PROCESS CONVENTION

At Pleasure and Confidence

Application

The Northwest Territories Premier and Cabinet (Executive Council) are responsible to the House for their actions and for implementing the shared priorities of all Members. Under the *Legislative Assembly and Executive Council Act,* they serve at the pleasure of the House. This means they require the support of a majority of Members of the House to obtain and remain in their positions.

A key element of parliamentary government is that the government must maintain the confidence of the House. Confidence is typically shown through a vote passing government budgets or significant bills. However, confidence in the Northwest Territories consensus government system is typically tied to an individual Member or Members of Cabinet and not the "government" collectively.

A confidence convention is not prescribed in the Northwest Territories. Elements of at pleasure appointments and confidence are found within the *Northwest Territories Act* (Canada), the *Legislative Assembly and Executive Council Act*, and the *Rules of the Northwest Territories Legislative Assembly*. What constitutes a question of confidence can change over time. Confidence is not a matter of parliamentary procedure. The Speaker does not rule on it. Only the House decides matters of confidence.

Guiding Principles: 2, 7, 8, 9, and 10

Authority

This Process Convention is established under the authority of Caucus, the Executive Council and the Standing Committee on Accountability and Oversight. It may be amended by agreement of all parties.

General Considerations

Removing a Member from the Executive Council is not a decision taken lightly. A majority of Members recommend the appointment of Members to the Executive Council and a majority is required to remove them. Members of the Executive Council serve at the pleasure of the House. However, there may be issues with a Cabinet Minister's performance which warrants removal, or creates "displeasure".

A successful revocation of a Member or Members from the Executive Council triggers the need for a Territorial Leadership Committee to determine which Member or Members would join the Executive Council in their place. In the Northwest Territories, a successful motion to revoke an appointment of a Member of the Executive Council does not result in the dissolution of the Assembly or a Territorial general election because the Executive Council serves at the pleasure of the Assembly.

Motion to Revoke the Appointment of a Member of the Executive Council

If a Member believes that one or more Ministers have not fulfilled their duties as Members of the Executive Council they can provide Notice of a Motion to revoke their appointment(s) from the Executive Council. This Motion would include the justifications and causes in the preamble clauses and state the intent and direction of the motion in its operative clauses.

If the Motion passes, in that a majority of Members support the motion, then the Member named in the Motion is removed from the Executive Council. The Speaker would then engage with all Members to determine the timing of a Territorial Leadership Committee.

The *Legislative Assembly and Executive Council Act* states that if a vacancy occurs in the office of the Premier the Assembly must choose another of its Members to be Premier. If a vacancy occurs for another Member of Executive Council the Speaker would engage with the Executive Council and the Standing Committee on Accountability and Oversight to determine the timing of a Territorial Leadership Committee. Members would follow the agreed upon guidelines of the Territorial Leadership Committee.

Removal of Ministerial Portfolios

The Assembly collectively decides which Members serve on the Executive Council, but the *Legislative Assembly and Executive Council Act* allows the Premier to assign and reassign Ministerial portfolios. Members of the Executive Council are appointed by the House but Ministerial portfolios are assigned by the Premier. There may be a time when a Premier removes a Minister of their portfolios, however, a Premier cannot remove a Member of the Executive Council, only the House can.

If a Premier has removed the portfolios of a Minister, the Speaker would need to engage with Cabinet and the Standing Committee on Accountability and Oversight to determine if the House should be reconvened in order to:

- deal with a motion of revocation; and if successful;
- determine the timing of a Territorial Leadership Committee.

Confidence of Supply

In other parliaments, a loss of confidence in the governing party may be triggered if a governing party fails to pass an Appropriation Bill. In the consensus model, an Appropriation Bill not passing the House results in a different process not tied to confidence in the Government.

The *Northwest Territories Act* (Canada) dictates that the Commissioner's Recommendation, which is equivalent in the Northwest Territories to a Royal Recommendation in the Parliament of Canada, sets direction for each sitting in terms of approving Appropriation Bills. Members are directed by the Commissioner to pass Appropriation Bills during a sitting. This typically occurs through review and negotiation between Cabinet and the Standing Committee on Accountability and Oversight of an Estimates document in Committee of the Whole. All Members are briefed and have opportunities to seek information and provide feedback on Appropriation Bills.

In the Northwest Territories, Estimates documents are tabled and referred directly to Committee of the Whole for deliberation. Once the Estimates document is reviewed, Committee of the Whole adopts a motion to concur and directs that an Appropriation Bill or Bills based on those Estimates

be introduced right away. Members vote on an Appropriation Bill that reflects the Estimates document agreed to in Committee of the Whole.

However, if an Appropriation Bill does not pass a reading, it is not necessarily a loss of confidence in the Government in the consensus model. If an Estimates document moves out of Committee of the Whole and an Appropriation Bill does not pass, then the Speaker would determine a short period of time for the Executive Council to bring forward a new Estimates document to be considered in Committee of the Whole as Members are required to follow the direction of the Commissioner. Additional events that could or could not occur include, but are not limited to the following:

- Negotiations between Cabinet and the Standing Committee on Accountability and Oversight continuing with a new Estimates Document entering Committee of the Whole until a majority of Members can support it;
- A Member may move a motion to revoke an appointment of a Member or Members of the Executive Council.
- A Member or Members of the Executive Council may step down from their position on the Executive Council as a result of failing to pass an Appropriation budget;
- The Premier may proceed with a Cabinet shuffle;

Ultimately, if an Appropriation Bill does not pass it is not necessarily a question of Confidence in the Government, but may result in the House expressing its displeasure in a Member or Members of the Executive Council. This is because Members of the Executive Council serve at the pleasure of the Assembly. There would be no territorial election and no automatic removal of Members of the Executive Council if a Bill does not pass. Members must still fulfill the direction of the Commissioner and pass an Appropriation Bill.

When an Estimates Document has the support to be reported from Committee of the Whole there should be support of the House to pass an Appropriation Bill through third reading. If an Estimates document does not have the support to be reported from Committee of the Whole, the Speaker would engage with both the Executive Council and the Standing Committee on Accountability and Oversight to determine how many additional sitting days would be required for further deliberation of the Estimates Document.

Conclusion

Given that Executive Council services at pleasure of the House, at any time, if a Member or Members have lost confidence in the ability of a Member or Members of the Executive Council they may choose move a motion of revocation.

There are three points at which Members may halt the advancement of an Appropriation Bill:

- a motion in Committee of the Whole directing that an Appropriation Bill not be brought forward;
- a vote defeating the Bill at second reading; or
- a vote defeating the Bill at third reading.

In each case, Members would need to determine how much additional time and additional sitting days would be required to fulfill the Commissioner's direction to pass an Appropriation Bill that has the concurrence of a majority of Members.

If an Estimates document does not have sufficient support to be reported out of Committee of the Whole, it could remain before Committee of the Whole until negotiations result in enough support to advance an Appropriation Bill that commands the confidence of the majority of the House.

Shauna Morgan	2026-02-20
Chair, Caucus	Date
	2026-02-20
Chair, Executive Council	Date
	2026-02-20
Chair, Standing Committee on Accountability and Oversight	Date

PROCESS CONVENTION

Consideration and Enactment of Bills Under the Administration of the Speaker and Board of Management

General Guidelines

This process convention applies to legislation falling under the administration of the Speaker and Board of Management of the Legislative Assembly. This includes bills to amend or replace the following statutes:

- *Legislative Assembly and Executive Council Act;*
- *Elections and Plebiscites Act*
- *Electoral Boundaries Commissions Act;*
- *Legislative Assembly Retiring Allowances Act;*
- *Supplementary Retiring Allowances Act;*
- *Human Rights Act, Part 3;*
- *Ombud Act, Part 1*;
- *Health Information Act, Part 7;*
- *Territorial Emblems and Honours Act;*
- *Official Languages Act, Part 2; and*
- *Access to Information and Protection of Privacy Act, Part 4, Division A.*

Nothing in this Process Convention detracts from the government's financial prerogative as expressed in section 35 of the *Northwest Territories Act, SC. 2014, c.2, s.2*.

Guiding Principles: 3, 5, 6 and 7

Authority

This Process Convention is established under the authority of the Speaker, Caucus, the Executive Council and the Standing Committee on Accountability and Oversight. It may be amended by the agreement of all parties.

Process

1. Any one of the following may identify the need to amend or introduce a new bill:
    a) The Legislative Assembly, including an MLA, a Standing or Special Committee or Committee of the Whole;
    b) The Speaker or the Board of Management;
    c) Caucus;
    d) The Executive Council;
    e) The Independent Commission to Review Members' Compensation and Benefits;
    f) The Integrity Commissioner;
    g) The Chief Electoral Officer;
    h) The Electoral Boundaries Commission;
    i) A Statutory Officer; or
    j) Any member of the public.

2. The Office of the Clerk will lead consultation with affected agencies, Indigenous governments and special interest groups, as required.

3. The Clerk drafts a legislative proposal for the Speaker's signature and submission to the Board of Management.

4. The Board of Management will consider the legislative proposal and:

    a) approve it;
    b) approve it subject to amendments;
    c) defer it to another meeting; or
    d) reject it.

5. The Speaker may choose to brief Caucus prior to the Board rejecting a legislative proposal or issuing drafting instructions for a bill.

6. The Office of the Clerk issues drafting instructions to the Department of Justice .

7. The Board of Management may authorize a draft of the bill to be circulated to affected departments, agencies or other groups for comment.

8. The bill is finalized, signed off by the Clerk and then translated into French by the Department of Justice. The Department of Justice sends the bill to the Clerk for consideration by the Speaker and Board of Management.

9. The Board of Management will consider the draft bill and:

    a) approve it;
    b) approve it subject to amendments;
    c) defer it to another meeting; or
    d) reject it.

    If approved, the Board will designate two of its members to move (sponsor) and second the bill in the House.

10. The Speaker will provide a detailed briefing on the bill to Caucus prior to its introduction in the House.

11. The Office of the Clerk prepares text for Notice of Motion for First Reading, First Reading, Second Reading, referral to Committee of the Whole and Third Reading of the bill in the House.

12. The Clerk will ensure the bill's sponsor is prepared to speak to the principle of the bill at Second Reading.

13. The bill's sponsor gives Notice of Motion for First Reading of the bill on a date agreed to by Caucus. First and Second Reading are in accordance with the Rules of the Legislative Assembly. Unless Caucus directs otherwise, the bill's sponsor will, following second reading, seek unanimous consent to have the bill referred directly to Committee of the Whole.

14. Committee of the Whole determines when the bill will be considered.

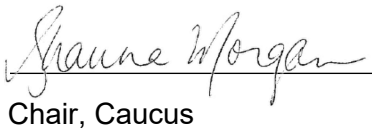
15. The Office of the Clerk will ensure the bill's sponsor has opening remarks for the bill in Committee of the Whole.

16. The bill's sponsor will deliver opening remarks during Committee of the Whole review. If Committee agrees, the bill's sponsor will invite witnesses into the House. The Speaker does not appear before Committee of the Whole to defend the bill. Witnesses will be identified by the Office of the Clerk and the bill's sponsor.

17. When Committee of the Whole review is complete, the Bill can be reported to the Speaker as ready for Third Reading. Third Reading and Assent are in accordance with the Rules of the Legislative Assembly.

2026-02-20

Speaker — Date



2026-02-20

Chair, Caucus — Date

2026-02-20

Chair, Executive Council — Date

2026-02-20

Chair, Standing Committee on Accountability and Oversight — Date

PROCESS CONVENTION

Communications between Cabinet, Ministers, Standing Committees and Regular Members

Application

This process convention does not replace or limit the existing roles, authorities or privileges of individual Members of the Legislative Assembly, Standing Committees, the Executive Council, Ministers or the Speaker.

Guiding Principles: **3, 4, 5, 6 and 8**

Authority

This Process Convention is established under the authority of Caucus, the Executive Council and the Standing Committee on Accountability and Oversight. It may be amended by the agreement of all parties.

Processes

1 Regular Meetings between Premier and Regular Members

a) Formal meetings between the Premier and the Regular Members may be initiated at the request of either party. These meetings are to discuss issues of mutual interest and concern. They are not meant to replace or exclude other opportunities for the Premier to appear before the Standing Committee on Accountability and Oversight.

b) The Clerk of the Legislative Assembly and the Chief of Staff (or their respective designates) will identify agenda topics, and attend the formal meetings as observers. Additional observers may be invited to provide input or advice if requested by Members.

c) Decisions as to whether to invite other Ministers and officials will be requested by either the Premier and/or Regular Members on a case by case basis. Officials may be invited to provide input or advice if requested by Members.

2 Advance Notice of Media Communications

a) The Premier's Office will provide Regular Members with a weekly listing of planned government news releases and media advisories. The list should include the planned release date, subject of the release and main message being communicated. The listing will help inform Regular Members and allow them to seek further information from Ministers on planned announcements of interest to them.

b) Materials prepared for distribution at media events and not otherwise distributed to the public will be shared in advance with Regular Members.

c) There may be times when the Government will need to comment on breaking news or make an unplanned announcement. In these instances, best efforts will be made to provide Regular Members with advance copies of approved news releases two hours before they are publicly released.

d) Government boards and agencies, such as the WSCC and NTHSSA conduct their own media relations. Each responsible Minister will make best efforts to advise Regular Members in advance, when they are aware of releases being issued by boards and agencies.

e) The Government may redistribute news releases issued by other governments or external organizations concerning events or initiatives the GNWT is involved in. As such releases are being redistributed, and are publicly available, they will not be provided in advance to Regular Members.

f) Standing Committees and Regular Members will provide the Premier's Office with copies of proposed news releases two hours before they are issued to the media. This will allow the Government to respond to potential requests for interviews and information in a timely fashion.

g) In the event of a civil emergency or natural disaster, the Government must provide residents with accurate and timely information on the situation and Government emergency operations. This will be done in the form of emergency bulletins issued by the Press Secretary. Members will receive emergency bulletins at the same time as they are issued to media.

h) MLAs representing communities or regions affected by an emergency will receive summary operational reports as information becomes available. Other MLAs may receive these reports on request. Reports will include the current status of the situation, GNWT departments responding and current public messaging. Reports will be provided by the responsible Minister for situations involving one department or the Minister of Municipal and Community Affairs for situations involving multiple departments. Unless otherwise marked, reports are for the information of Members only. All requests for additional information should be directed to the appropriate Minister.

3 Consultations with Standing Committees

a) Cabinet may seek input from a Standing Committee on a proposed Government initiative, policy, plan, activity or discussion paper. When it does, Cabinet may provide a Committee with proposals, draft plans or discussion papers for review and comment. Proposals, plans and discussion papers provided under this section are to be treated as confidential unless otherwise marked. Input received from Standing Committee will also be considered strictly confidential unless stated otherwise.

b) When seeking Standing Committee input, Cabinet will identify, a reasonable date by which a response is requested. If no written response is received by the identified date Cabinet may assume the Standing Committee's consent to proceed. A Standing Committee may seek Cabinet's agreement to extend the consultation period. A reasonable request for an extension should not be denied.

c) Written input provided by a Standing Committee under the signature of the Chair or Deputy Chair reflects the views of the Committee. While individual Members may reserve the right to disagree with Committee's input, only the Committee itself can amend written input previously provided.

4 Materials Provided to Regular Members or Standing Committees For Information Only

a) Ministers may distribute information to Regular Members or Standing Committees for information only. Ministers will clearly identify materials distributed for information to clearly distinguish it from information with requests for feedback.

b) Regular Members or Standing Committees may request further information or briefings on materials distributed under this section. Such requests should be made in writing and directed to the appropriate Minister.

5 Advance Notices and Briefings Offered to Standing Committees

a) Ministers may wish to provide a Standing Committee with advance notice of a Government initiative or activity. Advance notices issued under this section will be clearly identified as notices and should be distinguished from requests for input.

b) Ministers may wish to offer a Standing Committee a briefing on a particular subject. Briefings offered under this section will be clearly identified as offers to brief and should be distinguished from requests for input.

6 Public Briefings and Meetings with Standing Committees

a) Where Ministers offer or agree to a request to brief a Standing Committee, the briefing will be held in public. If confidential matters are expected to be discussed, or if they arise during the briefing, the Minister or any member of the committee may request that the meeting or a portion of it be held *in camera.*

b) The decision to hold all or a portion of a briefing *in camera* rests with the Standing Committee. Committees recognize that Ministers may be limited in terms of what information can be shared in public.

c) For the purposes of this protocol, confidential matters include:

   i. the draft business plan or budget of a department or public agency prior to their introduction in the Legislative Assembly;

   ii. a legislative proposal or bill prior to its formal introduction in the Legislative Assembly;

   iii. a proposed policy initiative that requires Committee input;

   iv. a personnel matter relating to an employee or statutory officer;

   v. any other matter, where the committee or the Minister identifies the matter as one which is, or would likely be, protected by privacy and data protection laws.

d) A motion to hold all or a portion of a committee meeting *in camera* shall include the nature of the item to be discussed as well as the rationale for discussing the matter *in camera*.

7 Technical Briefings

a) A technical briefing may be offered or requested to provide detailed information on a specific program, initiative or proposal.

b) Technical briefings are provided by senior government officials and technical experts. Ministers do not attend technical briefings,

c) Standing Committees may request technical briefings on specific programs, initiatives or proposals.

8 Identifying Confidential Information

a) By virtue of parliamentary privilege, Standing Committees may request any information they require, regardless of any confidentiality to conduct their parliamentary business. All information requested by Standing Committee should be shared and marked whether it is being provided confidentially.

b) Ministers should make every reasonable effort to ensure that information shared with Committee can be made publicly available. Ministers should work to balance the information requested by Committees through an understanding of Committees role in providing transparency, oversight, and accountability. However, all of the following should typically be marked public:

   i. Information committed to be shared or provided during a public hearing of a Standing Committee;

   ii. Public information arising from commitments made during Committee of the Whole;

   iii. Information on existing departmental programming ; and/or

   iv. When the information is not sensitive or already publicly available.

c) When sharing information with a Standing Committee, Cabinet should clearly mark information being provided in confidence. When Cabinet has a plan to publicly release information provided to a Committee in confidence, it will indicate when such a public release might take place and that the information is no longer confidential once disclosed.

d) If information provided to a Standing Committee in confidence is published, Cabinet may be required to speak publicly on that information to address public concerns or media inquiries. In such circumstances, Cabinet will make every reasonable effort to provide advance notice to Standing Committees.

9 Tracking and Reporting on Regular Members' Requests

a) Members will provide written requests for information or to support a constituent. Given the unique and nuanced nature of the types of requests provided by Members, Ministerial Offices will work to ensure that the appropriate categories and timelines are applied to each of the requests.

   i. Constituent Casework (five business days)

   ii. Multi-Departmental, Multi-Agency or Policy inquiries/requests (ten business days)

b) The Ministers Office should work with the Member to ensure that there is an understanding of what is being requested before actioning a formal Bring Forward to the Department/Agency (BF).

c) Ministers will endeavour to ensure that written requests from Regular Members are responded to within the appropriate timeline from the Minister's receipt of the request.

d) Written requests should be sent to Ministers via e-mail or letter, text messages and/or social messaging will not be considered a written request. Should more than the assigned days be required to address a Regular Member's request, Ministers will advise the Regular Member that more time is required, the reasons why more time is required and an anticipated response date.

e) To ensure accountability and tracking, ministerial staff should be included in correspondence. When e-mailing the Minister, carbon copy (cc) the Ministers Executive Administrative Coordinator and the Ministerial Special Advisor.

f) Detailed and lengthy inquiries about government policies and programs that are complex in nature may best be handled through other means such as Oral and Written Questions in the House, Committee briefings and the review of Legislative Proposals, Business Plans and Budgets.

10 Providing Committee Presentation Materials

a) Ministers will provide copies of presentation decks and related briefing materials to the appropriate standing committee at least three (3) business days before delivery. This ensures Committee Members can review information in advance and make best use of the limited time and resources available to Ministers and Committees.

b) Occasionally a briefing is either offered or requested with little or no advance notice. In such instances, the time requirement can be waived through mutual agreement of the parties involved.

11 Advance Notice of Ministerial and Standing Committee Travel

a) Executive Council Offices will, whenever possible, provide a minimum of two weeks advance notice to the representative Regular Members of any planned Ministerial travel or visits to constituencies outside of the capital.

b) Ministers will, whenever possible, provide a minimum of two weeks advance notice of public meetings being held by their departments in a Member's constituency.

c) Standing Committees will, when possible, provide a minimum of two weeks advance notice to the Premier's Office of planned Committee travel to constituencies outside of the capital.

d) An advisory listing weekly Ministerial activities will be prepared and circulated to all Members by the Premier's Office.

12 Updates for Council of Leaders and the Intergovernmental Council of the Northwest Territories

a) Recognizing the Government is a member of the Territorial Council of Leaders and the Intergovernmental Council, and the Executive advances policies and legislation that affect the entire Northwest Territories through these forums, the Premier's Office will provide written updates to all Members regarding the activities of these forums following the meetings.

b) These updates will include what initiatives are being advanced by the Government at these tables, concerns raised during discussions, and anticipated timelines for completion of initiatives.

13 Advance Notice of Protocol Visits

a) The Premier will advise Regular Members in writing of planned protocol visits to the NWT organized by the GNWT, as soon as details of proposed visits are confirmed. The Premier will also inquire with any dignitaries if Regular Members can be invited to meet during their visit.

14 Absences During Sittings of the House

a) The Premier will provide a written summary of planned absences of Ministers that are scheduled to occur during a sitting of the Assembly to Caucus before the first sitting day of each sitting.

b) Ministerial absences during sittings of the House should be limited to obligatory federal/provincial/territorial (FPT) meetings.

15 Correspondence addressed to all Regular Members

a) Government correspondence directed to all Regular Members will also be copied to the Speaker and the Clerk of the Legislative Assembly.

16 Invitations to Participate in Ministerial Travel

a) When a Minister believes it is appropriate to involve a Regular Member in ministerial travel, the Minister shall invite the appropriate Standing Committee to nominate one of its Members to join the Minister in that travel.

b) A Regular Member's travel expenses arising out of Ministerial travel will be paid by the Minister's Department and publicly reported through the Ministerial Travel Report.

c) Regular Members accompanying Ministers on trips will be identified in the weekly Ministerial travel and activities advisory distributed to media.

17 In the Absence of an Appropriate Standing Committee

a) During the period between the Legislative Assembly's official establishment of a Standing Committee on Accountability and Oversight and the Legislative Assembly's formal establishment of the Assembly's Committee structure, communications between the Executive Council and Regular Members should be directed through the Standing Committee on Accountability and Oversight.

Shauna Morgan — 2026-02-20

Chair, Caucus — Date

2026-02-20

Chair, Executive Council — Date

2026-02-20

Chair, Standing Committee on Accountability and Oversight — Date

PROCESS CONVENTION

Priority Setting and Reporting

Preamble

The priorities determined at the beginning of a Legislative Assembly guide the work of all Members over the term of an Assembly. Although each Legislative Assembly builds on the legacy of previous assemblies as reflected in existing laws, policies, programs, and services, no Assembly can be bound by the decisions of a previous Assembly.

Consensus government is a form of responsible government. The Executive Council provides overall leadership and direction, and is responsible to the Legislative Assembly for its decisions. Regular Members of the Legislative Assembly review and monitor these decisions in order to hold the government to account. The Executive Council must maintain the confidence of the Legislative Assembly. This is the essence of responsible government.

Guiding Principles 6, 7, 8 and 10

Authority

This Process Convention is established under the authority of Caucus, the Executive Council and the Standing Committee on Accountability and Oversight and may be amended at any time by the agreement of all parties.

Process

Priority Setting

1. At the beginning of a Legislative Assembly, after the orientation of Members-elect, each Member shall be invited by the Clerk to make a public statement about what the Member believes should be the priorities for the forthcoming legislative term. These statements shall be transcribed and the transcriptions made public.

2. Following a public statement of priorities by each individual Member, the Clerk shall convene a meeting of Caucus in order for the Caucus to establish a collective statement of priorities for the forthcoming legislative term. In establishing this collective statement of priorities, Caucus shall take into account the transcribed statements of all members of the current Assembly as well as the Report of the Special Committee on Transition Matters tabled during the last sitting of the previous Assembly.

3. The Caucus statement of priorities will be tabled in the first session of the Legislative Assembly.

Establishing a Mandate

4. Following the conclusion of the Territorial Leadership Committee and the swearing-in of Members of the Executive Council, the Premier shall promptly convene a meeting of the Executive Council to discuss a draft mandate for the forthcoming legislative term. This discussion shall take into account the stated priorities of all Members of the current Assembly as well as the Report of the Special Committee on Transition Matters tabled during the last sitting of the previous Assembly.

1. The Premier shall request that the Chair of Caucus convene a meeting of Caucus so that the Executive Council may present to Caucus a draft mandate for the forthcoming legislative terms and to solicit feedback from all Members on the draft mandate.

2. The Premier shall schedule a subsequent meeting of the Executive Council to consider feedback from all Members expressed in Caucus and to discuss possible amendments to the draft mandate.

3. Caucus and/or the Executive Council may meet as often as is necessary before the Executive Council is satisfied that the draft mandate is sufficiently responsive to the stated priorities of all Members and sufficiently feasible for implementation by government.

4. The mandate shall form the basis for the Commissioner's Address made at the opening of the second session of a Legislative Assembly.

5. The mandate of the Executive Council shall be tabled by the Premier during the second session of a Legislative Assembly.

6. Once tabled, the mandate of the Executive Council shall be referred to Committee of the Whole and debated, prior to adoption by the Legislative Assembly.

Reporting

1. The Executive Council will be held to account for its progress implementing the mandate through the debate of its budgets, oral questions, meetings of legislative committees, and meetings between the Premier and Regular Members.

2. The Executive Council shall maintain a report on progress on the implementation of the mandate and provide that report to the Standing Committee on Accountability and Oversight not less than once every 12 months. The same progress report shall also be made available to the public in a timely manner.

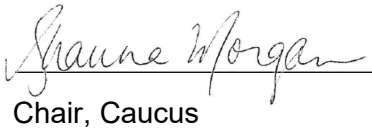
3. At the mid-point of a legislative term, the Legislative Assembly will be prorogued to allow for Caucus to discuss the priorities, the mandate and progress made towards implementation.

4. The Legislative Assembly will resume with a Commissioner's Address that will reflect any adjustments to the priorities or the mandate.

5. Not less than four months before the dissolution of an Assembly, the Legislative Assembly should establish, by motion, a joint Special Committee on Transition Matters to prepare a report with recommendations on the transition process and major priorities for consideration by the next Assembly.

6. Prior to the last sitting before dissolution of an Assembly, the Executive Council shall provide to Caucus a report on the actions undertaken to implement the mandate. This report will be tabled in the final sitting of a Legislative Assembly.

7. The report of a Special Committee on Transition Matters will be tabled in the final sitting of a Legislative Assembly.



2026-02-20

Chair, Caucus

Date

2026-02-20

Chair, Executive Council

Date

2026-02-20

Chair, Standing Committee on
Accountability and Oversight

Date

PROCESS CONVENTION

The Role of Caucus

Guiding Principle

The role of the Caucus is fundamental to the effectiveness of consensus government. Caucus provides a venue for all Members to set broad strategic direction for a Legislative Assembly and discuss matters of widespread importance to the Northwest Territories as they arise.

Guiding Principles: 1, 3, 4, 5, 7 and 11

General Protocols

1. Caucus is intended to provide a venue where Members can share their views and build consensus on matters that are highly sensitive in nature or of broad and strategic importance to all Members or the Northwest Territories.

2. Caucus is not a decision-making body. Caucus discussions should not limit or replace debate on the floor of the legislature, in Cabinet or Committees. Nothing in this protocol is intended to limit the rights and privileges normally enjoyed by Cabinet, the House or its Members and Committees.

3. The important role that Caucus plays in consensus government depends upon the ability of every Member to express their views in an honest and forthright fashion. Caucus cannot function without an absolute guarantee of confidentiality. No Member other than the Chair or Deputy Chair, when specifically authorized to do so, should comment upon or release information about matters discussed in Caucus.

4. Whenever possible, Caucus direction should be determined through consensus. In those rare cases where no clear consensus emerges, a vote may be taken. The results of votes are determined by the Chair.

5. Caucus is not intended to replace the formal roles and responsibilities of the House, the Speaker, Ministers, Cabinet, Committees or the Board of Management. Nothing in this protocol should be seen as limiting these roles and responsibilities.

Authority

This Process Convention is established under the authority of Caucus, the Executive Council and the Standing Committee on Accountability and Oversight and may be amended at any time by the agreement of all parties.

Roles and Responsibilities in the Caucus

1. The Chair and Deputy Chair are selected by the Caucus. These appointments are not formally ratified by the House. The Chair and Deputy Chair are Members who do not serve on Cabinet, as Speaker or as Chair of a Standing Committee of the House. The election of Chair and Deputy Chair is presided over by the Clerk of the Legislative Assembly. The Chair or Deputy Chair serve at the pleasure of Caucus and may be removed at any time.

2. The Chair is responsible for calling meetings of the Caucus, approving and distributing draft agendas and supporting materials and maintaining order and decorum in meetings. When clearly and specifically authorized to do so, the Chair and Deputy Chair may speak publically on behalf of Caucus.

3. All MLAs serve as equal members of Caucus and are encouraged to participate in discussions free from Cabinet or Committee solidarity. Reference to Members by titles held outside the Caucus is discouraged. On rare occasions, Members may be expected to speak to a matter in an official role held outside the Caucus. For example, the Government House Leader may be called upon to advise Caucus of upcoming government House business or the Speaker may be called upon to advise Caucus of the proposed appointment of a statutory officer.

4. The Speaker of the Legislative Assembly is a member of Caucus and is entitled to participate in discussions without the usual restraints that accompany this office.

Caucus Meetings

1. Caucus meets regularly when the House is in Session. Regular meetings occur on Tuesdays at 10:30 a.m. Caucus also meets at 1:30 pm on the day preceding the commencement of a legislative sitting. Regular meetings of Caucus take place in the Caucus Room of the Legislative Assembly.

2. At least once a year the Caucus meets when the House is not in Session. These meetings normally take place outside the capital and are scheduled at the call of the Chair after consulting with all Members. The Chair may call a special meeting of Caucus at any time after consulting with as many Members as possible.

3. Quorum for a Caucus meeting is a majority of sitting MLAs. A Caucus meeting may not commence until a quorum is established. Once a quorum has been established, the meeting is not terminated by the subsequent loss of quorum unless the attention of the Chair is drawn to such loss of quorum.

4. The attendance of all Members at Caucus meetings is essential to the effectiveness of consensus government. Attendance at regular and special Caucus meetings must be a priority for every Member.

5. As Caucus is not a formal decision-making body, minutes or records of decision are not kept. Caucus agendas and supporting information are confidential as is correspondence from the Chair or Secretary to Members.

Mandate of Caucus

1. Establishing, promoting and, each year, reviewing the Principles of Consensus Government and the consensus government protocols

2. Orientation of a newly-elected Legislative Assembly.

3. Establishing the priorities for a newly elected Legislative Assembly.

4. Emergency or strategic issues of immediate concern to all Members

5. The political evolution of the Northwest Territories

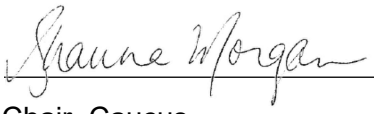
6. Members' Code of Conduct and disciplinary matters

7. Appointment of officers of the Legislative Assembly.

8. Meetings with senior federal, provincial and territorial leaders.

9. Legislation affecting Members directly.

10. House planning and scheduling.



Chair, Caucus — 2026-02-20 — Date

Chair, Executive Council — 2026-02-20 — Date

Chair, Standing Committee on Accountability and Oversight — 2026-02-20 — Date

PROCESS CONVENTION

Standing Committee Review of Legislation

Application

This process convention does not apply to Appropriation Acts, Supplementary Appropriation Acts, Miscellaneous Statutes Amendment Acts or any other legislative initiative, for which legislative proposals are not normally required by Cabinet. It does not apply to bills administered by the Board of Management or Speaker of the Legislative Assembly.

Guiding Principles: 1, 2, 3, 4, 5, 6 and 9

General Considerations

Given the role that Committee plays in reviewing legislation, it is fundamental to consensus government that the Standing Committee on Accountability and Oversight (AOC) have an opportunity to review legislative proposals and provide advice to Cabinet prior to its introduction in the Legislative Assembly.

Legislative proposals are Cabinet documents that must be kept confidential.

While Cabinet decisions on legislative proposals are pending, individual Ministers can not make any commitments regarding the initiative.

All advice and communication from AOC on legislative initiatives is addressed to the Government House Leader, as they have responsibility for the Government's legislative agenda.

AOC's review of legislative proposals may not be conclusive in terms of reaching full agreement prior to a bill's introduction in the Assembly. AOC's advice will guide the government in determining the advisability of proceeding.

Nothing in this process convention precludes Cabinet's prerogative to introduce bills in the Legislative Assembly or the right of Standing Committees and Regular Members to debate and introduce amendments to these bills.

Authority

This Process Convention is established under the authority of Caucus, the Executive Council and the Standing Committee on Accountability and Oversight. It may be amended by the agreement of all parties.

Process

1. A legislative proposal is prepared, signed by the Minister responsible and submitted to Cabinet via the Cabinet Secretariat.
    a) The legislative proposal shall identify the complexity of the legislative initiative based on the following categories:
        i) Low – such as minor or housekeeping amendments to existing legislation and codifies existing practices and policies;
        ii) Medium – such as significant changes to existing legislation to expand the scope of an Act, introduce new powers or authorities, or codify new policies or practices; or
        iii) High – such as a repeal or replacement of an existing Act, or introduces a new legislative scheme or regime.
        iv) The descriptions of these categories are just guides, and some initiatives may fall into a different category based on scope.
    b) The legislative proposal shall identify whether the legislation will be developed in accordance with the Indigenous Government Legislative Development Protocol so that the Process Convention on Introduction, Consideration and Enactment of Bills Drafted Pursuant to the Intergovernmental Council Legislative Development Protocol would apply. The legislative proposal shall identify where s. 22(2) of the *Northwest Territories Act*, SC 2014 may apply to a bill which would require the consent of the Governor in Council.

2. At the discretion of the Government House Leader or at the request of the sponsoring Minister, a legislative proposal may be reviewed by Cabinet before it is referred to the AOC.

3. Once reviewed and approved, the Government House Leader forwards the legislative proposal to the Chair of AOC. All Members are copied on this correspondence..

4. AOC shall review the legislative proposal. Where a legislative proposal identifies the initiative as high complexity, departmental officials should be prepared to provide a briefing on the proposal. AOC retains the prerogative to request a briefing on any legislative proposal. However, it is understood that at such a briefing officials cannot make changes to the proposal or make any commitments regarding the content of a bill.

5. AOC's advice on a legislative proposal is provided in a letter from the Chair to the Government House Leader. The sponsoring Minister is copied on this correspondence. As part of its response, AOC can indicate it does not agree with the Government's assessment of the Bills complexity.

6. AOC will work to provide a response to legislative proposals within six weeks of receipt. The Government House Leader will forward legislative proposals to AOC upon receipt

7. Upon receipt of AOC's advice and an assessment report by central agencies, the Government House Leader will arrange for the legislative proposal to be put before Cabinet for final consideration. The proposal, assessment report and AOC correspondence goes before Cabinet as a package.

8. The Government House Leader will, prior to the beginning of each sitting of the Legislative Assembly, provide Caucus with a list of bills anticipated for introduction in that sitting, and an overall update on the Government's legislative agenda.

A. Drafting of a Bill

1. Where a proposed Bill is being drafted in collaboration with a Technical Working Group or Indigenous Governments, the sponsoring Minister shall consider whether and how the appropriate Standing Committee could be engaged in the process. In doing so, the Minister may wish to consult with Committee.

B. Introduction of a Bill

1. After a Bill is read for the second time, the sponsoring Minister shall table a plain language summary of the bill in the Assembly and as per Subsection 6(1) of the *United Nations Declaration on the Rights of Indigenous Peoples Implementation Act* a Statement of Consistency. Where relevant, the summary may also include information on the purpose of the Bill, and engagement undertaken in developing the Bill.

2. Upon second reading of a Bill, where AOC and the Government House Leader agree that a high complexity legislative initiative requires a longer-period of review, the responsible Standing Committee shall seek unanimous consent to waive the Rules to provide a review period of 180 days.

C. Standing Committee Review of a Bill

1. On high complexity legislative initiatives, at the request of the Standing Committee, the sponsoring Minister may arrange for knowledgeable Departmental staff to accompany Standing Committees when they are conducting public hearings on a bill. The Departmental staff may be asked to provide a presentation on the Bill or answer any technical questions from the public that are referred to them by the Committee Chair. The sponsoring Minister and Standing Committee shall agree on the role of Departmental staff before any public hearing process begins.

2. At any time prior to clause by clause review of a Bill, the Standing Committee can request to meet with the sponsoring Minister and their officials to discuss technical or policy issues that have been raised during their engagement on the Bill.

3. All correspondence related to a Bill, shall be between the Government House Leader and the Chair of the Standing Committee reviewing the Bill, copying the sponsoring Minister, the Chief of Staff, the Clerk, the Deputy Clerk, House Procedure and Committees, the Manager, Research and Committee Advisory Services, Committee staff and the Director of Legislative Affairs and House Planning.

4. As early as possible, Standing Committee shall share with the Government House Leader and sponsoring Minister any amendments Committee will be proposing to the Bill. Similarly, the sponsoring Minister shall share as early as possible Cabinet's position on the amendments with Standing Committee. Recognizing this exchange may often occur during a sitting, Committee will seek to provide a minimum of 48 hours' notice of amendments prior to clause-by-clause review, and a Minister will seek to advise of Cabinet's position a minimum 2 hours prior to clause-by-clause review. When the Assembly is not sitting Committee will attempt to give as much notice as possible for Cabinet to consider any amendments that Committee is proposing.

5. Amendments to legislation moved and adopted by Committee during its clause by clause review, will fail unless concurred with by the sponsoring Minister. Any amendment not concurred with by the sponsoring Minister can be moved by a Member during Committee of the Whole review of the Bill.

6. The Standing Committee may, by way of a motion moved and adopted by Committee, report that a Bill not be proceeded with at the clause-by-clause review.

7. In the case of a bill that Standing Committee reports as not to be proceeded with, a motion is then required before the Bill can be considered in Committee of the Whole.

8. In a rare circumstance where a Standing Committee chooses to not report a bill back to the House, that bill will remain on the Orders of the Day and the Sponsor may give notice of intent to move the bill into Committee of the Whole for further consideration.

D. Review of Legislation Following Standing Committee's Report on the Bill

1. During clause-by-clause review of a bill in Committee of the Whole, any Member may move a motion to amend the Bill. If the motion is passed, the Bill is amended. Concurrence from the sponsoring Minister is not required.

2. A Member may also move amendments to a bill at third reading. If the motion is adopted by the Assembly, the bill is amended. Concurrence from the sponsoring Minister is not required.

3. All motions to amend a bill must be in writing and in English and French.

2026-02-20

Chair, Caucus

Date

2026-02-20

Chair, Executive Council

Date

2026-02-20

Chair, Standing Committee on
Accountability and Oversight

Date

PROCESS CONVENTION

Standing Committee Review of Proposed Policy Initiatives and Implementation Plans

Application

Proposed policy initiatives subject to this Convention are those policies considered for approval by the Commissioner in Executive Council and the signature of the Premier. This would include both the establishment of new policies and substantive amendments to, or rescinding of, existing policies. This Process Convention does not apply to minor administrative amendments, which will not significantly impact established policy commitments.

This Convention also applies to Standing Committee briefings on implementation schedules, communication plans, and implementation tools required to bring a new or substantively amended policy into force.

Guiding Principles 1, 3, 4, 5 and 8

General Considerations

It is fundamental to consensus government that Standing Committees are provided with an opportunity to review proposed policy initiatives and provide advice to the Government in advance of Cabinet decisions.

These policy initiatives are proposed statements of the government's commitment to the public and must be kept confidential until approved by Cabinet.

One of the guiding principles of consensus government is that Members of the Legislative Assembly should be made aware of and have the opportunity to discuss significant announcements, changes, consultations, or initiatives before they are released to the public.

Authority

This Process Convention is established under the authority of Caucus, the Executive Council and the Standing Committee on Accountability and Oversight and may be amended at any time by the agreement of all parties.

Process

1. A proposed policy initiative is prepared, signed by the Minister responsible and submitted to Cabinet via the Cabinet Secretariat.

2. Cabinet considers the proposed policy initiative. The only decision made at this time is whether or not the proposed policy initiative should be referred to Standing Committee for review and comment.

3. If approved for referral to Standing Committee, the proposed policy initiative is referred by the Premier to the Chair of the appropriate Standing Committee. The letter of transmission includes an indication of a preferred date for Cabinet consideration of the initiative so that the

Standing Committee will have an understanding of the time frame for providing comments. The Minister responsible is copied on this correspondence. The Standing Committee on Accountability and Oversight will also be copied on this correspondence if the proposed policy initiative is being referred to a different Standing Committee.

4. The Standing Committee reviews the proposed policy initiative. The Minister and officials may be invited to this meeting to provide additional information. However, it is understood that the proposed policy initiative is a Cabinet document and that any recommendations or advice regarding modifications to the proposed policy initiative, or advice on the proposed policy's implementation, must be provided in the form of a letter from the Standing Committee Chair back to the Premier. The Minister responsible is copied on this correspondence.

5. The Premier, following consultations with the Minister responsible for the original policy initiative, then makes a subsequent submission to Cabinet advising of any concerns raised by Standing Committee and recommending actions for Cabinet's consideration. The proposed policy initiative is received by the Cabinet Secretariat and the Cabinet Secretariat prepares an assessment of the initiative.

6. Cabinet considers the proposed policy initiative, along with Standing Committee comments and Cabinet Secretariat assessment.

7. The Premier advises the Standing Committee Chair of Cabinet's decision with respect to the proposed policy initiative and any relevant implementation plans.

8. When Cabinet decides to establish a new policy, apply a policy that had previously not been approved or applied, or substantively amend an existing policy in accordance with this Convention, the Minister responsible for implementing the Policy will provide both Cabinet and the appropriate Standing Committee with briefings on the relevant implementation and communication plans, as well as any significant implementation tools (e.g., ministerial policies, eligibility criteria, program guidelines), in advance of the Policy's implementation, application and any substantive public communications.

Chair, Caucus	2026-02-20 Date
Chair, Executive Council	2026-02-20 Date
Chair, Standing Committee on Accountability and Oversight	2026-02-20 Date