-87, funding was received from Indian and Northern Affairs Canada under the Resource Development Impact funding program for specific workplans or projects. INAC cost-shares the Business Development Advisor position with Economic Development and Tourism.

On-going expenses which are paid include the expenses of SRC members when they sit on GNWT interview boards; the services of the North Slavey interpreter, who is located in the SRC office; the use of sound equipment for regional council meetings; the property taxes on office building, which belongs to GNWT, are paid by GNWT.

vii. SOUTH SLAVE REGIONAL COUNCIL

Membership

The six communities represented include Enterprise, Fort Resolution, Fort Smith, *Pine Point, Snowdrift, **Hay River, Hay River Corridor. (*The town of Pine Point withdrew from membership in the South Slave Regional Council; however, the President of Pine Point Metis Association local remains as voting member. **The town of Hay River withdrew from the Council until a community plebiscite is held on membership; however, President of Hay River Metis Association local remains as a voting member of the Council.)

The Council's constitution proposes 14 voting members as follows: President, Hay River Corridor Association; Chairperson, Enterprise settlement council; President, Hay River Metis

Association local; President, Pine Point Metis Association local; Chief, Deninoo Community Council and one councillor, Fort Resolution; President, Fort Resolution Metis Association local; Chief, Lutsel K'e Dene Council and two councillors, Snowdrift; Chief, Fitz-Smith Native Band; Mayor and one councillor, Town of Fort Smith; and President, Fort Smith Metis Association local.

The proposed Constitution calls for non-voting members to include the vice-president, South Slave Region, Dene Nation; the vice-President, Southern Region, Metis Association of the NWT; the president of each local Hunters and Trappers Association; and MLA's whose electoral districts include at least one community which holds voting membership.

Excluding the towns of Hay River and Pine Point but including Metis membership in Hay River and Pine Point, the regional population is 3,574. The ratio of voting delegates to population is 1:255.

History

The South Mackenzie Area Council was incorporated as a Society in September, 1981, and applied for funding as a regional council but did not meet the requirements because it included only the municipalities of Fort Smith, Hay River and Pine Point. Using Western Constitutional Forum funding, SMAC sponsored a study of regional structures done by David Michener and titled "Constitutional Development, The Future of Area Government".

The South Slave Regional Council was encouraged by the Government of the NWT as a way of bringing together the municipalities and the bands of the South Mackenzie region, which were being separately represented by SMAC and the Regional Tribal Council.

The Constitution of the South Slave Regional Council was drafted in April, 1985. The Council is unincorporated, although a formal request for incorporation was made Feb. 17, 1986. The Town of Pine Point withdrew from membership in September, 1986, and the town of Hay River removed itself from meetings until a decision is arrived at through a community plebiscite.

Officers

The Speaker shall hold office for a two-year term. The Speaker may be re-elected and serve any number of terms.

The Speaker and six voting members of the Council form the Executive. Members of the Executive hold office for one year. No

more than one person from any one community may serve on the executive at any one time. The members of the Executive are chosen by the voting delegates from their home community.

Meetings

Two Council meetings and six Executive meetings are held each year. One of the Council meetings may be designated a regional assembly. Agendas are set by the Executive, and meetings are conducted according to Parliamentary procedures.

The draft Constitution indicates that Council and Executive decisions will require a consensus of two-thirds of voting delegates. If two-thirds of the voting delegates of a community regard a council motion or resolution as an "unwarranted intrusion" into their community's local affairs, they may declare the resolution null and void. No resolution of the Council or the Executive will be valid unless it is approved by a two-thirds majority.

In order to deal with aboriginal concerns within the structure of the Regional Council, the South Slave Regional Aboriginal Committee has been created as an aboriginal caucus of the Regional Council. The Council is proposing to draft a bylaw in conjunction with MACA to recognize the new committee, which meets one day prior to Regional Council meetings and tables motions from the aboriginal meeting at the Regional Council session.

Range of Interests

Issues dealt with by the Council so far have included the areas of aboriginal issues, specific community concerns and other regional concerns. Examples include water delivery, mercury levels resulting from the Taltson dam, low-level flights of B-52 bombers, insurable mortgages for Enterprise and Fort Resolution, location of NCPC's new headquarters, the boundary between the proposed eastern and western territories, regular air service between Snowdrift and Fort Resolution, the Thelon Game Sanctuary, increased use of aboriginal languages in schools, the clean-up of Pine Point mine and townsite, development of an agricultural policy for the NWT, alcohol and drug programs in the region, and divisional school boards.

Funding

Budgets drawn up by the Council were as follows: 1985/86 budget (for 9-month period) $75,000.00; 1986/87 budget $96,200.00, revised to $109,550.00. Funding in the form of

contributions from the Department of Municipal and Community Affairs was as follows: $87,550.00 (86/87 budget); $85,000.00 (85/86); $85,000.00 (84/85); $7,000.00 (82/83).

Office space in territorial government buildings is provided as part of the government's assistance to the Council, and is valued at $19,770.00.

The draft Constitution (Section 13) prohibits the levying of dues on member communities or bodies.

In June, 1987, the Department of Municipal and Community Affairs and the SSRC signed a Memorandum of Agreement, Assistance to Regional Councils. This Memorandum, effective April 1, 1987 until March 31, 1988, sets the conditions under which funding is provided to the SSRC.

The Council's 1987-88 budget sets a core funding budget of $91,080.00. Of these amounts, $22,000.00 covers the costs of Regional Council meetings; $5,750.00 covers the cost of Executive Council meetings; $43,900.00 covers the cost of the Executive Director's salary and benefits; and $19,430.00 covers administrative costs.

viii. REGIONAL BODIES: MACKENZIE DELTA/BEAUFORT SEA

Within the Inuvik region, there are four regional bodies which represent various groups within the region. The Shihta Regional Council, profiled earlier, is the only incorporated group within the Inuvik region; while the Shihta Regional Council represents communities at the southern end of the Inuvik region, its funding comes out of the Inuvik region allocation.

The Beaufort Delta Regional Communities Conference Group, which is funded as an unincorporated council by the Government of the NWT under the Regional and Tribal Councils policy, decided earlier this year to apply for incorporation as a regional council.

Although neither meets the requirements of a regional council, both the Mackenzie Delta Regional Council and the Committee for Original Peoples' Entitlement (COPE) have received funding in recent years to study possible regional structures, or ways in which they could fit into regional structures, within the region.

COPE reached a land claims settlement with the federal government in 1984, under which a variety of Inuvialuit

committees and societies were created. (As well as the umbrella Inuvialuit Regional Council, these include the Inuvialuit Game Council, the Inuvialuit Land Corporation, the Inuvialuit Land Adminstration, the Inuvialuit Development Corporation, the Inuvialuit Investment Corporation, and individual community corporations.)

While COPE had put forward the proposal for the creation of a Western Arctic Regional Municipality (WARM) in its land claim negotiations, the federal government felt that political structures should be worked out through a separate process apart from the land claims process.

The Mackenzie Delta Regional Council grew out of the desire of the Dene and Metis of the Delta to represent their regional interests within the Dene/Metis claim, and has moved into the area of economic development through the creation of a regional development corporation.

Neither COPE nor the Mackenzie Delta Regional Council qualified for funding as a regional council under the terms of the December, 1982 principles approved by the Executive Council, because neither group included within its membership all elected leaders of all communities in the region.

In July, 1983, the Government of the NWT, at the request of community and band councils in the Mackenzie Delta, hosted a preliminary conference on the formation of a regional council in the Mackenzie-Delta Region. This marked the start of the group which subsequently became known as the Beaufort Delta Regional Communities Conference Group.

In 1985-86, the Beaufort-Delta Regional Communities Conference Group received $40,000 to bring together all the leaders of the eight communities. Funding of $89,300.00 was provided to the Conference Group for 1986-87 on the basis that it qualified for funding as an unincorporated regional body.

In a letter to the Conference Group, the Minister of Municipal and Community Affairs indicated that limited funding had been provided to COPE and the Mackenzie Delta Regional Council "on condition that they hold discussions with your Conference Group in order to determine what a single regional structure should look like or if these regional bodies remain separate, what the relationships between these bodies will eventually be." The Minister indicated that the government did not want "a duplication of roles and responsibilities or a proliferation of regional bodies with similar objectives."

While the group has met for some time as the Mackenzie Beaufort Delta Community Conference Group, delegates decided in April, 1987, to request incorporation as the Beaufort Delta Regional Council.

However, council members made it clear that the current council is an interim body which might disband or change, depending on the forms of regional government developed by the Committee for Original Peoples' Entitlement (COPE) and the Mackenzie Delta Regional Council. Council members feel that it would be unfair to COPE and the Dene/Metis group to cut off their funding to work on regional structures.

The regional council is the only forum in which superintendents and the Regional Director account to all the communities. All government departments report on what they are doing, and each community has a chance to put its needs forward for consideration.

However, COPE and the Mackenzie Delta Regional Council continue to receive some funding from the GNWT to work on the development of regional structures. In 1985/86, COPE received funding of $60,000.00 and the Mackenzie Delta Regional Council received $27,000.00 to continue exploring possible regional structures.

Despite the federal refusal to negotiate WARM as part of the Inuvialuit settlement, the Inuvialuit have continued to pursue this proposal in various other forums over the past few years. Discussions have taken place within the Nunavut Constitutional Forum and the Western Constitutional Forum, both of which have made a number of commitments to various forms of regional government.

In October, 1986, COPE and the Inuvialuit Regional Corporation prepared a paper entitled "The Position of the Inuvialuit of the Western Arctic Region with respect to the Future Political Development of the Northwest Territories and its Institutions". This paper indicated that the Inuvialuit continue to desire and will work towards the creation of a regional government.

As explained in this document, the Western Arctic Regional Government (WARG) would be a public government, with equality of rights for all residents, which would function in the manner of a local or regional municipality. WARG would provide greater decentralization in respect of decision-making and the delivery of services, and greater control at the local level within a regional community with an identifiable particular geographical

area of interest.

Beau-Del Regional Council

Communities which belong to the Beau-Del Regional Council include Fort McPherson, Arctic Red River, Inuvik, Aklavik, Sachs Harbour, Tuktoyaktuk and Paulatuk. The final structure and membership of the Council are still under development and are not finally decided as yet. A constitution has not yet been developed and the Council is not incorporated.

Community representation on the Mackenzie Beaufort Delta Community Conference Group included the Mayor and Chief of Fort McPherson, one Aklavik representative approved by the Band and the Hamlet Council, the Mayor and one councillor from Paulatuk, the Mayor and one councillor from Tuktoyaktuk (councillor Helen Gruben served as chairperson of the Conference group and currently chairs the Council), the Mayor of Sachs Harbour, the Mayor and one councillor from Inuvik, and the chief and one councillor from Arctic Red River.

Regional organizations functioning in the Mackenzie Delta/Beaufort Sea region include the Beau-Del Regional Council, the Beaufort/Mackenzie Delta Development Impact Zone Society, COPE, the Inuvialuit Regional Corporation and various Inuvialuit organizations listed above, the Inuvik Hospital Advisory Board, the Inuvik Region Community Futures Society, the Inuvik Regional Education Committee, the Mackenzie Delta/Beaufort Sea Regional Land Use Planning Commission, the Mackenzie Delta Regional Council, the Mackenzie Delta Regional Development Corporation, the Mackenzie Valley Renewable Resource Management Board, the Porcupine/Caribou Management Board, the Western Arctic Visitors Association and the Shihta Regional Council.

IV. FINANCING OF REGIONAL COUNCILS

i. GNWT Funding for Regional Councils, 1977-1987

Research in the Main Estimates of the Government of the NWT covering the years from 1977 to 1987 shows that the GNWT began providing funding for regional councils in 1977. During the past 10 years, the funding has come from the budget of the Department of Local Government (now Municipal and Community Affairs).

In 1977-78, $55,000.00 was provided under the Research and Development Program of the Department of Local Government to provide for one Regional Community Council Conference in each district (see Main Estimates 1977-78). The Baffin Regional

Council received $33,000.00 in 1977-78 under the Development and Training Program (see Main Estimates 1978-79).

In 1978-79, the Baffin Regional Council received $34,000.00 to finance community representatives at one council meeting. This funding came from the Development and Training Program of the Department of Local Government (see Main Estimates 1978-79). The Main Estimates 1979-80 indicate that a total of $58,000.00 was provided in 1978-79, indicating that $24,000.00 was used to assist the Central Arctic Council and other regional conferences.

In 1979-80, $155,000.00 was provided through the Development and Training Program of the Department of Local Government to finance the Baffin Regional Council, Central Arctic Regional Council and regional community conferences in Fort Smith, Inuvik and Keewatin regions (see Main Estimates 1979-80). This rose to $164,000.00 in 1980-81 (see Main Estimates 1980-81). Of this total funding, $65,000.00 was designated specifically as support funding for the Baffin Regional Council, with the remainder ($99,000.00) going towards financing the Central Arctic Regional Council and other regional community conferences.

In 1981-82, the Baffin Regional Council received $163,000.00, while $123,000.00 went to finance the Central Arctic Regional Council and other regional community conferences (see Main Estimates 1981-82). In 1982-83, Baffin Regional Council also received $163,000.00, while $78,000.00 went to finance developing regional councils and other regional community conferences (see Main Estimates 1982-83). This funding now came from the Directorate of the Department of Local Government.

In September, 1982, the Executive Committee directed the Minister of Local Government to develop a draft policy on funding of regional and tribal councils. The Regional and Tribal Councils Policy, approved by Executive Council in June, 1983, said the GNWT "may provide funding to regional and tribal councils, or support in kind where appropriate". This provided for a core funding contribution, extraordinary core funding if needed, and Special Funding for research funds and organizational meetings. Funds were to be disbursed through regional budgets. This policy applied to the Baffin Regional Council as an incorporated council, and to the Keewatin, Kitikmeot and Deh Cho Regional Councils and the Dogrib Tribal Council as unincorporated bodies. A review of funding was to be done before March 31, 1984.

Following the adoption of the policy on financial assistance to Regional and Tribal Councils by the Executive Council in May, 1983, the Main Estimates lumped together all funding under "Assistance to Regional and Tribal Councils".

Based on this policy, funding of $578,000.00 was provided in 1983-84 (see Main Estimates 1983-84). Of this funding, $540,000.00 was divided between the Baffin ($217,600.00), Keewatin ($103,800.00), Kitikmeot ($80,800.00) and Deh Cho ($66,400.00) Regional Councils and the Dogrib Tribal Council ($71,400.00). The remaining $38,000.00 was divided between a follow-up Beaufort/Delta conference and a Great Bear area conference.

A new Policy on Assistance to Regional Councils was approved by the Executive Council in July, 1984, and the funding for councils was increased dramatically. The amount voted for regional and tribal councils in the 1984/85 Main Estimates was $645,000.00, five per cent more than in 1983/84. Funding rose to $1,202,000.00 in 1985/86 after $500,000.00 in extra money identified as being available for Constitutional and Political Development was added. Funding rose to $1,238,000.00 in 1986-87 (see Main Estimates 1986-87).

Since 1983-84, contributions made to Regional and Tribal Councils by the Department of Municipal and Community Affairs have been based on the funding provided in 1983-84, increased annually by the percentage factor applied throughout the Government of the NWT -- ranging from three to five per cent. Most budgets proposed by Regional Councils, however, have been based on higher amounts.

ii. Funding Policy for Regional and Tribal Councils

The Policy on Assistance to Regional Councils indicates that funding provided to Regional and Tribal Councils by the Department of Municipal and Community Affairs is calculated on the basis of two categories: base funding to permit Councils to carry out statutory requirements, and discretionary General Council funds as recommended by the Minister.

The base funding amount covers the costs of statutory requirements including delegates' travel to a minimum of two meetings each year, based on average airfares in the region and the number of voting delegates; delegates' accommodation and meals; honorariums for voting delegates; and associated incidental costs of holding the meetings.

The General Council funds are discretionary and are provided at levels recommended by the Minister of Municipal and Community Affairs. These funds cover such costs as staff salaries and benefits; staff travel; stipends and/or travel for the Speaker

and Deputy Speaker; general administration costs; travel and honorariums for Council committees; and interpretation and translation costs.

However, the Legislative Assembly was told last year that funding provided by MACA under the Regional and Tribal Councils budget item is provided as a total contribution. "Allocations are unconditional in that there is no specific amount designed for base funding related expenditures. The allocation is not calculated on any formula method. For the past three fiscal years, allocations have been determined on the funding provided in 1983-84 and the application each following year of the GNWT's Government Growth Factors (inflation factor) of that particular year."

In its submission to the Review Committee, MACA recommended that formula funding criteria be developed for regional councils.

iii. Requirements of the Act

The Regional and Tribal Councils Act requires that the Regional Councils must meet at least once in each half of each calendar year. The funding policy for Regional Councils commits the Minister of Municipal and Community Affairs to funding up to five days in each session, plus four days travel for each session for each voting delegate.

While the Act does not require executive meetings to be held, the funding policy allows the Minister to fund executive meetings based on three day meetings and four days of travel. Two executive meetings are provided for, and there has been a practice of recognizing a one-day executive meeting tacked on to each regular session.

a) Honoraria

While the Policy on Assistance to Regional Councils provides for travel costs for up to a total of 18 days for voting delegates (five days meeting and four days travelling, twice each year), however, the Policy limits the payments of honorariums to voting delegates to a total of 14 days in the fiscal year.

Honoraria are limited as set out by the Financial Administration Act, 1982, which sets out honoraria of $100.00/day for members of public boards and $150.00/day for the chairmen of such boards. No such provisions are included in the Financial Administration Act adopted by the Legislative Assembly earlier this year (1987), however.

b) Memoranda of Agreement

In June, 1987, Memoranda of Agreement, Assistance to Regional Councils, were signed by the Minister of Municipal and Community Affairs and Regional Councils specifying the conditions under which funding assistance was being provided.

As part of the terms of the agreement, Regional Councils are required to prepare a balanced budget reflecting all revenue sources and proposed expenditures (separated into meeting and non-meeting expenses) for the coming year. This budget is part of the contribution agreement signed with each Regional Council.

Councils must maintain records and submit an audit, prepared according to instructions provided by the Department of Municipal and Community Affairs. Advances of funds may be withheld until audits are provided to the Department of Municipal and Community Affairs.

As part of the agreement, all parties agree to abide by the Council bylaws and GNWT acts, regulations and policies respecting regional councils, including the Regional and Tribal Councils Act, the Financial Administration Act and the Policy on Assistance to Regional Councils.

The agreement indicates that the Councils are responsible for any deficits which are incurred. Surplus amounts must be reported to the Minister, who may allow a Council to keep the surplus if it has met its statutory obligations. The money must be returned if the agreement is terminated.

iv. Provisions of the Act

The Regional and Tribal Councils Act requires the Council's executive officer to prepare an estimated budget for the next fiscal year to be submitted to the Council for approval. The estimated budget must include an estimate of the total cost of the council's operations for the following fiscal year, and an estimate of the total Council's revenue derived from all sources other than the Government of the NWT.

The Act says the budget must be approved by the Council by resolution and then transmitted to the Minister, who shall review the budget but cannot change it without consulting the Council and allowing it a reasonable time to respond to the proposed modification.

The Minister may fund Regional Councils through grants or contributions or a combination of the two, in accordance with the Financial Administration Act.

After the end of the fiscal year, the annual accounts of the Regional or Tribal Council are to be placed before the Council for consideration. According to the Act, these annual accounts shall include:

> "a) a report on the financial transactions of the fiscal year;
> b) a statement, certified by the auditor....of the expenditures and revenues of the council for the fiscal year;
> c) a statement, certified by the auditor, of assets and liabilities as at the termination of the fiscal year; and
> d) such other information or statements as are required in support of the statements referred to in paragraphs (b) and (c), or as are required by the Minister."

The Act also requires that the Council's accounts and financial transactions be examined by an auditor who shall report annually to the Council on whether proper account books have been kept; whether the financial statements give a true and fair view of the council's affairs; and whether the Council's transactions have been within its powers under the Act or other Acts which may apply to the Council.

While the Act does not state that the Council must submit the Annual Accounts to the Minister, this seems to be implied in section 17(3) "The annual accounts shall be in such form as the Minister may direct and shall include" (emphasis added).... and section 17(3)(d): "such other information or statements....as are required by the Minister" (emphasis added).

However, the MACA submission to the Review Committee indicated that the Act did not provide for the Minister or a designate to have access to the Regional Councils' financial records. "The only actual formal financial accountability is the requirement for an annual audit (to) be completed and presented to the council. The Act does not require the submission of this audit to the Minister." MACA recommends that the Act should be amended "to allow the right of access to the (financial) records of the regional council by the Minister or designate".

The Act seems to have been designed to balance the powers and responsibilities of the Minister with the powers and responsibilities of the Regional Councils, balancing off the Minister's need to supervise the Councils' financial activities

while still allowing the Councils some independence of activity. For example, the Minister cannot change a Regional Council's budget without giving the Council a chance to defend its decisions.

The new Financial Administration Act (1987) designates Boards of Education, Boards of Management established under the Territorial Hospital Insurance Services Act, and Divisional Boards of Education as public agencies. Part IX of the Act spells out specific requirements for program and financial management by public agencies.

No reference to Regional and Tribal Councils is made in the new Financial Administration Act, although the Memoranda of Agreement regarding financial assistance signed between MACA and the Councils require the Councils to abide by the terms of this Act as well as the Regional and Tribal Councils Act.

v. Adequacy of Funding

None of the Regional Councils consulted by the committee felt that they were receiving enough money to carry out their work. Councils said that although they were required to develop and submit a budget each year to the Department of Municipal and Community Affairs, the funding they received often bore little relation to the budget as submitted.

MACA, however, indicated that most Regional Councils were receiving more than enough money to carry out their statutory obligations under the Regional and Tribal Councils Act, and suggested that there were some problems with financial accountability of some councils.

It is in this area, finances and financial accountability, that the different conceptions of the roles and responsibilities of Regional and Tribal Councils show up most clearly. And it is in this area that the greatest potential for dispute arises.

While it may seem to be fiscally responsible to plan within one's budget, the Act does not require the Councils to limit themselves to the funding supplied by MACA. Indeed, the Act seems to encourage the Councils to find funding wherever it is available.

vi. Differing Views

The nub of the issue appears to be that MACA sees the Councils' statutory obligations -- and its own funding obligations -- as limited to meeting twice a year, while the Councils see their statutory obligations as extending into all the other matters laid out in the preamble to the Act. There is further disagreement about how much money is required to meet the Councils' statutory obligations.

MACA feels that the Regional and Tribal Councils receive a generous amount over and above the funding needed to meet their obligations under the Act. "Except for the two unincorporated councils, all regional councils receive adequate funding to cover their statutory obligations," said the MACA submission to the Review Committee.

MACA indicated that only the Baffin Regional Council complies with the Act's financial requirements. "Although the Act requires a comprehensive set of estimates which describes all sources of funding, all projected expenditures for all program and operational aspects of the regional council, only the Baffin Regional Council submits such estimates either to the council or to the GNWT."

(Some Councils, however, apparently felt that if MACA did not ask for a budget, the Council was not required to submit one. "Apparently, the Department has seen fit to slot in an estimated figure for all the councils [for 1987/88], and therefore did not require a budget directly from the councils, and did not request them," Shihta Regional Council told the Review Committee.)

MACA commented further that some Councils had deliberately submitted unbalanced budgets "and have purposefully ignored the Department's maximum allowable allocation if the councils were in disagreement with it."

However, MACA also indicates that Regional Councils "have little real determination over the preparation of estimates....in fact allocations are based on past experience and an across-the-board Government growth factor".

There may well be a relationship between these two factors.

The Deh Cho Council told the Review Committee that it saw little point in preparing a budget when the increases in government contributions to councils are done on a percentage basis which doesn't relate to the budget as requested.

"The yearly budget allocation that this, and all other, Regional Councils receive from the GNWT in no way reflect the needs of the organizations or their constituencies. The GNWT allocates funding for Regional Councils by giving a percentage increase over the previous level of funding. Thus, no matter what the Regional Council needs, and asks for, in the way of financial resources there is no correlation between need and resources supplied....The Deh Cho Regional Council has made a point of submitting needs based budgets over the last few years to make a point -- current funding is less than adequate."

The South Slave Regional Council indicated:

"Our initial budget, which was set mainly by the G.N.W.T. is used as our baseline. The G.N.W.T. sets the limit on the yearly increase to the budget. Our Council is underfunded and we operate basically at a subsistence level mainly due to lack of resources."

The Beaufort-Delta Regional Council said it sets its budget to carry out the Act's minimum responsibilities, but is not funded on the basis of its budget; it is told 'here are the dollars, make your program fit', and those dollars are not enough.

The Keewatin Regional Council indicated that "core funding in the past has not kept up with the level of involvement required by the Keewatin Regional Council as it struggled to meet the demands placed on it by communities." The Council added that it "has been unable to obtain funding to follow-up on issues and to obtain financial support for researching and analyzing our positions."

The Shihta Regional Council felt it needs to meet at least three times a year, but it doesn't have the money to cover air travel costs for a third meeting. It points out that the Minister approved adding four extra voting members "but did not reflect the additional costs of these members in our budget allocations, whereas we have provided the additional costs in our budget preparations."

The Deh Cho Regional Council felt it needs to have at least four meetings per year.

The Baffin Regional Council felt that a funding formula which recognizes regional disparities and real costs in each region is needed.

vii. Extra Funds for Program Costs

Both the South Slave and Deh Cho Regional Councils said the delegation of program delivery authority to regional councils must be accompanied by appropriate extra funding for staff and administrative costs. While Councils are encouraged by MACA to assign part of their administrative costs to programs which they assume, some departments apparently feel that the core funding provided to Regional Councils by MACA should be sufficient to cover administrative costs associated with running programs.

"In the case of both the Economic Planner funding and the running of Deh Cho Koe (student residence in Fort Simpson) the Council is not provided any extra administrative money," the Deh Cho Regional Council told the Review Committee. "In both cases, Government Departments argued that because the Regional Council existed there was no need to provide administrative funding. Thus Government Departments are piggy backing their programmes and services on the Regional Council and expecting the Council to cover the administrative costs that inevitably occur. This reality is further stressing the already very difficult resource situation faced by the Regional Council."

The problem also occurs with federal departments, which approach the Regional Council to help them address a particular concern in the region but will not provide assistance with administrative resources.

An administrative fee of up to ten per cent would help cover program administration costs, the Deh Cho Regional Council told the Review Committee.

Indirectly, the MACA submission acknowledges this problem. "Other problem areas contributing to the financial pressures that regional councils are experiencing are those associated with underfunding where regional councils undertake a program responsibility."

viii. The Extent of MACA Funding

The varied views of Councils' roles show up clearly in the disparate views of the extent to which MACA should be funding the Councils. Some Councils feel that because they were created by, advise and report to government, that they are creatures of the GNWT and thus should be fully funded by it.

"It was an Act of the NWT Legislature that created Regional

Councils," said the Deh Cho Regional Council. "Regional Councils were created to advise the GNWT and serve as the GNWT's ear to the people....Regional Councils are GNWT creatures and the GNWT cannot abrogate its responsibility"

While this view is held by some Regional Councils, it is not shared by MACA. "Most regional councils appear to expect that the Department of Municipal and Community Affairs is required to fund the entire operations of each regional council," the MACA submission notes. "The General Council Expenditures category referred to within the Policy on Assistance to Regional Councils is seen to be a non-discretionary funding responsibility on the part of the Minister. Administrative costs have now far surpassed the costs associated with the holding of general and executive meetings. Speaker's stipends in some cases are equal to a full time salaried position and generally match or exceed the amount paid to mayors of tax-based municipalities."

While it has been difficult to determine the average salary of executive directors of Regional Councils in past years, MACA says, all of them appear to receive a salary above $40,000 per year. In comparison, an Assistant Superintendent of Municipal and Community Affairs at entry level starts at a salary level of $42,700.

A review of the proposed 1987-88 budgets of most of the Councils seems to indicate that salaries are set at $40,000 or lower, although the total benefit package may bring total remuneration above that amount. Some executive directors make rather less than $40,000; the salary of the executive director of the Dogrib Tribal Council, for example, is listed at $33,000. The South Slave Regional Council lists its 1987 executive director's salary at $34,440. The Keewatin Regional Council's budget calls for a salary of $40,000 for its executive director.

The Department of Municipal and Community Affairs makes three recommendations to deal with the financial problems it sees. It suggests that:

> Formula funding criteria should be developed for regional councils.
>
> If regional council mandates are restricted to purely advisory functions, funds should be provided on an annual basis for the holding of meetings. Regional councils would not have administrative staff. The GNWT Regional Executive offices would act as a secretariat to the regional councils.
>
> In order to increase the financial accountability of the

regional councils to their member communities, a process should be developed whereby funding could be provided conditionally to the voting membership at the local level.

ix. Transferring Money to Municipalities

This last suggestion, having been put forward in previous research, had been extensively discussed by the Review Committee, and led the Committee to prepare and circulate another questionnaire to municipal councils throughout the NWT.

The Review Committee asked community councils the following questions:

"1. If the money currently given directly to Regional and Tribal Councils was, by some appropriate formula, divided up and provided to municipalities, would your Council be prepared to use the money to pay for the running of the Regional or Tribal Council?

2. If the Regional or Tribal Council required more money, would your Council be prepared to use some of its own funds to support the Regional Council?"

Of 57 questionnaires sent to municipal councils, 22 were completed and returned (38.6 per cent). Those who returned questionnaires included Cambridge Bay, Aklavik, Cape Dorset, Hall Beach, Whale Cove, Pangnirtung, Pond Inlet, Lake Harbour, Pelly Bay, Norman Wells, Trout Lake Dene Band Council, Rae-Edzo, Fort Simpson, Spence Bay, Rankin Inlet, Yellowknife, Coral Harbour, Pine Point, Tuktoyaktuk, Fort Smith, Inuvik and Paulatuk. All but Yellowknife, Pine Point and Inuvik are members of Regional or Tribal Councils.

In response to the first question, 37% said yes, 60% said no, and 5% were unclear. However, the negative response was related to the procedure of passing the funding through the community council first. All but one respondent supported Regional Councils and felt the funding should go directly to the Regional Council.

Some responses:

"Although the formula may make the Regional Council accountable to the Municipalities, it would create confusion. The communities should be unified on issues, but expenditures and funding of the regional council should come from one body." (Cambridge Bay)

"Passing money on to individual municipalities would simply be unmanageable for the people trying to operate the regional body. This would be a step backwards for all concerned." (Norman Wells)

"It seems to me that allocating funding in this way is a rather complicated way of giving the Regional Council funding that it currently receives directly. If the intent of the question is to find out if we would rather use the money ourselves instead of funding a Regional Council, then the position of my Council has always been one of full support for the Regional Council. Due to this, the simplest way of funding the Regional Council would be directly as is currently the procedure." (Cape Dorset)

"The Council feels that funding K.R.C. via the Hamlet would cause some problems. Richer settlements could feel they have more say and get their request first. Some settlement in a deficit position may not want to pay their share (small and big). Possible animosities could develop between members and frustrate the growth and development of K.R.C." (Coral Harbour)

"Membership in Regional Councils should be a discretionary decision made by the municipality. By providing funding via the Town, it would force the Town to participate even if it were felt that Regional Councils were not providing proper representation of the municipal views. Regional Councils should have no authority to demand further money from the municipality." (Pine Point)

"The funding should be issued directly to the Regional Council." (Fort Smith)

"No. The funding for the Regional Council should go directly to the Regional Council." (Inuvik)

In response to the second question, 9% said yes, 27% said yes with qualifications, and 64% said no. Again, however, all but one respondent supported Regional Councils, and some currently are providng support. Others indicated that they would like to provide support but could not afford it and the prospects for future finances looked dim. They felt that extra funding would be required, and that because all funding comes from the Government of the NWT, it might as well go directly from the government to the Regional Council. One noted that it could see the Regional Council charging a per capita formula charge to member municipalities and felt this would be acceptable, particularly if

the Regional Council was seen as providing a necessary service to the hamlet.

Some responses:

"Under a formula for funds, a municipality gets funds to run local programs and services not at a regional level. If our Council were to support the K.R.C. financially, this would mean cutting back or eliminating local programs that are intended for the funds that we receive." (Cambridge Bay)

"Our council as at every level of government is already strapped for funds and every effort is made to maintain and increase the level of service that we enjoy. We are not in favour of providing funding to another body when we have a difficult time making ends meet as it is." (Norman Wells)

"Only if the Regional or Tribal Councils were providing services that are presently the responsibility of the Band and not funded by the Territorial Government and if the Territorial Government was prepared to arrange a funding arrangement similar to that of the Federal Band Core Funding." (Trout Lake)

"Yes, subject to the approval of Council through the budget process." (Fort Smith)

"No. The Town of Inuvik is the only tax-based municipality in this region and we don't feel we should be asking the taxpayers of Inuvik to fund a Regional Council. [In answer to question #3] "We support the concept of a Regional Council as an advisory group but feel it should be directly funded by the G.N.W.T." (Inuvik)

The short questionnaire also contained a third question, which respondents were asked to answer if they had answered "no" to the first two questions. The question asked them to provide their reasons, and in particular, "describe what sort of power or authority might be given to Regional and Tribal Councils that would encourage your Council to provide financial support to the Regional or Tribal Council."

Of the respondents, 41% did not answer this question because their response to the first two questions had been "yes". Of the rest, 41% indicated that more power and program responsibility should be provided to Regional Councils. Fourteen per cent felt Regional Councils should be left as they are, and 5% felt Regional Councils should have less power.

x. Reporting Relationships

Most of the Regional Councils and Municipal and Community Affairs suggested that it might be appropriate to change the reporting relationship of the councils. Both felt that funding for regional councils should come through the Department of the Executive, not through a program department.

All the Regional Councils felt that even just for symbolic reasons, it was important to move the funding of Regional Councils away from a department where the Councils are seen as one more program to be dealt with by that department. Placing Regional Councils under the Government Leader's office indicates their role as advisors to government on a wide range of issues.

xi. A Possible New Funding Policy

Based on identified issues, a possible revised Financial Assistance to Regional Councils Policy has been drafted by the Committee in an attempt to suggest how the varying needs of Regional and Tribal Councils could be met. This policy is attached as Appendix J.

V. OTHER REGIONAL BODIES

A study of boards, agencies and committees funded by the Government of the Northwest Territories found that at the territorial level, 51 groups administer $274,874,000; at the regional level, 44 groups administer $5,703,000; and at the local level, 307 groups administer $70,294,000. That did not include the eight municipal governments and 30 hamlet governments which draw part of their funding ($26.8 million) from the Government of the NWT, or all societies receiving grants from the Government of the NWT.

Based on the best available information at the time this report was prepared (MACA currently is preparing a comprehensive listing of regional bodies), a review of the relationship between existing regional bodies and the Regional Councils indicates that there is a wide range of possible relationships.

In the Baffin region, many of the regional bodies are amalgamated or closely affiliated with the Baffin Regional Council. In mid-1986, leaders of all the Baffin regional groups assembled in a Baffin Leaders Summit to develop a plan for co-ordination the activities of all the existing regional groups.

A similar leaders' summit is planned early in 1988 in the Keewatin, where most of the existing regional organizations already are non-voting members of the Keewatin Regional Council. In the Kitikmeot region, the existing regional organizations all appear to be voting members of the Kitikmeot Regional Council.

The Deh Cho Regional Council indicates that there currently are not many other regional organizations in its area. It is involved directly or indirectly with all other regional groups.

i. Baffin Region

In the Baffin Region, existing regional organizations include the Baffin Region Inuit Association (BRIA), Baffin Region Hunters and Trappers Association, BRADIC, Baffin Tourism Association, Baffin Divisional Board of Education, Baffin Regional Health Board, Baffin Region Chamber of Commerce, Baffin Development Impact Review Committee, and Baffin Women's Association.

Of these organizations, BRIA, BRADIC, Baffin Region Hunters and Trappers Association and the Baffin Tourism Association are voting members of the Baffin Regional Council. The Baffin Regional Council names one member to the Baffin Regional Health Board. The Baffin Development Impact Review Committee was created when the High Arctic Development Impact Zone Society amalgamated with the Baffin Regional Council.

The regional president of the Inuit Tapirisat of Canada is a non-voting member of the Baffin Regional Council, and the Council is represented on the executive of the Tungavik Federation of Nunavut and of the Nunavut Constitutional Forum.

The Baffin Divisional Board of Education was established in 1985 and is composed of representatives of all 13 community education councils in the Baffin region. The Board has responsibility for the 16 schools, the Ukkivik residence and Advanced Education programs in the Baffin region. In 1986-87, the first full year of operation for the Board, the Board's budget was $3,219,000. In 1987-88, the budget is $3,696,000. A Memorandum of Agreement covers this transfer of funds to the Board from the Government of the NWT.

Under the Memorandum, the superintendent of education becomes a Department Head and as superintendent for the Divisional Board, has decision-making authority which is autonomous from the Regional Executive. The Regional Director now may attend meetings of the Divisional Board by invitation only.

The Divisional Board is responsible for purchasing its own materials and supplies, and has hired a purchasing officer to co-ordinate supply needs for the schools and administrative offices in Iqaluit. This eliminates the need to work through the GNWT purchasing system.

An office is provided to the Board by the Government at no cost. Additions to the staff of the Divisional Board must be approved by the Minister.

As a public agency under the Financial Administration Act (1987), the Divisional Board of Education is ultimately accountable, through the Minister of Education, to the Legislative Assembly.

ii. Keewatin Region

In the Keewatin region, many of the existing regional bodies are non-voting members of the Keewatin Regional Council. These include the Keewatin Inuit Association, the Keewatin Wildlife Federation, the Keewatin Housing Federation and the Keewatin Regional Education Authority, as well as the President of the Inuit Tapirisat of Canada. Other existing organizations include Travel Keewatin, the Keewatin Chamber of Commerce, the Keewatin Regional Health Board, and Kataujak Society (womens' group).

The Chamber of Commerce works closely with the Regional Council, and the Regional Council was involved in developing the proposed structure for the Keewatin Regional Health Board. Travel Keewatin, the zone tourism association, has membership from all Keewatin communities on its board of directors.

The Keewatin Regional Education Authority has been working toward achieving Divisional Board status, and plans to hold a series of workshops and meetings towards this goal.

iii. Kitikmeot Region

In the Kitikmeot region, the existing regional organizations all appear to be voting members of the Kitikmeot Regional Council. They include the Kitikmeot Inuit Association, the Kitikmeot Hunters and Trappers Association, the Kitikmeot Housing Federation, the Arctic Coast Tourist Association, the Kitikmeot Education Authority and the Kitikmeot Regional Social Affairs Committee. These additions to the voting membership of the Regional Council were approved by the Minister of Municipal and

Community Affairs in December, 1983.

The Kitikmeot Regional Education Council decided in October, 1986, to seek divisional board status, and will take on Board responsibilities in April, 1988. At that time, administrative, personnel and finance responsibilities will be transferred to the Board from the Department of Education. The GNWT will keep some responsibilities until the Board is ready to take them on.

An Alcohol and Drug Program which serves most of the region's communities is run out of the Katimavik Centre Inc. in Cambridge Bay.

iv. Fort Smith Region

a) Deh Cho Regional Council

The Deh Cho Regional Council indicates that there currently are not many other regional organizations. "This may be because the Regional Council has worked hard to respond to the needs of the region, thus other regional groups have not been needed." The Council is involved directly or indirectly with all other regional groups.

The regional representatives of the Dene Nation and Metis Association of the NWT are non-voting members of the Deh Cho Regional Council.

A sub-committee of the Deh Cho Regional Council has been considering divisional board status and other options open to the Deh Cho communities, and has reported to the Minister of Education on how to determine the type of board structure within the existing legislation which will best serve the area's needs.

The Deh Cho Development Corporation is the regional economic development arm of the Council.

b) Dogrib Tribal Council

The regional representatives of the Dene Nation and Metis Association of the NWT are non-voting members of the Dogrib Tribal Council.

The date for start-up of the Dogrib Divisional Board of Education has been put off from April 1, 1987, to the 1988-89 year. The Dogrib Nations Holding Corporation was formed recently as a regional economic development corporation.

Existing major organizations in Rae-Edzo, the largest community within the Dogrib region, include the Rae-Edzo Dene Band Development Corporation Ltd., the Rae-Edzo Housing Association, and the Rae-Edzo School Society.

c) South Slave Regional Council

Existing regional organizations based in Fort Smith include the Alcohol and Drug Counselling and Information group based out of Uncle Gabe's Friendship Centre; a regional office of the NWT Metis Association; South Slave Native Courtworkers Association (one courtworker serves Fort Smith, Pine Point and Fort Resolution). The Big River Travel Association, based in Hay River, is the zone tourism association.

Major organizations in Fort Smith include the Fort Smith Education Committee, Fort Smith Housing Authority, Fort Smith Metis Association Local #50, Fort Smith Hunters and Trappers Association, Fitz-Smith Native Band and Fitz-Smith Native Development Corporation.

The Hay River Education Society is reviewing possible options for divisional board status.

v. Inuvik Region

a) Beau-Del Regional Council

Regional organizations functioning in the Mackenzie Delta/Beaufort Sea region include the Beau-Del Regional Council, the Beaufort/Mackenzie Delta Development Impact Zone Society, COPE, the Inuvialuit Regional Corporation and various Inuvialuit organizations listed above, the Inuvik Hospital Advisory Board, the Inuvik Region Community Futures Society, the Inuvik Regional Education Committee, the Mackenzie Delta/Beaufort Sea Regional Land Use Planning Commission, the Mackenzie Delta Regional Council, the Mackenzie Delta Regional Development Corporation, the Mackenzie Valley Renewable Resource Management Board, the Porcupine/Caribou Management Board, the Western Arctic Visitors Association and the Shihta Regional Council.

Social service groups include Inuvik Alcohol Counselling and Information Services, which runs Delta House, the regional alcohol and drug treatment centre.

Communities which belong to the Beau-Del Regional Council

include Fort McPherson, Arctic Red River, Inuvik, Aklavik, Sachs Harbour, Tuktoyaktuk and Paulatuk. The final structure and membership of the Council are still under development and are not finally decided as yet.

The Beaufort Mackenzie DIZ Society has a close working relationship with the Beau-Del Regional Council, providing the services of its Executive Director to the Council under a Memorandum of Understanding between the two groups. The DIZ Society administered the Council's funding under an Agreement for Administration Services signed between the Minister of MACA (on behalf of the Conference Group) and the Society.

COPE and the Mackenzie Delta Regional Council have both received MACA funding in recent years to work on proposed regional structures or to work out relationships between existing regional bodies such as themselves and the Beau-Del Regional Council.

b) Shihta Regional Council

In the case of the Shihta Regional Council, the regional representatives of the Dene Nation and Metis Association of the NWT are non-voting members of the councils. The Mackenzie Great Bear Development Impact Zone (DIZ) Society became a committee of the Shihta Regional Council early in 1986. A regional Hunters and Trappers Association exists in the Sahtu region.

vi. All Regions

Each region has a Student Financial Assistance Advisory Board, and a Regional Loan Board.

vii. Local Bodies

At the local level, there is a proliferation of committees in each community. There are 59 local Hunters and Trappers Associations; 34 Local Radio Societies; 50 Social Assistance Appeal Committees; 40 Social Assistance Advisory Committees; and 21 Youth Justice Committees.

Other local groups which exist in communities include: Local Education Committees or Authorities; Housing Associations, Authorities or Societies; Elders' Councils; Health Committees; Alcohol and Drug Committees; Social Service Committees; Recreation Committees; Womens' Groups; Chambers of Commerce; Alcohol Committees; Youth Committees; Tourism Committees; Search and Rescue Committees; Library Committees; Emergency Measures Committees; and Economic Development Committees.

VI. PRINCIPLES, LEGISLATION, POLICY AND PRACTICES

i. Principles

The Government's policy on Regional and Tribal Councils began with a set of 12 principles adopted by the Executive Committee in December, 1982. These principles are as follows:

1. The decision on forming regional or tribal councils is up to communities. Legislation should recognize the voluntary nature of membership. The decision to join or opt out should be made in each community by plebiscite.

2. Voting membership of the Regional or Tribal Council must include mayors or chairman of hamlet and settlement councils and where appropriate, chiefs and sub-chiefs of the Dene communities. Voting members may include elected heads of regional and local groups. Members of the Legislative Assembly should have non-voting membership.

3. A Regional or Tribal Council should not have more authority than the communities want it to have. The authority which communities have under the Municipal Ordinance must not be diminished by the formation of a Regional or Tribal Council.

4. A Regional or Tribal Council should be the prime public body at the regional level; other public bodies with specific responsibilities should be committees of the Regional or Tribal Council operating under its authority or affiliated to the Regional Council by membership.

5. A Regional or Tribal Council should be permitted to assume delegated regulatory authority within the parameters of existing NWT legislation, if member communities and appropriate Ministers agree. The Regional or Tribal Councils should not have any other legislative authority.

6. Regional or Tribal Councils should, if communities agree, be permitted to function as a regional management board for programs and services delegated to it by the Government of the NWT; and may also have delegated responsibility in such matters as regional planning and management of government institutions in the region.

7. Wherever programs are delegated by the Executive Committee, sufficient human and financial resources will be

provided from the Government of the NWT to enable the council to deliver the programs and services delegated to it.

8. Regional or Tribal Councils must have a constituency of communities large enough to make delivery of government programs and services through the Regional Management Boards a practicable proposition.

9. Government of the NWT administrative areas should be changed where necessary to correspond with the grouping of communities into regional or tribal councils.

10. The delegation of programs and services is at sole discretion of the Executive Committee. Where authorized, such delegation will be put into effect by Regional Directors acting on behalf of the Executive Committee.

11. The Minister responsible for a delegated program must retain the authority to re-assume direct responsibility for the program after proper consultation. A Regional or Tribal Council may petition the Government of the NWT to re-assume direct responsibility for such a program.

12. The responsibility for territorial-regional relations rests with the Executive Committee.

These principles seemed to make it possible for Councils to play a key role in regions, while still respecting community rights and the responsibilities of the Executive Council.

A key point was that Regional Councils were to be the "prime public body at the regional level". Other public bodies with specific responsibilities were to be council committees or be affiliated by membership, thus creating a clear linkage at the regional level between all public bodies.

In some cases, other public regional bodies have become either voting or non-voting members of the Regional Councils, thus assuring co-ordination of activities at the regional level. Some other regional public bodies, such as regional health boards and divisional boards of education, have been set up without a direct relationship with the Regional Council, either in the form of affiliation through voting or non-voting Council membership or in the form of committee status within the Regional Council.

The principles clearly saw that Regional Councils might take on responsibility for delivering government programs and services and be involved in such matters as regional planning and

management of government institutions in the region. In both cases, the Councils would be given sufficient human and financial resources to deliver delegated programs and services.

Requests for program delivery have been made unsuccessfully by the Baffin Regional Council, which wanted to take over the regional operations of the Department of Local Government in the Baffin, and by the Deh Cho Regional Council, which wanted to create a Regional Education Board to which GNWT powers would be devolved.

Another key point referred to the role of the Regional Director, a role which subsequently would be elaborated by the Executive Council. The principles noted that the actual delegation of a program or service, once decided by the Executive Council, would be put into effect by the "Regional Director acting on behalf of the Executive Committee."

It is further worth noting that these principles authorized a varied membership on regional councils in the western NWT by specifying that voting membership of a regional or tribal council should include chiefs and sub-chiefs of the Dene communities, and might include elected heads of regional and local groups.

ii. Legislation

The 1982 principles served as the philosophical basis for the Regional and Tribal Councils Act, which was adopted in 1984. The Act sets out nine purposes and functions for Regional and Tribal Councils.

The Act appears to recognize the diverse and wide-ranging interests of Regional Councils by noting that the Regional Councils would involve communities in the region's "political, economic, social and cultural development".

The Act also recognizes the role played by Regional Councils in advising government, with a majority of the functions involved in one way or another with providing advice or services to government.

While these objectives apparently continue to be perceived as valid by the Executive Council, one of them appears to be of greater importance than the others. In a letter sent to the newly-elected Speaker of the South Slave Regional Council in December, 1986, the Minister of Municipal and Community Affairs noted as follows:

"Generally speaking, the GNWT has committed itself to the support of regionally based public institutions.....The purpose of regional councils is primarily to bring together all elected community leaders to discuss matters of concern to the regions in their relations with government, industry and aboriginal organizations. The business of a regional council is therefore, community-directed."

The nine objectives listed in the Act's preamble also provide a basis on which to begin evaluating the effectiveness of Regional and Tribal Councils.

Objective 1: to improve communications among the communities in the region.

Do Regional Councils improve communications among the region's communities? The answer provided to the Review Committee during all meetings was "yes". In some cases, community leaders said the Council was the only forum at which they could learn all of the things which were happening in their own communities.

Objective 2: to provide a forum for discussion of regional matters of concern wth government, industry and native organizations.

Do Regional Councils provide a forum for discussing regional matters with government, industry and native organizations? Again, the answer provided during all the Review Committee's meetings was "yes". Industry has become more clearly involved with Regional Council matters as DIZ Societies have become amalgamated with Regional Councils.

Objective 3: to involve communities in the region's political, economic, social and cultural development.

Do Regional Councils involve communities in the region's political, economic, social and cultural development? The extent to which this takes place varies from region to region. In some regions, as noted in the previous chapter, most or all other regional organizations are either voting or non-voting members of the Regional Councils. Reviews of Council minutes and motions indicate that regional concerns in most or all of these areas are dealt with by most Councils. The recent trend towards having Leaders' Summits likely will provide an even more co-ordinated approach to these matters in the Baffin and Keewatin.

Objective 4: to enable communities to advise and assist government in developing and carrying out policies.

Do Regional Councils enable communities to advise and assist government in developing and carrying out policies? In past years, Regional Councils seem to have been much more involved in recommending capital and spending priorities. In most regions, Regional Councils take part in interview boards for the hiring of senior government staff.

Objective 5: to make government and other organizations aware of community needs and thus lead to improved services to the communities.

Do Regional Councils make government and other organizations aware of community needs and thus lead to improved services to the communities? By providing one forum in which individual Ministers can hear from all the communities in a region, Regional Councils appear to make it easier and more convenient for Ministers to consult with individual communities and learn about their needs.

Objective 6: to advise government in preparing community and regional budgets.

Do Regional Councils advise government in preparing community and regional budgets? Most Regional Councils indicated that their role in this area has been decreasing recently, as they have not been consulted as greatly as in past years.

Objective 7: to provide prime public leadership at the regional level by encouraging effective co-operation of public bodies and interest groups.

Do Regional Councils provide prime public leadership at the regional level by encouraging effective co-operation of public bodies and interest groups? In most regions, Regional Councils seem to do their best to achieve this aim, within the limits of the legislation and current government policy and practice.

Objective 8: to improve co-operation with municipal bodies without diminishing the authority of such municipal bodies.

Do Regional Councils improve co-operation with municipal bodies without diminishing the authority of such municipal bodies? To this point, no Regional Councils have taken on responsibilities from government which normally would have been handled by a municipality. Responses tend to note improved co-operation and co-ordination.

Objective 9: to function as regional boards of management for programs and services delegated by the GNWT, if communities agree.

Do Regional Councils function as regional boards of management for programs and services delegated by the GNWT? In the case of the regional hostel in Fort Simpson, the Deh Cho Regional Council does administer the hostel under contract with the Government of the NWT. However, in the cases of health and education, regional boards of health and divisional boards of education have been set up with reporting relationships to their respective Ministers but without a formal reporting relationship to the Regional Council. Both Baffin and Deh Cho Regional Councils have asked for permission to operate as regional boards of management for government programs. However, the Regional Councils have no mandate to deliver programs unless the GNWT delegates program responsibility to the Council acting as a board of management.

Other territorial legislation governs some other regional bodies created by the GNWT in recent years. The Education Act [section 53.2.(1) and section 53.4.(2)] provides for the establishment of Divisional Boards of Education as bodies which can be responsible for the operation and maintenance of schools in a region. The Boards are made up of one member from each education district, appointed by that district's community education council.

Once such a Board is created, the superintendent of education, as superintendent for the divisional board, has decision-making authority autonomous from the Regional Executive. The Regional Director then may attend meetings of the Divisional Board of Education only at the invitation of the board.

The Baffin Divisional Board of Education, established in 1985, was the first divisional board to be established. After the completion of a two-year trial period, the Minister of Education reported that a review of the board indicated that the board was working well. However, the review suggested that local secretary-treasurers were not needed in each community once the divisional board was created.

Divisional boards also are proposed for the Kitikmeot, Keewatin, Deh Cho and Dogrib regions. It is anticipated that the Kitikmeot Divisional Board of Education will be established by April, 1988.

There is no direct reporting relationship between the Baffin Divisional Board of Education and the Baffin Regional Council,

and it does not appear that under current legislation, such a relationship could be created.

In July, 1987, the Chairman of the Review Committee sought clarification of the roles and relationship of regional boards of management set up under the Regional and Tribal Councils Act and divisional boards of education established under the Education Act.

Could a divisional board of education become a committee of a Regional Council voluntarily, or could a divisional board be established from the beginning as a committee of a Regional Council, the Chairman asked the Department of Justice.

"...it conceivably would be possible for the Executive Council to delegate responsibilities for the management of education to the Regional or Tribal Council, but presumably if they did that, they would not have a Divisional Board of Education as well. There would not be any actual conflict [between the Education and Regional and Tribal Councils Acts] unless there was a Divisional Board of Education and responsibilities in the same area were delegated to the Regional or Tribal Council," the Department of Justice replied.

The membership of Divisional Boards of Education is clearly indicated in the Education Act as being either elected by municipal electors or appointed by Community Education Councils. Under current legislation, a Regional or Tribal Council could not create a divisional board of education as a Council committee. Unless all members of the Divisional Board of Education also happened to be members of the Regional Council, the divisional board could not also serve as the regional board of management which may be created under the Regional and Tribal Councils Act. (These letters may be found in Appendix L.)

iii. Policies of the Government of the NWT

Policies respecting Regional and Tribal Councils have been spelled out both in the form of legislation, policies and directives approved by the Executive Council, and in directions issued to Regional Directors by the Government Leader and the Minister of Municipal and Community Affairs.

From 1977 onwards, the GNWT provided money to assist communities in holding regional gatherings. GNWT staff played a key role in developing many of the current Regional Councils.

Various government policy documents and statements over the

years have provided support for the view and role of Regional Councils put forward in the 1982 principles and in the Act itself.

The principles were largely drawn from the Report of the Special Representative on Constitutional Development in the Northwest Territories (Drury Report), which recommended devolving authority from the federal to territorial governments and then from the territorial to community governments.

The Report said community councils should have wide-ranging responsibilities such as land and resource management, education, social programming and housing. Communities should have the choice of forming regional councils through voluntary delegations upward of community authorities, and should define the extent of authority to be exercised regionally through a regional council, ranging from an advisory role through an advocacy role to an administrative and regulatory role carrying out responsibilities delegated by the communities.

"Design for Devolution: A Design for the Devolution of Additional Powers and Responsibilities to Communities", a public discussion paper on proposed local government legislation prepared by the Minister of Local Government in May, 1983, indicated that the GNWT "has adopted the principle that: Municipalities should have the right to participate in regional and tribal councils." (page 18)

"In keeping with proposals from hamlet representatives, the Government intends to provide, in legislation, that municipalities will be able to join, form, or withdraw from regional or tribal councils," the paper added. "Hamlet councils should be enabled to make financial contributions and to delegate responsibilities up to regional or tribal councils."

The principle regarding Regional and Tribal Councils outlined in this paper read as follows:

"Regional and Tribal Councils

Community governments should be free to join, form, or withdraw from regional or tribal councils. The authority of community governments in local government legislation must not be diminished by legislation for regional and tribal councils." (page 35-36)

In its "Priorities" document issued in May, 1983, the Executive Committee indicated that the Government of the NWT supported and encouraged regional councils. Noted the document:

"Communities across the North have expressed strong wishes to develop regional forums to resolve issues affecting all communities throughout each region. The first regional council, the Baffin Regional Council, was formally established in April, 1979. In addition to providing frequent advice to the government on the development of policies, programs and legislation affecting the Baffin, the council has also effectively voiced to the federal government and resource development companies, the goals and concerns of the people of the Baffin regarding resource development in the eastern Arctic." ("Priorities", page 45)

"In 1983," the document continued, "the Government of the Northwest Territories will establish a new policy on funding regional councils and will continue to provide support and assistance to communities in the formation of regional political and administrative groupings." ("Priorities", page 45)

Subsequently, the Regional and Tribal Councils Act was passed by the Legislative Assembly after considerable debate about the nature and role of regional councils and a policy on funding and assistance in kind was developed.

The Regional and Tribal Councils Policy, approved by Executive Council in June, 1983, provided for a core funding contribution, extraordinary core funding if needed, and Special Funding for research funds and organizational meetings. This policy was subsequently replaced by the current Policy on Assistance to Regional Councils, Policy 21.02, adopted by the Executive Council in July, 1984.

a) Role of Regional Directors

While Regional Councils at first viewed Regional Directors as the government's senior administrators in the regions, that view changed in the fall of 1984 when the Executive Council indicated that the Regional Director was the link between the Regional Council and the Executive Council.

At that time, as well as giving Regional Councils an important role in setting regional policy and funding priorities and in hiring senior regional staff, the Executive Council gave Regional Directors new liaison responsibilities to link the Executive Council and the Regional Councils.

Regional Directors now were responsible for reporting to Regional Council sessions on the administrative activities of the

Regional offices, responding to questions asked by Regional Council members and reporting on progress in dealing with previous regional council motions. After consultation, Regional Directors could make statements on the Minister's behalf. The Regional Directors were required to provide written reports on the Regional Council meetings to the Executive Council through the Minister of Local Government.

Regional Directors were told to ask regional councils to take part in developing the proposed regional capital and operation and maintenance budgets; consulting with the Regional Councils in developing regional goals, objectives and priorities within established government priorities and departmental goals and objectives; and consulting with the Executive of the Regional Council in staffing Regional Superintendent positions.

These directions were updated in 1986, when a statement by the Government Leader emphasized the co-ordination and liaison responsibilities of Regional Directors. The instructions indicated that Regional Directors were to report activities and concerns of the Regional Councils to the Government Leader.

b) Other Government Policies

Various Government of the NWT policies, while not directly related to Regional and Tribal Councils, commit the Government to program and service delivery at the community level.

Government departments are to be structured so that programs and services can be delivered as closely as practicable to the people who are being served. (Policy 11.12)

The policy on Devolution to Communities (Policy 11.05) supports and encourages the devolution of responsibility for delivery of government programs and services to the community level in a way which ensures maximum local decision-making, provides resources for program delivery and community choice with respect to the role chosen by the community council in co-ordinating delivery of programs and services within the community.

In terms of social services, government policy emphasizes local participation in planning and delivery of programs and services. "Authority and responsibilities for implementing programs within the social service system will, where practical, be located at the lowest possible level of government." (Policy 41.01 and 41.02)

Government policy promotes community and individual responsibility for health (Policy 91.01), and calls for the decentralization of responsibility for the administration and training support for alcohol and drug programs (Government statement).

These specific areas reflect the general government commitment to the delegation of program delivery.

The Policy on Government Organization (11.12) requires government to be structured in a "manner that ensures accountability, through the Executive Council, to the Legislative Assembly of the Northwest Territories and the public for the manner in which public business is conducted."

While this policy requires government to be structured in a way which ensures Executive Council accountability, it also notes that "the structure of government departments should be designed to allow programs and services to be delivered as close as practicable to the people being served."

Under the new Financial Administration Act, the Executive Council is given responsibility "for the overall management and direction of the executive government of the Northwest Territories, including matters of policy."

In referring back through the history of policy development as it relates to regional councils, there appears to have been a close tie over the years between devolution of powers to the community level and regional councils.

The Drury Report, and subsequent GNWT policy papers, indicates that communities could be given the choice of joining, forming or leaving a regional council, and could be enabled to contribute money and delegate responsibilities upwards to regional or tribal councils.

iv. Practices

In the past five years, despite at least two requests, few programs or services have been delegated to regional councils.

In the spring of 1984, the Baffin Regional Council passed a motion to have the BRC designated a board of management for the regional operations of the Department of Local Government in the Baffin. The motion called on the BRC Executive to negotiate with the Baffin Regional Director and the Superintendent of Local Government for the gradual assumption of control over the

department, and to examine all available options in terms of accountability of the department's regional staff to the Council.

In the summer of 1984, the Deh Cho Regional Council passed a resolution which called for the creation of a regional board of management to manage educational matters in the region. Subsequently, the Council contracted with the GNWT to operate the hostel in Fort Simpson.

However, where programs such as hostel administration have been delegated, regional councils say they have not been given sufficient financial resources to cover administrative costs of operating the program.

a) Funding

In terms of general funding to regional councils, funding provided to Regional Councils is based on the funding provided to the councils in 1983-84, increased on a fixed percentage basis each year.

As the Department of Municipal Affairs explained to the Legislative Assembly: "Funds provided from Municipal and Community Affairs under the Regional and Tribal Council budget item are provided as a total contribution. Allocations are unconditional in that there is no specific amount designated for base funding related expenditures. The allocation is not calculated on any formula method. For the past three fiscal years, allocations have been determined on the funding provided in 1983/84 and the application each following year of the GNWT's Government Growth Factors (inflation factor) of that particular year."

The Regional and Tribal Councils Act requires a regional council to meet at least once in each half of every calendar year. The Policy on Assistance to Regional Councils commits the Minister to funding up to five days in each session plus four days' travel for each voting delegate for each session. However, the Policy provides only for honoraria only to the extent of 14 days in the year, meaning that some delegates do not receive an honorarium for some of their travel days.

While the Act does not require Executive meetings to be held, the Policy allows the Minister to fund executive meetings based on three-day meetings and four days' travel. Two executive meetings are provided for, and there has been a practice of recognizing a one-day executive meeting tacked on to each regular session.

b) Proliferation of Regional Bodies

The principle that Regional Councils should be the "prime public body" at the regional level has not always been followed within the GNWT. Special purpose bodies have proliferated at the regional level, sometimes with few if any ties to the regional council.

As the Department of Municipal and Community Affairs noted in its submission to the Review Committee:

> "It is worth noting that special purpose committees, established and funded directly by the GNWT, are proliferating and often operating without formal linkages with the regional councils. This situation is reproducing, at the regional level, the problems encountered between community councils and GNWT-sponsored special-purpose committees for many years - frequent bypassing, by GNWT departments, of consultation with the central body; overextension of the limited 'talent bank' of politically active persons; and a blurring of public perceptions as to the role of regional councils."

c) Regional Directors

And, over the years, the extent to which Regional Directors served as a link between the Executive Council and the Regional Councils has been left largely up to individual Regional Directors, with the result that it is not always followed.

As the Department of Municipal and Community Affairs' submission to the Review Committee indicates:

> "However, in reality the responsibilities of the Regional Director and the Superintendents to regional councils vary from region to region.....Some Regional Directors were not even aware that they had any accountability function under the Policy."

"This splitting in the GNWT management system leads to a sitaution where it is difficult to hold anyone responsible for monitoring regional councils," MACA told the Review Committee. "Regional Directors are accountable to the Government Leader yet a different Minister holds responsibility for the regional councils."

The reporting relationship of regional superintendents also has changed in recent years. While at one time regional superintendents reported to the Regional Directors, they now report directly to their Deputy Ministers.

VII. EVALUATION FRAMEWORK

i. Introduction

This report was prepared by the Priorities and Planning Secretariat in accordance with the requirements of the Terms of Reference of the Regional and Tribal Councils Review Co-ordinating Committee, specifically:

> "to determine a standard, measurable and relevant framework for ongoing evaluations and audits of regional bodies, both internally and externally."

A distinction is made between an 'audit' and an 'evaluation'. For the purposes of this report:

> An audit is an examination of the procedures for administering, and accounting for, all funds, to satisfy the GNWT that expenditures have been made in accordance with the terms and conditions of any applicable legislation or agreements. This would include documents such as the Council's funding proposal, Contribution Agreement, Regional and Tribal Councils Act, and/or the Council's Memorandum of Association and Bylaws.
>
> An evaluation is an examination of the effectiveness of a Regional or Tribal Council in carrying out its responsibilities as they may be defined in any of the foregoing documents.

ii. Auditing Framework

The requirements of the Financial Administration Act are sufficient to provide a framework for the audit of Regional and Tribal Councils. According to the Policy on Assistance to Regional Councils, financial assistance is provided by the GNWT in the form of contributions. The Financial Administration Act defines a contribution as a "conditional transfer payment, made to a recipient, subject to audit, and for which the Government will not receive any goods or services." (Index No. 801)

The Financial Management Board Handbook provides additional

direction: "Contributions are made under agreement between the donor department (which in this case would be Municipal and Community Affairs) and the recipient." Each agreement "must indicate the level of audit required". The GNWT has established three levels of audit:

Level 1: a financial statement certified by a professional auditor in public practice;

Level 2: a financial statement certified by a professional auditor employed by the government;

Level 3: a financial statement reviewed by an independent person.

The amount of financial assistance provided to each Regional and Tribal Council precludes Level 2 and 3 audits. According to the Financial Administration Act:

> "Contributions in excess of $50,000 shall not be approved until the financial statements of the organization have been audited by a professional auditor in a public practice (independent, recognized public auditor possessing a CA, CGA or RIA designation."

iii. Evaluation Framework

An evaluation framework should satisfy two conditions.

First, it should be independent of the legislative or policy framework within which Regional and Tribal Councils operate. In other words, any changes which are made to the Regional and Tribal Councils Act, or to GNWT policies affecting Regional and Tribal Councils, do not affect the usefulness of the evaluation framework as a guide to undertaking reviews.

Second, it should be independent of the terms and conditions of any Contribution Agreement. In other words, the framework should provide guidelines which can be applied to the review of any individual Council, regardless of its mandate.

The proposed framework provides for three kinds of evaluations:

a) a self-evaluation, whereby any Council may, on its own initiative, periodically review the achievement of its own goals and objectives;

b) a program audit, whereby the GNWT may, at its discretion, review the effectiveness of a Council in managing programs that have been transferred;

c) a comprehensive evaluation, whereby the effectiveness of a Regional or Tribal Council is throughly examined.

iv. Self-Evaluation

It is in the best interests of the members of a Regional or Tribal Council to determine to what degree the objectives of the Council for the preceding period of time (usually one year) have been achieved. In its simplest sense, this is a three-step process.

First, at the beginning of the year, the Council establishes a set of objectives respecting Council operations which are achievable and measurable.

Second, at the end of the year, the Council gathers information respecting the results and impacts of the operations of the Council.

Third, the Council undertakes a comparison of what the Council wanted to accomplish (its objectives) and what it did accomplish (results and impacts).

v. Program Audit

The fact that a contribution is a "conditional transfer payment" provides the GNWT with the means to review the effectiveness of Regional and Tribal Councils in the delivery of programs. The Financial Administration Act stipulates that "contribution payments are conditional on performance or achievement..." Thus, the GNWT could, at its discretion, require a program audit in accordance with the terms and conditions of the Contribution Agreement.

A program audit also can be described as a three-step process.

First, at the beginning of the year, the terms and conditions respecting the delivery of GNWT programs by the Council are specified in a Contribution Agreement.

Second, at the end of the year, information is gathered respecting the funds expended by the Council to deliver each

program, the systems and procedures employed in program delivery, and the benefits to the residents of the region resulting from the program.

Third, a comparison is undertaken of the contractual requirements of the Council (the Contribution Agreement), what was achieved (program benefits) and how it was achieved (program delivery).

vi. Comprehensive Evaluation

The focus of a comprehensive evaluation is the effectiveness of a Regional or Tribal Council as a Board of Management. By definition, this type of evaluation is more thorough and more encompassing than an examination of the systems and procedures employed in administration or program delivery.

Four main types of issues should be addressed in a comprehensive evaluation:

a) the rationale for the Council:

-- the extent to which the mandate, priorities, goals and objectives of the Council are still relevant;

-- the consistency of the activities of the Council with its mandate;

b) the impacts arising from Council activities:

-- the nature of the impacts - regardless of stated goals and objectives - arising from programs delivered by the Council;

-- the extent of duplication or consistency with other programs delivered by other organizations in the same geographic area;

c) objectives achievement:

-- the manner and the extent to which appropriate objectives have been achieved as a result of Council activities;

-- the adequacy of the resources provided for the achievement of the objectives; and

d) alternative program delivery methods:

-- the consideration of more cost-effective means of achieving the objectives and intended impacts.

A comprehensive evaluation of each Regional or Tribal Council should be undertaken every three to five years, depending on the complexity of a Council's mandate, number of programs being delivered, and the degree of growth anticipated or desired by the Council. A comprehensive evaluation should be undertaken in accordance with specific Terms of Reference which have been approved by both the Council and the GNWT. The Terms of Reference would detail:

a) the specific issues - within the above four types - which are to be addressed in the evaluation;

b) how these issues will be examined i.e. what information will be collected, and how this information will be analysed;

c) who will be responsible for what parts of the evaluation;

d) a timetable for completion of all of the tasks involved.

VIII. CRITICAL ISSUES FOR REGIONAL COUNCILS

i. Previous Research

As part of its work, the Review Committee looked carefully at previous studies and research which have dealt with the question of regional structures in the North and elsewhere.

The principles adopted in 1982 by the Executive Committee were largely drawn from the Report of the Special Representative on Constitutional Development in the Northwest Territories, commonly known as the Drury Report. The Drury Report made recommendations for the devolution of authority from the federal to territorial governments and then from the territorial to community governments.

The Drury Report emphasized the importance of the community level of government and said that community councils should have wide-ranging responsibilities such as land and resource management, education, social programming and housing. If communities wished to, they should be allowed to exercise these responsibilities themselves or to delegate any of their responsibilities to regional bodies.

Drury said communities should have the choice of forming regional councils through voluntary delegations upward of community authorities. Membership should be voluntary, with provisions for communities to opt out of membership. Communities should define the extent of authority to be exercised regionally through a regional council, ranging from an advisory role through an advocacy role to an administrative and regulatory role carrying out responsibilities delegated by the communities.

While the Drury Report provided the philosophical underpinning for the 1982 principles adopted by the Executive Committee, two key aspects of Drury's recommendations were not dealt with at that time -- the devolution of territorial powers to local communities, and the system of funding regional councils.

Drury saw powers being devolved from the federal to the territorial level and then from the territorial level to the community level. If communities chose to exercise those powers through a regional council, then the community would transfer specific responsibilities and the accompanying financial resources to the regional council. Beyond this direct funding for specific functions, regional council funding should be derived from a levy on participating councils, Drury said.

Since the Drury Report, several reports on regional government structures have been done by or for the Western Constitutional Forum.

"Constitutional Development in the Western Northwest Territories: Regional Government", tabled in the Legislative Assembly in August, 1983, discusses regional government in the western NWT and reviews regional governments in other parts of the world.

"Part I: Regional Government in the Western NWT, A Discussion Paper" by Wilf Bean, puts forward three basic principles in terms of regional councils. First, the purpose of regional formations is to enhance the powers of the communities. Second, the evolution of regional formations must proceed primarily at the initiative of the communities. Third, regional councils/regional governments are not necessarily a good thing. The paper then evaluates 10 issues in light of these three principles.

The second part of the paper, "Part II: Regional Governments: A Selective Review" by Katherine A. Graham, Diana Duttle and Judith Mackenzie of the Institute of Local Government, Queen's University, looks at various regional structures around

the world. It concludes that to be successful, regional arrangements must be seen as relevant to local interests and not simply agents for central control. In order for the regional arrangement to be responsive to local interests, a strong local leadership and commitment is needed.

"To be fully effective, any regional arrangement must first reflect local conditions and needs and relate them in a realistic way to the interests of central government. Each case is different."

Probably the most central theme in all cases is the importance of achieving a balance between central (federal and territorial) and local interests in developing a regional structure. Achieving balance takes time. A period of implementation and transition, during which regional arrangements are modified according to practical needs, are just as important as discussions leading to the creation of any regional system.

In an earlier paper summarizing a study done for Mr. Drury, done in October, 1979, Katherine Graham makes a series of recommendations related to the development of regional councils. The key recommendations are as follows:

* Regional councils should be allowed to assume responsibility for local matters as local communities indicate a willingness to vest such authority in the regional council.

* Regional councils should also be viewed as legitimate recipients of GNWT functions.

The study notes: "It is an axiom that procedures and structures should not only be accessible and comprehensible to as many people as possible but also should reflect community values and accepted modes of decision-making. Only in such circumstances will citizens involve themselves in and develop commitment to their local governmental structures and processes. It is mandatory then that structures and procedures related to local government be flexible in nature and content so as to allow for regional and cultural differences throughout the NWT."

On the question of regional councils, the study noted: "As expressions of regionalism and, in some cases at least, as the probably precursors of more formal regional structures, these councils should not be forced to disband. Rather they should be allowed to continue and to evolve."

ii. Issues Arising from Previous Research

It is worth while noting the considerable difference between the terms "regional government" and "regional councils", which have tended to be used interchangeably in the Northwest Territories.

The term "regional government" generally indicates a clear level of government which holds legislative and regulatory powers and authority. Most of the forms of regional structures which are in existence elsewhere tend to be regional governments.

Regional councils, however, as the term is generally used in the Northwest Territories, tend to be limited to an advisory, administrative function. They advise government, but are not themselves a law-making level of government.

Of all the regional councils, organizations and individuals consulted by the Committee, only one -- the Committee for Original Peoples' Entitlement -- urged the Committee to consider recommending that regional councils be given legislative and/or regulatory powers.

Most, if not all, regional councils said that they wanted to take over more authority for running programs of the Government of the NWT within their region, but none of those councils wanted any of the law-making powers held by the Legislative Assembly of the NWT.

Thus not many of the lessons drawn from previous research are applicable to regional councils in the Northwest Territories. However, several general points are of some help.

The research indicates that to be successful, regional arrangements must be relevant to local interests and not simply agents for central control. In order for the regional arrangement to be responsive to local interests, a strong local leadership and commitment is needed.

Regional structures must relate local conditions and needs to the interests of central government, and must achieve a balance between central (federal and territorial) and local interests in developing a regional structure. This takes time, and a period of experimentation and implementation is just as important as discussions leading to the creation of any regional system.

In cases of funding, earlier studies which recommended that part of regional councils' funding should come from a direct levy

on regional council members usually tied this to the devolution of many programs and services directly to the local level. Local communities then could choose to have the regional council deliver the program.

iii. Regional Structures for the Future

As several Regional Councils pointed out to the Review Committee, it is not easy to predict the future development of regional councils when many important matters have not been settled either nationally or territorially.

The following excerpt from "Living Treaties: Lasting Agreements, Report of the The Task Force To Review Comprehensive Claims Policy", issued in Ottawa in December 1985 by the Department of Indian Affairs and Northern Development, gives a concise but comprehensive picture of some of the uncertainties.

> "Political development in Canada's two northern territories is complex, as it involves the evolution of the territories towards some form of responsible government and, perhaps, even to provincehood. It also includes the devolution of powers and administrative responsibilities from the federal government to the territorial governments. In the Northwest Territories, political development is complicated further by the prospect of division of the territory into two: Nunavut in the eastern Arctic and a western territory as yet unnamed.
>
> "The role of the comprehensive claims negotiations in political development is equally complex. The federal government has taken the position that political development should not be a part of claims negotiations or agreements. The current claims policy restricts claims negotiations to non-political matters although it allows for the possible inclusion of 'self-government on a local basis' (DIAND 1981, p. 19).
>
> "There is a precedent for the negotiation of regional public governments in the claims process.....
>
> "Aboriginal groups in the North have taken the position that their aspirations for self-government are achieved best through forms of public government. This choice reflects the unique circumstances of the North, where the reserve system never was imposed and where Inuit, who are not subject to the Indian Act, do not have any form of government analogous to band councils under the Indian Act. Inuit have always

maintained that political development should be negotiated through the claims process...."

The report suggested that claims negotiation did not have to be delayed until the deliberations on constitutional development were completed. If the parties agreed on a principle of a right to local and regional government where appropriate, details could be negotiated later, as was done in the case of the James Bay and Northern Quebec Agreement and Northeastern Quebec Agreement.

Both the Nunavut Constitutional Forum and the Western Constitution Forum have established positions in relation to regional councils and regional government over the past few years.

In "Building Nunavut: A working document with a proposal for an Arctic Constitution", published in 1983 by the Nunavut Constitutional Forum, the NCF accepts the proposal for the Western Arctic Regional Municipality with the understanding that WARM would be delegated primary responsibility in their region for education, policing, health services, economic development, wildlife management, and representation of regional interests within Nunavut.

"This does not necessarily imply that a WARM administration would create its own education services in all areas, for instance, but only that the development of regional programs would be decided upon at the regional level....The essence of the proposal...is that in certain subject matters, the locus of choice and authority rest within communities and regions....." (page 26)

Other regions may not want to commit themselves to a regional government structure until some years of study have taken place. "Important principles of 'top down' vs. 'grass roots' approaches require much discussion. The experience and future of the Regional Councils must be considered fully in this context." (page 27)

After some years of discussion about regional government structures, the Western Constitutional Forum developed a position on Regional Government. As it began the discussions, the WCF indicated the following:

"While the need for a strong central government is acknowledged (one with a clear mandate and authority to represent all residents in dealings with outside parties such as governments, large corporations, etc), regional councils/governments must be allowed to play a significant role

in a new western territory should communities choose to create them." (Summary of WCF Negotiating Session on Regional Government, October 23, 1984, page 2).

Principles on regional structures arrived at by the WCF were explained in a a February, 1987 newsletter, as follows:

> "Community governments will have the right to form a regional government. Subject to the following principles, the territorial government will be obliged to recognize such a regional government.
>
> "The structure, accountability and membership requirements will be determined by the member communities in accordance with democratic principles.
>
> "Regional governments will be assured of fair and adequate funding; if it assumes the duties previously held by other governments, it will take over the funding previously available to those other governments.
>
> "Regional governments should be able to obtain from other levels of government shared responsibility, management and control over certain programs and services, including certain aspects of education, economic development, local government relations, police services, game management, land use planning and management and powers of taxation.
>
> "Regional government boundaries would be for administrative purposes only and be defined by appropriate consideration of the communities which make up the regional government.
>
> "Official working languages of a regional government will include the regional aboriginal language(s) and English.
>
> "Every resident of the region shall have an equal right to participate in a regional government and benefit from its programs and services. The programs and services and manner of participation may differ among the different cultural groups within the region.
>
> "Public lands within a regional government's boundaries and outside the boundaries of communities will be held by the territorial level of government. Regional land interests may be considered formally in land use planning and management. Territorial government decisions on the management of sub-surface resources, off-shore and on-shore, should reflect the needs and interests of all territorial residents."

While "Public Government for the People of the North", the Dene Nation proposal for a public government structure for the western NWT, does not deal with regional structures, another WCF publication suggests that the Dene are comfortable with regional structures.

In "Dene Government Past and Future: A Traditional Dene Model of Government and its Implications for Constitutional Development in the Northwest Territories Today", prepared by Lesley Malloch for the WCF in 1984, the following principles related to regional structures are included under the Public Government recommendations:

> "11. The principle of local and regional diversity, as well as cultural diversity, must be recognized by a new government in Denendeh. There is no reason for all communities in Denendeh to look the same, to be run in the same way, or to have the same interests.
>
> "12. The constitution of a new government in Denendeh should reflect a decentralization of jurisidiction and powers to community and regional levels of government. People should have the right to make decisions about an issue which affects them alone or their region, without undue interference from other levels of government which do not have a specific interest in the issue. At the same time, concurrent jurisdiction must be recognized. Responsibility should be shared when making decisions about things which may affect people in several different regions at the same time.
>
> "13. The principle of participatory government should be recognized and respected. Within their communities and regions, and at the territorial level, people should have the option of developing forms of government which allow them greater participation in decision-making, rather than giving up all their decision-making powers to elected representatives." (pages 36-37)

iv. How Regional Councils View Their Role

Before meeting with individual Regional and Tribal Councils, the Review Committee met with representatives of all the councils in Yellowknife on February 25, 1987. The regional and tribal council representatives presented the following principles:

> "1. Regional and Tribal Councils are essential to good government.

2. Territorial government programs at the regional level shall be run through the Regional and Tribal Councils at the level they deem appropriate. The territorial government must consult with the Regional and Tribal Council in setting policy and developing programs. The Regional and Tribal Councils shall then oversee the running of the government at the Regional level.

3. Regional and Tribal Councils funding should be upgraded to a level sufficient to enable Regional and Tribal Councils to adequately carry out this function.

4. Regional and Tribal Councils should be the primary public body in a region.

5. Regional and Tribal Councils shall be kept fully informed by the GNWT in areas that affect communities in their region.

6. Regional and Tribal Councils should meet annually to update themselves on regional concerns at the territorial level with funding to be made available.

7. The Legislative Assembly shall consult with Regional and Tribal Councils prior to any final amendments to the Regional and Tribal Council Act.

8. To be more effective, Regional and Tribal Councils encourage the decentralization of human and physical resources from Headquarters to the regions."

Over time, these principles were amended slightly, and by the time the Regional and Tribal Councils representatives met in Yellowknife in November, 1987, they read as follows:

1. The Regional and Tribal Councils Act shall remain entrenched in GNWT legislation. This would not preclude the ultimate entrenchment of Regional and Tribal Councils in the NWT Constitution.

2. Regional and Tribal Councils shall be the prime public body for the region.

3. Regional and Tribal Councils shall be guaranteed funding to adequately deliver programs the council is responsible for.

4. The Government of the Northwest Territories should be responsible for the development of legislation and the setting of standards for programs and program delivery in the NWT with input from Regional and Tribal Councils. The territorial government and regional and tribal councils shall then jointly develop regional policies for programs and program delivery and negotiate funding for programs delivered by the councils on behalf of the GNWT.

5. Regional and Tribal Councils shall have regulatory and administrative responsibilities over programs and services including those that are vital to the preservation of the cultural identity and values of its residents.

6. Regional and Tribal Councils shall be accountable to their member communities. Communities shall have the ability to opt out. It is the responsibility of the community to negotiate delivery of programs under the jurisdiction of the Regional and Tribal Councils.

7. Territorially, regional and tribal councils shall meet annually or as required by the Councils to evaluate and co-ordinate regional programs, policies and program delivery. Such meetings shall be funded by the territorial government.

8. The Legislative Assembly shall develop a process of consultation with Regional and Tribal Councils prior to amendments to the Regional and Tribal Councils Act.

9. To be more effective, Regional and Tribal Councils require decentralization of programs and personnel to the regions and, if necessary, communities.

v. Critical Issues Identified by Regional Councils

a) The Future of Regional Councils

Several as yet unresolved major issues may affect the future development of regional councils. The settlement of aboriginal claims advanced by the Inuit through the Tungavik Federation of Nunavut, and by the Dene and Metis of the Mackenzie Valley through the Dene/Metis Negotiations Secretariat, may create new public and private institutions. As well, division of the Northwest Territories into two jurisdictions could change the nature and function of regional institutions.

Most regional councils, while seeking more program responsibility from the Government of the NWT, were reluctant to

predict how regional councils might develop in future because of the uncertainties attached to aboriginal self-government and land claims and to division.

That is not to say that councils are actively involved in aboriginal issues. The Baffin Regional Council, for example, deals primarily with matters which fall within the jurisdiction of the Government of the NWT, leaving land claims to the Inuit Tapirisat of Canada and the Baffin Regional Inuit Association.

b) Aboriginal Issues and Public Government

In the western NWT, many communities have both a band council, created under the federal Indian Act and reporting to the Indian Affairs Program of the Department of Indian Affairs and Northern Development, and a municipal council, created under territorial legislation and reporting to the territorial Department of Municipal and Community Affairs. The band council represents only status Indians, as set out in the Indian Act. Several communities have combined the municipal and band functions into one community government which offers public government to the community, and territorial legislation now permits this form of municipal structure.

Two organizations are involved jointly in negotiating aboriginal land claims with the federal government -- the Dene Nation and the Metis Association of the NWT. Status, non-status and Metis people all are entitled to take part in Dene Nation elections, both at the territorial and regional level. Many western NWT communities also have a local chapter of the Metis Association which represents Metis and non-status people. Both organizations have regional representatives who generally belong to regional councils.

While the multiplicity of organizations in western NWT communities has caused many problems over the years, much of the debate has been resolved by having all these organizations belong to the regional council. The council provides a forum for information-sharing and discussion by all the players in the region and bring people together as no other body has ever done, as long-time Chief Paul Wright told the Committee.

Aboriginal organizations, however, have remained firm on the principle that non-aboriginal municipal groups should not be part of land claims negotiations carried on between the Dene/Metis and the federal government. The Government of the NWT refuses to fund land claims bodies, either national or regional.

The solution devised by the South Slave Regional Council has been to create a Regional Aboriginal Committee, made up only of aboriginal representatives, within the Regional Council. The Aboriginal Committee usually meets for a day before each regional council meeting and then tables the motions from that meeting at the Regional Council meeting for support.

In connection with funding, the South Slave Regional Council argued strongly that funding for Regional Councils should be used by Tribal Councils as well. Aboriginal claims are a legitimate part of the evolution of public government in the NWT, and thus are as much the business of the Government of the NWT as of the federal government, the Council said.

The territorial Department of Municipal and Community Affairs (MACA), however, appears to take the position that tribal councils are not eligible for funding under the Regional and Tribal Councils Act because they are not public institutions. MACA reports that DIAND refuses to fund tribal councils in the NWT because it feels program responsibility has been transferred to the Government of the NWT, a position which MACA disputes. MACA suggests removing the reference to Tribal Councils from the title of the Act to solve this problem.

c) The Value of Regional Councils

However, while the Councils recognize that various political problems in the Northwest Territories have not yet been settled, they do want to take on more power and responsibilities at the regional level as quickly as possible. Communities need more powers and in a lot of areas, want direct access to decision-making, the Regional Councils said.

There was general agreement that regional councils play an important role in equalizing the balance of power between communities and officials and Ministers of the Government of the Northwest Territories. The Regional Council gives the region's communities a chance to deal with government from a position of strength, said the Deh Cho Regional Council, and ensures that communities have a chance to talk face-to-face to Ministers, who may prefer to attend regional council sessions rather than individual community meetings.

The Town of Fort Smith noted that Regional Councils play an important role. "They bring together communities within a region and provide a forum and a vehicle for dealing with regional and community concerns. In the past regional government was based, often on the whim of the Regional Director, who was all powerful

in the region. This has gradually changed over the years. The next logical step is to give more decision-making authority at the regional level to community representatives rather than to often transient G.N.W.T. bureaucrats."

The Baffin Regional Council grew out of the need to make the Regional Director and regional staff more accountable to the people of the region. Because it understands the region's problems and needs, the Council wants to take part in decisions made in the region and thinks it could run some government programs effectively.

Without the Shihta Regional Council, the five Sahtu or Great Bear communities felt lost within the Government's Inuvik region. Mackenzie Delta communities think the Beau-Del Regional Council provides the only forum in which superintendents and the Regional Director account to all the communities; all government departments report on what they are doing, and each community has a chance to put its needs forward for consideration.

While most Regional Councils provide a way for government to efficiently and economically consult all communities in a region, the Deh Cho Regional Council noted that government's demands on its members and staff are much greater than the resources made available to the council by government. Staff sit on interview boards for senior government positions in the region, and in the past, were involved in the government's capital planning process. Government expects comments from the Council on many issues, but doesn't provide resources for doing so.

Some communities saw Regional Councils as a form of self-defence against the proliferation of government. In each community, one chief noted, the superintendents talk to different groups, so that each department in effect has its own independent advisory body in the community; in dealing with the problems which result, community leaders have to act like the government. The way in which the government is developing is forcing each community to set up community governments and to take part in regional councils.

Government, in turn, admits that regional councils provide a valuable service in various areas. The Department of Economic Development and Tourism said that regional councils can play an important role in economic planning, particularly given the trend towards the development of regional economic development corporations, regional Chambers of Commerce and tourism zone associations.

d) The Views of Large Tax-Based Municipalities

Two of the three larger tax-based municipalities which addressed the Committee expressed differing views on Regional Councils. The City of Yellowknife works well directly with the Department of Municipal and Community Affairs and would like to keep full authority to operate as it currently does, while keeping open the option to take over additional powers at some future date. The City has had no contact or experience with regional councils, and no desire to belong to a regional council.

The Town of Hay River, which also thinks it has a good working relationship with MACA, sees no value or benefit from regional council membership. It suggested that regional councils would lead to the creation of another level of government in an already over-governed area, and worried that increased powers of regional councils would come from municipalities rather than the Government of the NWT. Eventually, it suggested, the central government may be unable to make sure programs are delivered fairly across the NWT. The Town of Hay River withdrew from the South Slave Regional Council when it applied for incorporation, and plans to hold a plebiscite on the question of regional council membership after the Government of the NWT has made its decisions on the Review Committee's report.

The Town of Fort Smith said that Regional Councils play an important role in the region and provide a forum for dealing with regional and community concerns. Through a regional council, both smaller and larger communities are involved in reviewing the regional budget, capital planning and land use planning. Fort Smith thinks its membership in the South Slave Regional Council was a long-term investment.

e) The Adequacy of Funding

As noted in an earlier chapter of this report, Regional Councils do not think they receive enough funding from the GNWT to carry out their work. Councils said that although they had to submit a budget each year to the Department of Municipal and Community Affairs, the funding they received often bore little relation to the budget as submitted.

The Department of Municipal and Community Affairs, from whose budget the funding for regional councils comes, agrees that Regional Councils have little determination over the preparation of estimates.

Regional Councils said the delegation of program delivery

authority to regional councils must be accompanied by appropriate funding for staff and administrative costs.

Most regional councils, and the Department of Municipal and Community Affairs, felt that funding for regional councils should come through the Department of the Executive, not through a program department.

The Department of Municipal and Community Affairs thinks that tighter controls should be placed on the finances and financial behaviour of Regional Councils.

f) Future Development of Regional Councils

In terms of the future development and direction of Regional Councils and the Government of the Northwest Territories, the Baffin Regional Council thinks that if the Legislative Assembly sets policy and budgets and the GNWT develops and evaluates programs and ensures that money is handled properly, then service delivery can be delegated to Regional Councils. Having the Regional Director become in effect the Executive Director of the BRC would be an ideal solution, it suggests.

The South Slave Regional Council believes that the North needs strong regions with a more equitable distribution of resources, not a strong central government and weak regions. However, communities are not willing to give up the powers which they have fought so hard to gain; that extra power must come from the delegation of GNWT powers to the regional council, in the form of authority to give a regional flavour to government programs, and in delivering the programs.

The Deh Cho Regional Council feels that giving more power to the regional councils would improve program and service delivery. "Regional Councils provide the GNWT the most effective way to deliver, adapt, and channel responses to GNWT policy initiatives. As such they are an essential medium in the process of conducting policy dialogues, and in building a consensus on policy issues." Deh Cho says it is "primarily interested in seeing governmental services and programmes delivered in a way that is more efficient and effective and addresses the concerns of regional residents."

The Baffin Regional Council suggested that there has been a recent trend towards centralizing power in Yellowknife, and traces this to the increased growth of ministerial government. It noted that community and regional input into the capital planning process has been much less in recent years, and a trend towards giving Regional Directors less power within the system is of

concern. If Regional Directors aren't important, how will Regional Councils influence government policy, it asks.

Similar concerns were indicated by the Keewatin Regional Council. "There was also concern expressed that at a time when our Region has been calling for Devolution as well as decentralization, that at times it is perceived that Ministerial Government centralizes authority thus making it somewhat difficult to seek solutions at the Regional level."

While Regional Councils want more responsibility, they do not want just the programs or services which pose difficulties for government. As the Shihta Regional Council noted, power is the ability to make decisions within the parameters and scope of one's own program authority which are respected by the territorial or federal levels of government.

While none of the Regional Councils wanted to act like governments, some suggested they were being expected in certain instances to act like another level of government. The Deh Cho Regional Council noted, for example, that the GNWT issues outfitters' permits only after the Regional Council has given its approval.

The Kitikmeot Regional Council said that because each region is different and has its own flavour, a flexible structure for the future development of regional councils is needed.

In terms of the Mackenzie Delta, the Beau-Del Regional Council noted that the current council is an interim body which might disband or change, depending on the forms of regional structure developed by the Committee for Original Peoples' Entitlement (COPE) and the Mackenzie Delta Regional Council.

g) Problems with the Act

The Deh Cho Regional Council pointed to a number of specific problems with the Regional and Tribal Councils Act. It noted that while Regional Councils can enter into contracts and can be sued, they can't borrow money, and that means they cannot buy or build staff housing, for example. Regional Councils cannot meet during Legislative Assembly sessions, and because the Act says that the Council must set the date for its next council session at the current council session, a tremendous amount of rescheduling sometimes is needed to comply with the Act.

Most councils felt that the current provision of the Act which allows communities to opt out of regional council

membership should be retained.

The Review Committee recognizes that a number of changes should be made to the Act to reflect current practice. These suggested changes are listed in Chapter X. Issue Statements.

IX. CRITICAL ISSUES

i. Committee Discussions

As the Review Committee began to work with all of the information received from meetings, surveys and research, it became evident that there were a number of critical issues for the committee to discuss. The Committee summarized these as follows:

1) Should all Regional Councils be seen as being the same? Should some distinctions be made between Regional Councils in the eastern and western NWT?

Clearly, not all Regional Councils are the same and no one course of action could be developed which would suit all. There are clear differences, for example, in the history of local government development in the eastern and western NWT, which led to different approaches to regional council membership in the east and west.

2) Should every community in the Northwest Territories be a member of the Regional Council?

Some communities appear to feel pressured into joining regional councils. In the past, the Government of the NWT has advocated the formation of Regional Councils with the result that some Regional Councils were probably not formed on the basis of perceived needs from the community perspective.

3) How is the future development of regional councils impacted by the possibility of division of the NWT? What is the potential impact of aboriginal claims negotiations?

If division of the Northwest Territories does not occur, stronger pressure is likely to occur for more program responsibiltity at the regional council level. If division does occur, then negotiations on the role of regional councils likely would take place between the regional councils and their respective Constitutional Forums.

Some public and private structures at the regional level are

likely to be negotiated as part of both the Tungavik Federation of Nunavut and Dene/Metis aboriginal claims negotiations with the federal government. However, it does not seem likely that the federal government will change its position that political development should not be a part of land claims negotiations.

4) Are the present legislation and policies still appropriate and applicable from the point of view of the Councils and the GNWT?

In terms of the applicability of present legislation and policies, the aims and principles still seem appropriate and applicable. A number of amendments should be made to the Regional and Tribal Councils Act. From the point of view of the Government of the NWT, there appears to be some question of the applicability of legislation and policies, given that some regional bodies are being created independently of the regional councils. There does appear to be an increasing tendency to appoint regional bodies which report back to program departments and not through regional councils.

5) How can the authority of municipal/community governments be maximized?

The Committee notes that work is being done within the Government of the NWT on municipal and community governments as prime public bodies at the local level. Government policy recognizes the primacy of local municipal and community governments, and calls for the delegation of powers and programs to local communities. If policies on this matter are adopted by the Executive Council, it would seem reasonable to resolve the problem of proliferation of special purpose bodies at the regional level.

The Committee suggests that at least some small communities may want to delegate program delivery authority back upwards to regional councils. This has been visualized in territorial policy up to now, with the requirement that the primacy of the local community be respected. While many communities may want increased powers from the Government of the NWT, some of them may be too small to make local delivery of programs practical or economical. In these cases, smaller communities may not be able to help run programs unless these programs are delivered through the regional council.

On the other hand, if a decision is made to turn program delivery responsibilities over to a regional council, what happens if a community doesn't want the regional council to deliver that program in the community, but doesn't want to

deliver the program itself either. In that situation, it obviously would not be practical to have the Government of the NWT deliver a program in only one community in a region.

Regional Councils indicate that if program delivery responsibilities were delegated to the councils and one community decided it did not want the program, the community would get that program anyway, but would lose its voice in determining how the program would be delivered. However, that solution appears to trespass on the rights of local municipal councils, and thus would contravene other Government of the NWT policies.

6) How do the large tax-based municipalities or communities which have opted out of or do not belong to Regional Councils fit into the regional council structure?

Not everyone agrees with or supports regional councils. Several large tax-based municipalities, including Hay River, Pine Point and Inuvik, expressed a number of reservations about regional councils. One of the biggest concerns is a fear that authority for the operation of regional councils will be taken from existing authority or powers held by communities rather than from powers or authority held by the Government of the NWT. Another concern is a belief that while regional councils may just want program delivery responsibility now, the councils will eventually develop into regional governments and thus add a fourth layer of government into an already over-governed Northwest Territories.

7) Can regional councils operate as boards of management within ministerial government? If so, how?

There appear to be two quite different schools of thought on the question of the relationship between regional councils and ministerial government. One feels that ministerial government rules out increased power for regional councils. The other feels that giving regional councils increased program responsibiliities might relieve Ministers of part of their administrative burden and allow them to concentrate on their policy and planning duties at the over-all territorial level.

The legal advice provided to the Committee was that there did not seem to be a way under current legislation in which a divisional board of education could be a committee of a regional council, or in which a regional council could become a divisional board of education, without amendments to the Education Act.

A number of regional councils told the Committee that turning over some program delivery responsibilities to regional

councils would result in more effective, efficient and economical delivery of programs. However, they did not want to take over the Ministerial responsibility for setting territorial policy and standards.

8) What relationship should exist between regional councils and other regional bodies?

Current territorial policy indicates that regional councils should be the prime public body at the regional level. However, other regional bodies are being created by program departments at the reginal level, and these bodies do not always have a reporting relationship with the regional council.

9) To what extent can or should different levels of government evaluate each other?

In terms of evaluation, it seems clear that if the Government of the NWT provides all or most of a regional council's funding, the Government of the NWT must satisfy itself as to how the funding has been used because it in turn must justify its expenditures. It seems reasonable that the Government of the NWT then would require regional councils to justify their expenditures.

Different levels of government do evaluate one another in the existing system. If regional councils are given program delivery responsibilities, they should expect to be evaluated so that the Government of the NWT can satisfy itself that a program is being delivered equitably, suitably and within territorial guidelines and policies.

ii. Four Options

After reviewing the material presented to the Review Committee, members concluded that four potential options appeared to be open for consideration:

1. Retain the status quo, with Regional Councils serving as advisory bodies to the Government of the NWT;

2. Abolish Regional and Tribal Councils;

3. Allow Regional Councils to be responsible for program delivery as they feel capable of carrying out such program delivery; and

4. Establish a system of regional government.

a) The First Option: Retaining the Status Quo

The first option, to retain the status quo, does not seem viable. Although both the principles and the policy propose to allow regional councils to take on program responsibilities and identify regional councils as prime public bodies in the region, this has not taken place.

Many Regional Councils have expanded their areas of interest to regional, territorial, national and aboriginal issues as these matters have been brought forward by member communities and organizations. Most of them indicated that they wanted to take on program delivery responsibilities on behalf of the Government of the NWT and felt capable of doing so.

Most Regional Councils indicated that they needed more funding in order to carry out the duties which they see as set out for them in the Regional and Tribal Councils Act. The Department of Municipal and Community Affairs feels that the Councils receive more than enough funding to meet their obligations under the Act.

b) The Second Option: Abolishing Regional Councils

The second option, to abolish Regional Councils and delegate responsibility to local community governments, could be seen as a realistic option with both advantages and disadvantages.

Abolishing Regional Councils might save the Government of the NWT up to $1 million. This money could be spent on other priorities, possibly including the creation of other regional program delivery bodies which would report back to the Legislative Assembly through Ministers.

However, Regional Councils were created originally with territorial government assistance, encouragement and funding, in part to meet Government of the NWT objectives. Abolishing Regional Councils would mean the past decade's investment of substantial government funding and energy in developing regional structures would be lost. While communities could then form voluntary associations at their own expense to replace Regional Councils, it is possible that government might well have to recreate Regional Councils to co-ordinate the activities of individual departments' boards of managements in regions.

c) The Third Option: Program Delivery

The third option, that Regional and Tribal Councils should (at their request and supported by motions of the majority of member municipal councils) be permitted to assume responsibility and authority for the delivery of territorial government programs and services, is the option preferred by representatives of the Regional and Tribal Councils.

This option is consistent with existing territorial policy, both on Regional and Tribal Councils and on devolution to communities. It is also consistent with the policy on Government Organization which, while charging Ministers with accountability for how public business is conducted, also indicates that programs shall be delivered "as close as practicable to the people being served".

While increased power for Regional Councils may appear to conflict with Ministerial Government, the Review Committee suggests that this is not necessarily so. Giving some responsibility for regional program delivery to Regional Councils might actually enhance the Ministerial role as the maker of departmental policy and as a shaper of over-all government policy and organization.

Not all Regional Councils will want to be responsible for delivering government programs and services at this time, or even for delivering all aspects of one program or service. Regional Councils should not be required to deliver programs and services -- in other words, what is needed is a range of options, from a purely advisory role to a full program delivery role, rather than an "all or nothing" situation. Training seminars or workshops may be needed to assist Regional Councils in successfully delivering programs and services.

The territorial Regional Council representatives suggested that the Legislative Assembly, the Executive Council, the Regional Councils and community councils all serve the same customer. If the aim is to provide the best and most effective government for the people of the North, then co-ordination and co-operation is needed.

As the existing Regional and Tribal Councils Act implicitly recognizes, no one model will fit all the varying needs of the various Regional Councils.

d) The Fourth Option: Regional Government

The fourth option, regional government, was not given in-depth consideration by the Committee because it was raised as an objective by only one group. All Regional Councils with whom we met or corresponded indicated that they had no wish to become governments.

Government statements in recent years have indicated that regional government was not an option which government was prepared to consider. All existing legislation and policies are based on the premise and objective of creating strong community governments to operate in tandem with a strong central government.

Research into regional governments elsewhere revealed that most such systems did not work very well, and none of the systems or organizations studied in previous research seemed to be appropriate for the Northwest Territories.

Many people expressed concern about the creation of extra levels of administration and government being added to what they felt was an already over-governed territory.

iii. Committee Conclusions

MACA indicated that regional council political development has continued to diverge from the concept of prime regional public bodies with a predominant voting membership base provided by the municipal or community governments and that the current direction of regional council development should be seriously re-examined.

"In this Department's view, there is a clear need for all parties -- the GNWT, the municipal and community governments, and the regional councils -- to work together to bring the continued development of regional councils more into focus with the ongoing political development of responsive and effective local governments," MACA said in its submission to the Review Committee.

"Reforms to strengthen the municipal and community governments as the basis for regional council membership, and provisions to enhance regional councils as the 'prime public bodies' advising the GNWT at the regional level would contribute significantly to this objective," MACA concluded.

After extensive discussion, the Review Committee concluded that Options 1, 2 and 4 were not viable and that virtually all of the input considered and the issues raised pointed to Option 3 as being the most desirable. The issues as reviewed in Chapter X relate to option 3, which the Committee concluded was the most realistic option based on the input it received.

X. ISSUE STATEMENTS

Section 6 of the Committee's mandate called for the identification of critical issues related to the future of Regional Councils and government in the NWT. The following section is comprised of issue statements which define perceived problems and a description of the situation.

i. Statements of the Issues

ISSUE #1: A process is required to enable the orderly delegation of responsibility for administration of Government programs and services from the Government to Regional Councils.

ISSUE #2: This process should include a review of the correlation between GNWT adminstrative regions and regional groupings preferred by Regional and Tribal Councils.

The Regional and Tribal Councils policy adopted by the Executive Committee in December, 1982, visualized public bodies operating at the regional level as being committees of the Regional Council operating under the Council's authority or affiliated to the Council by membership. (For a more detailed discussion, see Chapter V. Principles, Legislation, Policy and Practice.)

The Councils, seen as the prime public bodies at the regional level, were to be permitted to act as regional management bodies for Government of the NWT programs and services delegated to the region. Little use has been made of this option.

The Government policy on devolution to communities, approved by the Executive Committee in September, 1983, supports and encourages the devolution of responsibility for delivery of government programs and services to communities. (For a more detailed discussion, see Chapter V. Principles, Legislation and Policy.) Given the small size of many NWT communities, the most practical method of devolving programs to communities appears to be at the regional level, through regional councils. Through responses to questionnaires and through meetings and discussions with Regional Councils, it seemed to the Committee that this was the preference of many of the communities which belong to the regional councils.

If the Legislative Assembly and Executive Council still consider the existing regional council principles and policies relevant (as do the Regional Councils), a process should be developed which will allow government to implement those principles and policies.

Additionally, this process should look at whether the Regional Council groupings preferred by regions correspond to GNWT administrative regions, and, as set out by the original policy, changes should be made where appropriate.

ISSUE #3: Programs and services should be delegated only when such requests are made by Regional Councils, and that the responsibility for the regional delivery of territorial government programs and services be delegated to a Regional Council where such a request is supported by a majority of that Council's member municipal councils.

As well as spelling out how and when the delegation of a program or service from the GNWT to the Regional Council should take place, the process referred to above should clearly spell who is entitled to request such delegation.

Existing government policy on devolution to communities recognizes the primacy of the community in program delivery. However, many communities which would not consider delivering programs themselves may support the delivery of such programs through a Regional Council.

To ensure that communities have asked Regional Councils to deliver a program on their behalf, it is recommended that requests by Regional Councils for the delegation of programs and services be supported by a majority of the Council's member municipal councils.

In cases where the voting members of Regional Councils also are the elected leaders of the member municipalities, each municipality is in a good position to understand the impact of the delegation of territorial programs to the Regional Council.

In other cases, however, the voting membership of Regional Councils includes people or organizations in addition to the member municipal councils. In these cases, it seems reasonable that the decision to request the delegation of program or service responsibility from the territorial level to the Regional Council level be decided by a majority of the member municipal councils, which will be most directly affected by the program or service delivery.

ISSUE #4: The process identified in Issues #1 and #3 should include a description of the point at which a Council would be required to accept responsibility for the regional delivery of remaining GNWT programs or services in that region.

As a Regional Council successfully takes on the delivery of more and more of the GNWT's programs and services in a region, there will come a point at which it is no longer economically feasible for the GNWT to continue to deliver the remaining programs or services not yet delivered by the Regional Council.

The process described in Issues #1 and #3 should describe the point at which the GNWT would require a Regional Council to take on the responsibility for remaining programs in that region.

The process also should clearly spell out which territorial-wide responsibilities (often offered out of the Yellowknife headquarters) cannot and will not be delegated to a Regional Council -- for example, the territorial audit function.

ISSUE #5: Regional Councils should be permitted to develop regional objectives, styles, policies and structures to achieve the goals, objectives and priorities developed territorially for the programs by the Government of the NWT.

While the Legislative Assembly of the Northwest Territories and the Executive Council will always be responsible for developing territorial goals, objectives and priorities for territorial programs, Regional Councils feel that they can impart a regional flavour to those goals, objectives and priorities.

The Regional Councils clearly indicated that they did not wish to become law-making bodies; however, they do want to take on some regulatory and administrative functions of government within the terms of territorial laws and programs established by the Legislative Assembly and the Executive Council.

As they take on the responsibility for delivering territorial programs delegated to them, Regional Councils will continue to reflect the North's regional variations and increasingly will impart those variations to the programs they deliver. In preparation for, and as part of program delivery, it is desirable to have the Regional Council's objectives, policies, structures and styles spelled out and amended as change is needed.

ISSUE #6: The funding formula for Regional and Tribal Councils should be revised to allow the Councils to better meet the requirements of the Regional and Tribal Councils Act.

Regional Councils do not feel that the funding they receive under the existing policy of Assistance to Regional and Tribal Councils is adequate for the responsibilities which they must carry out. (For a more detailed discussion, see Chapter IV.

Financing of Regional Councils.)

As they have evolved, Regional and Tribal Councils have increasingly taken on more and more responsibilities. However, the Councils feel that their funding has not kept pace with the expansion of these responsibilities.

At the same time, government must be able to meet its requirements for financial accountability and to find ways to ensure that it is providing equitable treatment to all Regional Councils.

Clearly defined core funding provisions for Regional Councils are needed. Core funding might well include funding for two meetings per year, travel, staff and administrative support, office space and office operation. Job descriptions and salaries for an Executive Director and staff should be closely related to GNWT job descriptions and salaries for equivalent positions. Salary and benefits should be equivalent to GNWT salaries and benefits.

ISSUE #7: When agreements for delegating the delivery of GNWT programs and services are negotiated between the Government and Regional Councils, such agreements should include funds for administrative purposes. Appropriate administrative funds should be included in cases in which a Regional Council administers the budget of another regional body.

ISSUE #8: All agreements should spell out clearly the extent of accountability and responsibility retained by the Minister who is responsible for that program or service.

ISSUE #9: Regional Councils should be allowed to manage, control and deliver the program or services independently, in accordance with the associated Acts, regulations and conditions specified in the agreement, and not be considered agents of the Minister or the GNWT.

ISSUE #10: Regional Councils which are delivering GNWT programs or services delegated to them regionally should be required to submit to annual financial and program audits.

If responsibility for delivery of a GNWT program is delegated to a Regional Council, it will be necessary to spell out a number of items quite clearly. These items include the extent to which the Minister who is responsible for a program is retaining authority or responsibility for the program or any aspect of the program, in order that both parties clearly understand their powers and responsibilities.

In recognition that Government spends much more than just program money on the delivery of programs, a formula should be developed to reflect the administrative costs of delivering programs or any aspect of the programs, and this should be reflected in the delegation agreement.

While Regional Councils, as the deliverers of programs at the regional level, must meet specific financial and program audit requirements, they must also have flexibility, independence and freedom to impart an appropriate regional flavour to the program.

ISSUE #11: GNWT employees who are part of the programs and services which are delegated to a Regional Council should remain employees of the GNWT, but the Regional Council should have exclusive responsibility for hiring all employees, including the regional head of the program.

ISSUE #12: Should GNWT programs be delegated to a Regional Council, the Regional Council should be permitted to recommend the dismissal of GNWT personnel to the Minister of Personnel, who shall take appropriate action in accordance with the Public Service Act.

ISSUE #13: A specific relationship between Regional Councils and Regional Directors should be delineated territorially and adhered to by all departments and agencies.

ISSUE #14: Should a Regional Council successfully assume responsibility for all GNWT programs and services delivered in the region, the Regional Director should be considered to be the Chief Executive Officer of the Council and the position to which all regional managers report.

ISSUE #15: Where responsibility for program management is delegated to a Regional Council, the regional managers should retain a consultative relationship with Deputy Ministers for the purpose of providing regional input into the development of territorial programs, policies, legislation and regulations.

As the regional delivery of programs and services is turned over to Regional Councils, there is a need to balance employees' rights and protections against the need for Regional Councils to be actively involved in deciding who will work in the regions.

These issues are intended to address the personnel and hiring/firing situations which may occur should Regional Councils take over the responsibility for program delivery in the regions.

ISSUE #16: Regional Councils should be required, on request, to delegate to local municipalities the responsibility for GNWT programs and services being delivered regionally by the Regional Council, to the extent that such delegation is permissible under the delegation agreement and is economically feasible.

ISSUE #17: A system should be developed to provide for the delivery of GNWT programs and services to a community which has opted out of or does not belong to the Council. Such alternatives might include delivery by the GNWT, delivery by the community, or delivery by the Regional Council under contract.

While in the majority of cases, Regional Councils will deliver programs on behalf of their member municipalities, some municipalities may want to deliver some or all programs themselves, some municipalities may opt out of Regional Councils or some municipalities may choose not to join Regional Councils. Additionally, some larger municipalities which are not members of a Regional Council may want to deliver programs themselves.

ISSUE #18: Funding through the Department of Municipal and Community Affairs does not give a clear indication of the scope of Regional Councils' activities and interests. Funding provided through the office of the Government Leader would more accurately reflect the diversity of issues dealt with by Regional Councils.

ISSUE #19: Existing and future Boards of Management, Divisional Boards of Education and other regional bodies should be funded through Regional Councils where a Regional Council so requests.

ISSUE #20: Recognizing that government policy regards Regional Councils as prime public bodies at the regional level, Regional Councils should be consulted before regional bodies are created by government.

As health and education boards have developed in the NWT, there has not been a reporting relationship to the Regional Councils. While remaining relatively independent, health and education boards should be required to submit their annual budgets through the regional council in order to ensure that their activities reflect regional priorities and concerns.

The decision as to whether to establish other regional bodies as sub-committees of Councils should be left to the Regional Councils.

ii. Issues Related to Implementation

If a decision is made to address the issues by acting in accordance with the Issue Statements, amendments to the Regional and Tribal Councils Act would be required. The following changes are suggested:

1. Amend the title to read, "Regional Councils Act".

This amendment is suggested to remove the ongoing confusion with Councils established to deal primarily with aboriginal rights and claims issues. Regional Councils are intended to be representative of all residents of the regions and, while they may well discuss aboriginal issues, must be seen to be public bodies in the broadest terms.

2. Include Part VI.2 South Slave Regional Council, and Part VI.3 Beau-Del Regional Council.

Both Councils have requested incorporation.

3. Add a definition of prime public body in both the community and the regional sense to Section 7.

4. Add a new section which outlines the role and responsibilities of prime public bodies in both communities and regions. The regional section also should include a statement of the relationship between the Regional Council and GNWT Regional Directors in accordance with policy and issues 13, 14 and 15.

The Committee suggests that municipal and regional councils be allowed to decide how best to structure committees/bodies within their communities/regions. Other organizations could be required to operate as sub-committees of councils, be funded through councils or operate as independent bodies which make periodic reports to councils.

5. Amend Section 3(2) to read that voting membership shall ordinarily be restricted to the elected heads of the member municipalities but special consideration be given to the addition of voting members where it is necessary.

6. Amend Section 3(3) to read, "at least two thirds of voters who turn out":

A requirement of two thirds of the eligible voters is unrealistic and renders it virtually impossible for a community to withdraw from a council. A simple majority might be considered a realistic option.

7. Amend Section 5(1) to read, "A council shall meet at least once in each half of each calendar year."

Councils are unable to specify the exact date of the next meeting until dates for the Legislative Assembly are established and the availability of delegates is determined.

8. Amend Section 5(3) by removing the words, "in a community".

There may well be occasions when a council, for specific purposes, wishes to meet within the region but outside of community boundaries (e.g. at a lodge or a minesite).

9. Include provision for in-camera meetings where personnel matters are to be discussed. Section 5(4)

Should a council assume responsibility for program delivery, there will be occasions where personnel matters such as performance evaluation, salaries or disciplinary action must be discussed. Such matters should not be open to the public. There should be restrictions, similar to those placed on municipal councils, specifying the conduct of in-camera meetings.

10. Amend Section 9(3)(j) to allow for the borrowing of money for purposes approved by a Minister.

There may be occasions where a council might be permitted to borrow money to achieve a specific purpose in line with program objectives. The implication of Ministerial approval is seen as a guarantee of the loan.

11. Remove the words, "per capita", from Section 9(3)(i).

Councils should be given the flexibility to determine their own methods of collecting dues. There may well be occasions where methods other than per capita are felt to be more equitable.

12. Include provision for a Board of Management to be formed as a sub-committee of a Regional Council in Section 9(3)(g).

See Issue #4 above.

13. Move paragraph nine of the preamble to the beginning of the preamble to clarify the intent of the Act, as amended.

iii. Additional Suggestions

In addition to the Issue Statements outlined, the Committee makes the following additional suggestions:

1) The Education Act and other territorial Acts and Regulations should be amended to enable the implementation of these issue statements;

2) These suggestions should be applied to all programs which are devolved to the GNWT by the Government of Canada;

3) When the Northwest Territories Act is repatriated as the Northwest Territories Constitution, the Act should enshrine the role of Regional Councils.

iv. Recommendation

Finally, the Committee recommends that the Executive Council should use the findings of the Regional and Tribal Councils Review Co-ordinating Committee as a basis for deciding on the role Regional Councils will play in the future development and direction of government in the Northwest Territories.