

MEMBERS OF THE EXECUTIVE COUNCIL HANDBOOK (2016)

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1.0 Cabinet Solidarity

In a system of Responsible Government, the Members of Executive Council (Cabinet) are collectively responsible for conducting the affairs of the Executive branch of Government.

The deliberations of Cabinet meetings are kept entirely confidential so that discussions can be as frank as possible, and so that no Member need fear speaking his or her mind to Cabinet colleagues. Full consideration of different, perhaps opposing, points of view are to be encouraged if Cabinet is to make informed decisions.

However, once Cabinet makes a decision, it is imperative that all Members assume collective responsibility for that decision. This convention is known as Cabinet solidarity and it is a long-standing and necessary feature of Cabinet governments throughout Canada and the rest of the world.

At times, Members may find themselves in disagreement with a Cabinet decision, but each Member's obligations to his or her colleagues, to Cabinet as a whole, and to our system of Responsible Government requires that all Ministers maintain Cabinet solidarity.

There are numerous examples from southern Canada of Members who have been removed from both federal and provincial Cabinets for failure to maintain Cabinet solidarity.

Cabinet solidarity has always been an issue for NWT Cabinets. In the early 1990's, the Cabinet of the day issued direction as to how Cabinet Members would be dealt with if they were found to be in breach of Cabinet solidarity. The Record of Decision specifically provided that on the first offence, the Member would be subject to private censure, on the second offence, the Member would be publicly rebuked and on the third offence, the Member would be removed from Cabinet. (Note: this direction has no standing during the 18th Legislative Assembly.)

The power to vary or rescind Cabinet direction rests with Cabinet and with Cabinet alone.

2.0 Cabinet Collegiality and Collective Responsibility

In a system of Responsible Government, the Members of the Cabinet are collectively responsible for conducting the affairs of the Government. This means that the deliberations in the Cabinet meetings must be kept entirely confidential so that the discussions can be as frank as possible, and so that no Minister need fear speaking his/her mind to his/her colleagues. This privacy of the Ministers when they are deliberating in Cabinet is a long standing and necessary feature of Cabinet Government, and is reflected as well in all other Governments in Canada.

An important implication of collective responsibility is that the minutes of Cabinet meetings are more than simply confidential but are indeed secret. Moreover, in all jurisdictions in Canada, it is considered to be an offence for a Minister to talk about the substance and nature of the deliberations in Cabinet, or to "leak" Cabinet documents to the public or the media.

It is an important principle of Cabinet government that the minutes of a previous Cabinet are not available to the current Cabinet, not even to a current Minister who was part of the previous Cabinet. This is to prevent one government from entering into "witch hunts" involving the affairs of a previous government, and is a sacred rule of parliamentary governments everywhere.

3.0 Cabinet Privilege

The Rationale for Cabinet Privilege

- The deliberations of Cabinet meetings are kept entirely confidential so that discussions can be as frank as possible, and so that no Member may fear speaking his or her mind to Cabinet colleagues. Full consideration of different, perhaps opposing, points of view are to be encouraged if Cabinet is to make informed decisions.
- This privacy of the Members when they are deliberating in Cabinet is a long standing and necessary feature of Cabinet government. It is reflected in Cabinet governments throughout Canada and the rest of the world and has been recognized in the Canadian courts. This obligation to maintain Cabinet confidences is often referred to as Cabinet privilege.
- The obligation to maintain Cabinet privilege extends to all members of Cabinet and the public service.
- Cabinet, and only Cabinet, can waive Cabinet privilege.
- The obligation to defend Cabinet privilege is owed not only to Members of the current Cabinet, but also to Cabinet as a legal entity, to past and future Cabinets and to our system of Responsible Government.

Limits on Cabinet Privilege

- Cabinet privilege notwithstanding, the Supreme Court of Canada has ruled that ***there is no absolute privilege*** in legal proceedings, even for the highest level of government documents or discussions. Rather, each case must be decided on its own facts.
- A commonly accepted test for assessing claims of Cabinet privilege the *Factors for Determining a Claim of Public Interest Immunity*. (attached as an appendices)

Disclosure of Cabinet Documents or Cabinet Confidence

Despite the fact that Cabinet privilege is not absolute privilege, several questions must be asked when assessing a request to disclose a Cabinet document or other document that might reveal a Cabinet confidence.

- Has the request arisen out of formal legal proceedings?

If so, then the attached *Factors for Determining a Claim of Public Interest Immunity* must be considered.

If the request is made outside of any formal legal proceeding (e.g., requests made by the media, members of the public or MLAs) then the *Access to Information and Protection of Privacy Act* must be considered. That Act specifically prohibits the release of Cabinet documents that are less than 15 years old.

- Who may waive Cabinet privilege and authorize the disclosure of Cabinet documents or other documents revealing Cabinet confidences?

Cabinet, and only Cabinet, can waive Cabinet privilege. Neither the Premier nor individual Ministers have the authority to waive Cabinet privilege.

- How should the disclosure of Cabinet confidences be managed?

Should a decision be made to waive Cabinet privilege, it is recommended that Cabinet authorize the Attorney General to assume full responsibility for asserting public interest immunity and managing the disclosure, if any, of Cabinet confidences.

FACTORS FOR DETERMINING A CLAIM OF PUBLIC INTEREST IMMUNITY

The leading case on public interest immunity – commonly referred to as "cabinet privilege" – is *Carey v. The Queen in Right of Ontario et al.* (1986), 35 D.L.R. (4th) 161 (S.C.C.). In that decision the Supreme Court of Canada held that there is no absolute privilege, even for the highest level of government documents or discussions. Rather, each case must be decided on its own facts.

In determining whether immunity should be granted the court set out the following factors for consideration:

1. Is the claim made for a class of documents or by reference to their particular content and the potential to impair the functioning of government?

Generally speaking, a claim that a document should not be disclosed on the ground that it belongs to a certain class has little chance of success (*Carey* at p. 175):

A class claim would be inadvisable. The affidavit in support of the claim to immunity should provide as much detail regarding the nature of the documents as can be provided without defeating the purpose.

Further, the affidavit should provide particular reasons why the particular documents should not be disclosed. The potential of disclosure to impair the functioning of government should be made clear. (see *Re Goguen and Albert and Gibson* (1984), 7 D.L.R. (4th) 144 (F.C.A.), *Re Manitoba Society of Seniors Inc. et al. and Government of Manitoba* (1988) 48 D.L.R. (4th) 681 (C.A.) at p.684, *Keg River Metis Assn. v. Alberta* (1989), 84 Alta. L.R. (2d) 287 (Q.B.) at 272 -273,

2. What level of decision making do the documents pertain to?

Cabinet documents are accorded the greatest respect. "The fact that such documents concern the decision-making process at the highest level of government cannot, however, be ignored. Courts must proceed with caution in having them produced" (*Carey* at p.186).

While it is difficult to say what items qualify as "cabinet documents" it should be possible to depict a fairly broad array as fitting in to this category. Surely any minutes of cabinet meetings do. Documents prepared at the specific request of cabinet and for their consideration would also be likely to qualify. General communications to, from and between cabinet members should also fit into this category.

4.0 Cabinet Meeting Protocols

Meeting Schedule

Cabinet meets at the call of the Chair. The Premier annually approves a Cabinet Calendar which is distributed to all ministers and departments, but the Premier is free to call additional meetings and to postpone or cancel scheduled meetings at any time.

Quorum

The Cabinet quorum has been set, by Cabinet, at the Chair plus three (3) Members of the Cabinet.

Cabinet Solidarity

The deliberations of Cabinet meetings are kept entirely confidential so that discussions can be as frank as possible, and so that no Member need fear speaking his or her mind to Cabinet colleagues. Full consideration of different, perhaps opposing, points of view are to be encouraged if Cabinet is to make informed decisions.

Confidentiality

It follows from the principle of Cabinet solidarity that any discussion in Cabinet is considered to be confidential. Ministers or staff in attendance must not speak about the substance of discussion or attribute comments to particular Ministers. This guarantee of confidentiality enables Ministers to speak frankly and openly in presenting their point of view. Obviously, the results of some discussions, for example, approval of a new policy, will be made public. Indeed, in some cases, Cabinet direction should and must be widely publicized. What can be made public and how it will be made public (both within and outside the public service) should be identified in ministerial submissions under the public relations section of the submission.

Previous Records

The documents of one Cabinet are not open to another even if a Minister was a Member of a previous Cabinet and is a Member of the current Cabinet. These restricted documents include the minutes and supporting documents used by Cabinet in coming to a decision, as well as Records of Decision or Orders in Executive Council.

Witnesses

The Cabinet meeting goes off-the-record when witnesses are in attendance. Any Minister, on the approval of all Members may invite witnesses to brief Cabinet or to answer questions with regard to a ministerial submission. Once all questions have been exhausted, witnesses are asked to leave. Witnesses should not be present during votes on a motion. Witnesses are almost always members of the public service and bound by an oath of secrecy in that capacity.

Meetings with those outside the public service

A meeting of all Ministers may be convened with one or more groups from outside the public service, but such meeting should be distinguished from official Cabinet meetings.

Cabinet almost never meets with individuals or groups outside the public service. Groups and individuals outside the public service are not bound by the same oaths of secrecy and are free to discuss meeting deliberations and attribute comments.

Authority of the Chair

All Members must respect the authority of the Chair. The Premier may ask another Minister to Chair a Cabinet meeting on the Premier's behalf.

Neutrality of the Chair

The Chair is neutral and does not advocate a particular position. If in a ministerial capacity the Chair is sponsoring a submission, it is usual practice for the Chair to step down while sponsoring a submission.

The Chair only votes if there is a tie.

Motions

Decisions are made by formal motion and require a mover, a seconder, an opportunity for discussion and a vote. When there is no motion, any general agreements of Members will be reflected in the minutes as expressions of support for a particular position.

Cabinet Submissions

Cabinet only considers documents which are signed and submitted by the appropriate Minister or Ministers. A Minister may sign a submission on behalf of another Minister.

With the exception of occasional walk-in items, submissions are reviewed and assessed by Cabinet Secretariat advisors, support staff to the Premier and Cabinet, and any committees-of-council as appropriate. The Deputy Secretary to Cabinet returns Cabinet submissions that are incomplete or do not have the required signature(s) to the appropriate Minister. In some cases, the Secretary to Cabinet will recommend that the Premier return a submission to a Minister where, for example, significant issues have not been adequately addressed in the submission.

Cabinet submissions are to be in the hands of the Deputy Secretary to Cabinet by the agenda cut-off date set by the Chair. The cut-off date is normally ten (10) working days prior to the meeting.

Assessment

Most Cabinet submissions (except those regarding legislative proposals or draft legislation) are reviewed for completeness and possible issues by the Cabinet Secretariat. An assessment (or 'pink' as it is informally called) is prepared if it appears there are issues, which should be brought to Cabinet's attention. The assessment includes a recommended decision for Cabinet's consideration. All Ministers receive a copy of the assessment with the Cabinet meeting package

two (2) days before the meeting. An electronic copy of the assessment is also sent to the appropriate Deputy Minister(s) and Director(s) of Policy.

Submissions regarding a legislative proposal or draft legislation are referred to the Legislative Coordinator for review and assessment by the Legislative Initiatives Committee (LIC). LIC is chaired by the Legislative Coordinator and includes representatives from Cabinet Secretariat, Finance, Department of Justice and the Department of Aboriginal Affairs and Intergovernmental Relations. A copy of the assessment is distributed with the meeting package.

Cabinet Minutes

The Deputy Secretary to Cabinet prepares the Cabinet meeting minutes and submits them to the Secretary to Cabinet for approval and final approval at future Cabinet meetings.

Promulgation

Cabinet directions or motions form the official records of the decisions. Records of Decisions (ROD) are signed by the Secretary to Cabinet and the Chair, Executive Council. Only those recommendations contained in the ROD are considered approved. In other words, any recommendations in the Minister's submission which are not referenced in the ROD are not approved by Cabinet.

If the motion involves a recommended decision which requires Commissioner in Executive Council approval or falls within the Commissioner's responsibility as Chief Executive Officer under the *Northwest Territories Act*, an Order-in-Executive Council (OEC) is signed by the Secretary to Cabinet, the Chair, Executive Council and the Commissioner.

The Deputy Secretary to Cabinet is responsible for preparing the RODs and OECs, obtaining the appropriate signatures and distributing and maintaining official records of Cabinet.

5.0 Cabinet Agendas and Submissions

Cabinet is responsible for the overall management and direction of the executive branch of government, including setting government policies and priorities and providing overall direction to the public service.

Cabinet Agendas

Cabinet agendas are drafted by the Cabinet Secretariat for the Premier's approval. Cabinet agendas are finalized at the beginning of each Cabinet meeting.

By convention, the Cabinet agenda is divided into several major categories and typically includes the following items:

- Prayer
- Approval of Agenda
- Approval of Previous Minutes
- Declaration of Conflicts of Interest
- Items for Future Consideration (most often used to advise Ministers of complex issues that will be addressed in upcoming Cabinet meetings)
- Discussions and Briefings
- Legislative Proposals
- Draft Legislation
- Decision Items
- Direct Appointments to the Public Service
- Information Items
- Ministerial Travel Plans
- General Discussions
- Items to be returned for Cabinet consideration (a list of outstanding issues where Ministers were given explicit direction to undertake further action and directed to return for further Cabinet consideration)
- In Camera Discussions
- Adjournment

Submission Procedures

- A Minister directs his or her department to develop a submission for Cabinet's consideration. Depending upon the specific issue, the submission might be a discussion item, legislative proposal, decision paper, information item or options paper.
- Where advisable, a Cabinet submission may be developed by two or more departments for the signature of two or more Ministers.
 - A final draft of the document is submitted, by the originating department(s), for the approval and signature of the responsible Minister or Ministers.
- Once approved, the ***original signed*** submission, together with 2 copies of the submission and any attachments, is forwarded to the Deputy Secretary to Cabinet. The Minister may

wish to include a covering letter providing any information about special handling considerations.

- Original signed submissions, other than information items, received by the Deputy Secretary to Cabinet **10 working days** before the next scheduled Cabinet meeting will be identified in a draft Cabinet agenda finalized by the Cabinet Secretariat. Information items received **five (5) working days** before the next scheduled meeting will be included in the draft Cabinet agenda.
- Meeting packages are prepared and distributed to all Members as well as to those senior officials who regularly attend Cabinet meetings. Cabinet packages include the agenda; any previous minutes prepared for Cabinet approval; and all signed submissions together with any relevant assessment reports (pinks).

Withdrawal, Deferral or Replacement of a Cabinet Submission

As events unfold leading up to a Cabinet meeting, a Minister may wish to withdraw or replace a previously signed Cabinet submission. On occasion, a Minister may wish to have a submission deferred to a meeting other than the next scheduled Cabinet meeting.

- Before a draft agenda is finalized by the Cabinet Secretariat (i.e., ten working days before a scheduled meeting), a Minister may write the Deputy Secretary to Cabinet requesting that a signed submission be withdrawn from the draft agenda or deferred to another Cabinet meeting. The Minister may also request that an earlier signed submission be replaced with a revised submission addressing the same issue.
- Once a draft agenda has been finalized by the Cabinet Secretariat, a Minister may write the Premier to request that a submission be withdrawn or deferred or the Minister may move that the item be withdrawn from the agenda at the Cabinet meeting. In either case, the withdrawal or deferral will be reflected in the Cabinet minutes.
- A Minister must seek the Premier's permission to revise a submission once the agenda has been approved and meeting package distributed. Should the Premier's permission be granted, the Minister and department are responsible for distributing copies of the revised submission to all Ministers and to the senior staff who regularly attend Cabinet meetings.

An original signed copy of the revised submission must also be forwarded to the Deputy Secretary to Cabinet.

Walk-ins

- **Only the Premier** can make additions to the draft agenda following the set deadline for Cabinet submissions and prior to the actual Cabinet meeting.
- Should a Minister wish to make a submission after the deadline, the Minister should write the Premier to request permission to bring the item to the next Cabinet meeting. Submissions brought to Cabinet in this manner are usually referred to as "approved walk-ins."
- Once permission for an "approved walk-in" has been granted, Ministers are responsible for ensuring that approved "walk-ins" are distributed to all Ministers and to those senior staff who regularly attend Cabinet meetings.

- Though emergency situations do arise, “walk-ins” present a number of problems for Cabinet, Ministers and departments, because there is not enough time for Members of Cabinet to review the submission or receive information to make an informed decision.

Joint Cabinet/FMB Submissions

Cabinet and FMB each have their own mandate and their own submission process and formats. However, at times issues arise which require direction from both Cabinet and FMB. On such occasions, a joint submission to both bodies may be considered.

To address these situations, Cabinet Secretariat and FMB, in cooperation with departments, have developed a joint submission process that may be used when:

- a submission addresses significant and interrelated policy, financial, organizational or human resource issues requiring both Cabinet and FMB direction.
- an initiative requires the approval authority of both Cabinet and FMB as established in legislation, Cabinet approved policy or FMB directive.
- a submission requires *immediate* direction from both Cabinet and FMB and the submission presents sufficient background and information for both Cabinet and FMB to make an informed decision.
- a submission is prepared in response to earlier Cabinet or FMB direction to return to both Cabinet and FMB.

Items for Cabinet Submissions

Items typically submitted for Cabinet's consideration or information include:

- Actions requiring Cabinet authority or direction as set forth under relevant legislation, regulations or Cabinet-approved policies. For example:
 - appointments/revocations to various statutory positions and boards,
 - negotiating contracts in accordance with Contract Regulations, and
 - designating community authorities under the Municipal Capital Assistance Policy.
- Proposals to draft, establish, amend or rescind legislation or Cabinet approved policies.
- Significant new initiatives or actions which are likely to have substantive public, intergovernmental or interdepartmental impacts, for example:
 - government's response to the residential schools issue,
 - Protected Area Strategy,
 - Yellowknife Office Plan, and
 - User Say/User Pay Initiative.
- Specific issues or actions that Cabinet has directed should be returned for Cabinet consideration or approval.
- Proposed revisions to an item previously approved by Cabinet. For example, revising Cabinet-approved negotiating mandates or terms of references.
- Actions requiring Cabinet authority, direction or review as required under Cabinet-approved strategies or procedures. For example:

- The *Strategy for Relations with Other Governments and Non-Government Organizations* requires Cabinet approval of all new, renewed or amended intergovernmental agreements that must be signed by a Minister.
- Appointment procedures for public committees, boards and councils requires that information items be submitted advising Cabinet of a Minister's intention to appoint or revoke a member under the Minister's or Commissioner's authority.
- Direct appointments to the public service without competition, including appointments to deputy minister level positions.
- Any matter that falls within a Minister's mandate, but which, in the Minister's opinion, should be considered by Cabinet as a whole.

6.0 Conflict of Interest Guidelines

The Conflict of Interest provisions of the *Legislative Assembly and Executive Council Act* and *the Elections and Plebiscites Act* apply to all Members of the Legislative Assembly including Ministers. Ministers should read Part III of the *Legislative Assembly and Executive Council Act*.

As soon as possible, and no later than 60 days, after being appointed as a Minister, a Minister shall ensure that his or her personal affairs are so arranged that there is no contravention of the Act.

Some Conflict Provisions Specific to the Executive Council

- Where the Premier has a conflict of interest in any matter relating to the performance of duties, he/she must disclose the general nature of the conflict of interest to the Executive Council and delegate to a Minister, designated by the Deputy Premier, the responsibility to perform his or her duties in respect to the specific matter. The Premier must refrain at all times from attempting to influence any decision in respect of the matter.
- A Minister who has a conflict of interest in any matter relating to the performance of the duties of the Minister shall, disclose the general nature of the conflict of interest to the Executive Council, delegate to a Minister designated by the Premier the responsibility to perform his or her duties in respect of the matter, and refrain at all times from attempting to influence any decision in respect of the matter.
- A Member of the Executive Council who has a conflict of interest in a matter that is before the Executive Council, or before a Committee of the Executive Council, shall, if present at a meeting considering the matter, disclose the general nature of the conflict of interest and withdraw from the meeting without voting or participating in the consideration of the matter. This will be recorded in the minutes.
- In addition to the requirements outlined above, the Premier may, if he or she deems necessary, set out further procedures as required from time to time.

7.0 Role of Ministers

In addition to the specific roles and responsibilities based on their respective portfolios, Ministers have a responsibility for supporting and advancing the overall priorities of government.

Conventions Respecting the Collective Responsibilities of Ministers

- First and foremost, there must be Cabinet solidarity. All important issues or questions that may be construed as involving government policy should be considered by Cabinet and all Cabinet decisions must be supported by all Members of Cabinet.
- It is imperative that good communication be established between Ministers so that all of them are informed in advance of any major initiatives taken in the Assembly by any one Minister. All proposed ministerial statements must be presented for Cabinet approval prior to being delivered in the Assembly.
- On all major issues, Ministers must support one another so as to ensure that no government measure is defeated through lack of Cabinet support. As indicated above, all major issues ought first to be brought to Cabinet for direction. The government position on any issue or question should be developed in Cabinet and not in the Legislative Assembly.
- At all times when considering major issues, every attempt should be made to consult with and obtain the views of other Members of the Legislative Assembly in accordance with the Principles of Conesus Government and established process conventions.
- Occasionally, an issue will arise where either for reasons of conscience or of very special constituency interests, Ministers will not be able to take a unified stand. On those occasions a Premier may decide proclaim that a "free vote" would apply.
- In keeping with the principle of departmental responsibility, a Minister must never bind or attempt to give a commitment for another Minister in respect of the latter's ministerial responsibilities.
- Ministers should not be publicly asking one another to make commitments or give undertakings. Any such concerns and requests should be raised in Cabinet.
- Cabinet decisions are not made until Ministers have had an opportunity to meet as Cabinet to discuss and pass motions on the issue. Ministers cannot commit Cabinet to a particular course in advance of such a discussion.

8.0 Ministerial Special Advisors

Ministerial special advisors are charged with providing their respective Minister with strategic and political advice on major policy, program, and operational issues within that Minister's various portfolios. The ministerial special advisors are all staff of the Department of Executive and each has a formal reporting relationship to the Principal Secretary.

Though Ministers are consulted on the appointment, or reappointment, of their respective ministerial special advisors, the Premier retains sole authority to recommend ministerial special advisor appointments to Cabinet.

Ministerial special advisors may be selected from within the public service and placed on a transfer assignment to a Minister's office or they may be hired from outside the public service on a term basis. In all cases, Cabinet issues formal direction (i.e., a ROD) on the appointment or reappointment of ministerial special advisors.

Cabinet submissions recommending the appointment of ministerial special advisors are prepared by the Cabinet Secretariat at the direction of the Premier.

Responsibilities

The Ministerial Special Advisors:

- establish and maintain an effective working relationship between the Minister's office and the offices of the deputy heads within the Minister's portfolios;
- provide political and strategic support and advice to their respective Minister on major policy, program, and operational issues that affect departments within the Minister's portfolios;
- gather critical information in order to provide advice on all issues related to their respective Minister's departmental programs;
- analyze issues being addressed in the Minister's Office; assess what more could be needed or would contribute to the advancement of the issue;
- liaise and consult with other Ministerial Special Advisors, the Principal Secretary, Director of Cabinet Communications, Director of Strategic Operations, departmental senior management, Cabinet Secretariat staff, staff of the Legislative Assembly, political staff within other governments, NGOs and industry representatives;
- facilitate the development and maintenance of a co-operative working environment within the Executive Council Office;
- respond to requests for information from the Minister, follow up on departmental action required, action work as necessary or when urgent issues require a response, and contribute to the co-ordination and facilitation of the work flow within the Ministers office;
- serve as a primary point of contact between the Minister's office and the general public;

- review all incoming documents (i.e., letters, briefs, invitations, etc.), prioritize items for the Minister's attention and offer advice on appropriate referrals;
- in cooperation with the Minister's Executive Administrative Coordinator, manages the respective Minister's offices budget and financial reporting;
- supports the Minister's Executive Administrative Coordinator in the performance of his or her duties; and
- coordinates the Minister's public schedule and plan, organize and arrange external meetings as directed by the Minister.

Knowledge and abilities

To be effective, ministerial special advisors should have above average understanding of GNWT operations and procedures, including an understanding of the role of deputy heads, be aware of the national, provincial, territorial and political environments, and be knowledgeable about Aboriginal Governments in the NWT.

Ministerial special advisors must have the ability to effectively represent their respective Ministers accurately and professionally, to hold and respect confidences, have excellent communication and computer skills, be able to work to deadlines and respond effectively to frequently changing deadlines.

Ministerial Special Advisors Terms of Employment and Appointment Process

Each ministerial special advisor serves at the pleasure of his or her Minister, which means they can be removed from the Ministerial special advisor position at any time. No Ministerial special advisor will be appointed to a term that extends more than a few weeks beyond the term of their respective Ministers.

All ministerial special advisors, including Ministerial special advisors who may have served Ministers in the previous Legislative Assembly are direct appointed to their term positions by the Minister Responsible for the *Public Service Act* on the recommendation of Cabinet. Decision papers proposing Ministerial special advisors appointments are signed by the Premier. The Departments of Executive and Human Resources are responsible for administrative matters related to a Ministerial special advisor's terms of employment.

9.0 Ministerial Executive Administrative Coordinator

Executive administrative coordinators are charged with providing their respective Minister with administrative support. The executive administrative coordinators are all staff of the Department of Executive and each has a formal reporting relationship to the Director of Strategic Operations.

Though Ministers are consulted on the appointment, or reappointment, of their respective executive administrative coordinator, the Premier retains sole authority to recommend executive administrative coordinator appointments to Cabinet.

Executive administrative coordinators may be selected from within the public service and placed on a transfer assignment to a Minister's office or they may be hired from outside the public service on a term basis. In all cases, Cabinet issues formal direction (i.e., a ROD) on the appointment or reappointment of executive administrative coordinators.

Cabinet submissions recommending the appointment of executive administrative coordinators are prepared by the Cabinet Secretariat at the direction of the Premier.

Knowledge and abilities

In addition to excellent administrative skills, executive administrative coordinators require the interpersonal and verbal skills needed to maintain a professional manner in all situations; they should be sensitive to the cultural and geographical diversity of the Northwest Territories and be able to work independently or with a team, in a fast paced environment.

EAC Terms of Employment and Appointment Process

Each executive administrative coordinator serves at the pleasure of his or her Minister, which means they can be removed from the executive administrative coordinator position at any time. No executive administrative coordinator will be appointed to a term that extends more than a few weeks beyond the term of their respective Ministers.

All executive administrative coordinators, including executive administrative coordinators who may have served Ministers in the previous Legislative Assembly are direct appointed to their term positions by the Minister Responsible for the *Public Service Act* on the recommendation of Cabinet. Decision papers proposing executive administrative coordinator appointments are signed by the Premier. The Departments of Executive and Human Resources are responsible for administrative matters related to an executive administrative coordinator's terms of employment.

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Links to Relevant Public Sites

Executive Council Submissions Handbook
User's Guide to Legislation in the Northwest Territories

