

Backgrounder: Motion to Revoke Appointment to the Executive Council

General background:

- A key feature of consensus government in the Northwest Territories is the selection of the Executive Council. In Parliament and provincial legislatures, the Queen's representative usually asks the leader of the party who won the most seats if they are able to hold the confidence of the House – in other words, if they can form a government. The Leader of the governing party then makes an Executive Council (Cabinet) without any further consultation with the legislature. The Leader is also able to fire Ministers at will. While those legislatures may ask questions of the Leader for why a particular Minister was fired, absent moving a motion of non-confidence against the entire government, there is no other recourse.
- Under **consensus government**, it is the House that nominates Members of the Executive Council, and each Member of the Executive Council is responsible to the House for their actions.
- The Premier assigns portfolios, and can remove those portfolios, however the Premier cannot unilaterally fire a Minister, nor can a Premier demand a resignation, as there are no consequences if a Minister who is asked to resign refuses.
- Without a resignation, only the House can remove a Minister from the Executive Council by formal motion. Motions can be debated and allow an opportunity for all Members to publicly speak on the revocation. Once debate has been concluded, a public vote is taken on whether to revoke the pleasure of the House in a Minister.

What happens if the motion of revocation passes?

- If a motion of revocation passes, all Members are called to sit in the Territorial Leadership Committee, which will select a Member to be nominated to the Executive Council.
- The Caucus of all Members decides prior to each TLC how to proceed. Since 1999, the Caucus of each Assembly has adopted a 2-2-2 convention, meaning that two Members from the northern 6 ridings, 2 Members from the southern 6 ridings, and 2 Members from the Yellowknife ridings will be nominated to the Executive Council. When a vacancy occurs on the Executive Council, Caucus needs to reaffirm whether they wish to 2-2-2 to continue to be used.
- If it is confirmed, then only those Members from the region which has a vacancy can put their names forward for consideration.

How do TLC meetings work?

- Each Member who runs for the vacancy is allowed to make a 10 minute speech. Members may ask one question to each candidate.
- Following that, a secret ballot occurs. If no Member secures 10 or more votes, the Member with the lowest number of votes is dropped from the subsequent ballot. Once a Member has received majority support, the Chair of the TLC announces the Member who has been duly selected.
- It remains unofficial until a formal motion is passed in the House, recommending the Member's appointment to the Executive Council.