

THE LOCAL GOVERNMENT SYSTEM IN

CANADA



1 INTRODUCTION

Canada is the second largest country in the world in terms of land area, covering 9,984,670 sq km¹. It has a population of 33,390,141² and is situated in North America.

Canada is a constitutional monarchy with a parliament consisting of three parts: HM Queen Elizabeth II, the head of state who is represented by the governor-general; an elected House of Commons; and an appointed Senate.

The House of Commons is the major law-making body and, in practice, is sovereign. Each of the 308 constituencies, or ridings, elects a representative by the first-past-the-post system. According to the Canadian constitution, a parliament cannot last longer than five years, after which a general election must be held.

The Senate, also known as the Upper or Red Chamber, has 105 members who are appointed by the governor-general on the advice of the prime minister. The Senate's purpose is to represent the regional and social diversity of Canada. Members may serve until the age of 75.

The governor-general is appointed for a five-year term on the advice of the prime minister.

The prime minister appoints a cabinet. By custom, almost all the members of the Cabinet are members of the House of Commons or, if not already members, must win seats. Also by custom, the cabinet must, if possible, include at least one minister from each province.

Canada is a federal state with 10 provinces and three territories. Powers are distributed between the federal government and the governments of the provinces and the territories. The provincial legislatures have the power to set up local government in their area and grant them powers. The federal capital is Ottawa.

Local government contributed 4.3% to GDP.

2 POLITICAL AND ORGANISATIONAL STRUCTURE OF CANADA

2.1 Position of local government in the state

Canada's ten provinces and three territories each has its own unicameral legislative assembly and a considerable degree of autonomy.

Members of the provincial legislative

assemblies are elected from constituencies by first-past-the-post system. Constituencies have roughly equal populations. The leader of the governing party in the legislative assembly of each province is called the premier.

The territories have elected assemblies that follow many of the same practices as the provincial and federal governments, and they hold many of the same responsibilities as provincial governments in areas such as health, transportation, social assistance and the environment. The elected head of each territorial government is called the government leader.

The provinces exercise constitutional powers in their own right. Under the constitution, the federal parliament has power to legislate for the territories, but has chosen to delegate extensive powers of self-government to them.

Local governments (cities, towns, villages, counties, districts, metropolitan regions) do not have constitutional powers. They are set up by provincial legislatures, with the powers that are granted to them by the province they are in. Local governments are responsible for services within a city or region, including police and fire protection, water and sewage services, recreation services and local public transportation.

The leader of a municipal government is usually known as a mayor, and the other elected members as councillors. They are elected directly, and do not usually represent political parties.

Canada's constitution divides powers between the federal government and the 10 provincial governments according to function. Municipalities are not recognised as a separate order of government but Section 92(8) of the Constitution Act 1867 gives the provinces exclusive powers to make laws in relation to 'Municipal Institutions in the Province'.

Provincial and territorial ministers with local government as part of their portfolio are responsible for the relevant local government legislation, and other local plans and programmes, amalgamation and restructuring of councils and approving the annexation of unincorporated land. Ministers also have powers to intervene if a council is

Table 1. Main legislative texts by province

Province	Legislation	What is covered by the legislation
Alberta	Municipal Government Act	A consolidation of municipal and planning legislation
British Columbia	Local Government Act	Applies to regional districts and local governments, except Vancouver, though some provisions apply, including planning legislation
	Community Charter	All local governments, except Vancouver, though some provisions apply
	Vancouver Charter	City of Vancouver
Manitoba	The Municipal Act	Urban and rural municipalities
	The City of Winnipeg Charter	City of Winnipeg
	The Planning Act	Planning legislation
New Brunswick	Municipalities Act	Cities, towns and villages
	An Act respecting Rural Communities	To address governance and service needs of rural communities (local service districts/small villages)
	Community Planning Act	Planning legislation
Newfoundland and Labrador	Municipal Act	All municipalities and regions except St John's, Corner Brook, and Mount Pearl
	City of St. John's Act, City of Corner Brook Act, City of Mount Pearl Act	The three city Acts grant separate statutes for the three cities
	Urban and Rural Planning Act	Planning legislation
Northwest Territories	Cities, Towns and Village Act	Cities, towns and villages
	Hamlets Act	Hamlets
	Charter Communities Act	Charter communities
	Planning Act	Planning
Nova Scotia	Municipal Government Act	Regional municipalities, towns and rural municipalities, including planning legislation
Nunavut	Cities, Towns and Villages Act	Cities, towns, villages
	Hamlets Act	Hamlets
	Planning Act	Planning
Ontario	Municipal Act 2001 (in force in January 2003)	Covers all incorporated municipal governments
	City of Toronto Act	City of Toronto
	Planning Act	Planning legislation
Prince Edward Island	Municipalities Act	Towns and communities
	Charlottetown Area Act	Established a new city and two towns
	City of Summersville Act	Created a new city
	Municipal Planning Act	Planning
Québec	An Act respecting Municipal Territorial Organisation	All municipalities and unorganised territories
	Municipal Code	Regional county municipalities, and other municipalities
	Cities and Towns Act	Other municipalities including cities, towns, townships, villages and parishes – including Charter Cities
	Municipal Powers Act (in force in January 2006)	All municipalities
	Charter of Ville de Montréal	Ville de Montréal Communauté métropolitaine de Montréal (a supra-regional body)
	An Act respecting the Communauté métropolitaine de Montréal	Ville de Québec Communauté métropolitaine de Québec (a supra-regional body)
	Charter of Ville de Québec	
	An Act respecting the Communauté métropolitaine de Québec	
An Act respecting land use planning and development	Planning, legislation	
Saskatchewan	The Cities Act	12 cities
	The Municipalities Act and Northern Municipalities Act	Towns, villages and resort villages, hamlets and rural municipalities in the southern part of the province, Northern communities, towns, villages, hamlets
	Planning and Development Act	Planning legislation.
Yukon	Municipal Act	Cities and towns.

not operating in the interests of its residents and ultimately, if not, by order of the lieutenant governor, dismissing the council. Ministers also have powers to appoint a municipal administrator if a council does not fulfil its duties, and to recommend that the lieutenant governor approves that a municipality provides additional services.

In the last federal parliamentary elections in January 2006, the Conservative Party was elected, winning 124 of the 308 seats. The Liberal Party won 103 seats, the Bloc Québécois 51, the New Democratic Party 29 and one independent was elected. There is currently a minority Conservative government.

3 LEGAL BASIS FOR LOCAL GOVERNMENT

3.1 Constitutional provisions

Canada's Constitution Act 1867 gives to the provinces exclusive powers in local government matters.³

3.2 Main legislative texts

There have been significant changes in local government legislation over the last decade to enable change in municipal government, including restructuring and giving councils greater autonomy to respond to changing circumstances.

All provinces and territories, except New Brunswick and Prince Edward Island, have enacted new or substantially amended legislation in the past decade. In 2005, New Brunswick enacted amendments to the Municipalities Act in order to strengthen compliance and enforcement capabilities.

Ontario has enacted the new City of Toronto Act 2006 granting broad, permissive powers and greater flexibility to better deal with the financial management of the city and the accountability and transparency of its operations. Ontario has also tabled the Municipal Statute Law Amendment Act to balance appropriate powers and accountability for all municipalities, giving broader authority and greater flexibility.

Current legislative reviews include: Prince Edward Island (Municipalities Act); Yukon (Municipalities Act); Saskatchewan (Northern Municipal Act and Planning and Development Act).

The trend in recent legislation has been to give local authorities powers of general competence for them to decide on what they provide within certain areas of responsibility rather than specify formal responsibilities for different services.

The basic legislation that establishes local government is shown in Table 1. All Acts undergo some amendments in order to respond to current issues, on a yearly basis.

Many other pieces of legislation cover specific areas or functions such as municipal elections, finance, social housing, transportation, police, ambulance and emergency measures and services, and fire protection.

4 LOCAL GOVERNMENT ORGANISATIONAL STRUCTURE

4.1 Main divisions

Local government organisation differs from province to province and territory to territory. Some have two-tier systems with regional authorities and local authorities within these. Others have single-tier systems.

Three provinces have a multi-tiered local government system, with a regional tier which has some authority over local authorities:

- British Columbia has a two-tier system composed of regional districts and municipalities
- Ontario has a two-tier system composed of upper-tier and lower-tier municipalities with the addition of single-tier municipalities
- Québec has a two-tier system comprising regional county municipalities and local municipalities.

The metropolitan areas of Montréal and Québec each also have a supra-regional body, the metropolitan communities.

Other provinces and territories have a single-tier system, though different types of municipalities have some differences in their powers and responsibilities.

In January 2006, there were 3,647 local governments in Canada; 145 upper or regional local governments; 27 regional districts in British Columbia; 30 upper-tier municipalities in Ontario; 86 regional county municipalities (RCMs) and two metropolitan

communities in Québec.

The names given to local governments, such as city, village, town, urban or rural, in general reflect the type of area rather than powers or responsibilities, and are specific to each province or territory, making comparisons difficult.

Large areas with sparse populations (known as disorganised territories or unincorporated areas) do not have local governments. In British Columbia, for example, local municipalities cover only 1.5% of the total provincial territory, but they account for 87.3% of the total population; regional districts cover the entire province. In New Brunswick, 269 local service districts provide services to 37% of the total population. In the unincorporated areas, some services are provided by the province or the territory, in others, by a regional body.

Municipalities may be complemented by a variety of local agencies, boards and commissions, for instance school, social services and health boards, transit corporations, water and wastewater boards. These are also governed by elected bodies, but are not considered local governments.

4.2 Distribution of local governments and population

The largest municipal authority is the City of Toronto with a population of 2,480,000. The Greater Vancouver Region in British Columbia is the largest regional authority with a population of just over two million, while the Communauté métropolitaine de Montréal is the largest supra-regional body with a population of 3.4 million.

Ottawa, the federal capital, has a population of 774,100. Ontario is the most heavily populated province with a population of just over 11.4 million.

In 2001, almost four in every five people lived in 913 urban areas (79.7%). However, many of these urban areas have small populations: 736 had populations less than 10,000, while only 29 had populations over 100,000.

5 DEMOCRATIC AND POLITICAL STRUCTURES IN LOCAL GOVERNMENT

5.1 Council structures

Terminology varies from province to province: council leaders may be called mayors, Reeves, wardens (some rural municipalities), or chairs (regions). In some authorities, the elected members are called aldermen rather than councillors.

Councillors in single-tier and lower-tier governments are generally directly elected by the first-past-the-post system. Mayors may be directly or indirectly elected; those in single-tier councils or lower tier councils are almost always directly elected.

Members of upper-tier governments may be drawn from the mayors of lower-tier councils, or councillors may be appointed from the lower-tiers proportionally to the populations of the constituent governments. Direct elections or a combination of direct and indirect elections do sometimes take place for upper-tier authorities, but these are rare.

Wardens in rural municipalities are almost always elected by the members of the council. Mayors, Reeves or chairs of regional authorities are usually indirectly elected by members of the council; there are a few cases where they are directly elected.

In Manitoba, New Brunswick, Newfoundland and Labrador, Nova Scotia, Ontario and Québec, the term of office is four years. In the other provinces and territories the term of office is three years. The term of office for mayors and other leaders is the same as the electoral cycle. In one case, in Nunavut, the term for the four council members with the least votes may be reduced to two years, by a by-law adopted by the local council.

The type of representation varies both between and within provinces. Some have elections based on wards, others on a general vote. Eligibility to vote is uniformly 18 years old. Candidates for election normally stand either as independents or less commonly on the basis of local political parties independent of provincial or federal parties.

About one-fifth of all elected officials in local governments are women, with wide variations in the different jurisdictions. In the three territories, women account for one-

Table 2. Local governments in Canada⁴

Province/Territory	Local governments (including single-tier)	Regional governments (upper-tier)	Supra-regional governments
Alberta	353	n/a	n/a
British Columbia	155	27	n/a
Manitoba	203	n/a	n/a
New Brunswick	103	n/a	n/a
Newfoundland and Labrador	280	n/a	n/a
Nova Scotia	55	n/a	n/a
Northwest Territories	33	n/a	n/a
Nunavut	25	n/a	n/a
Ontario	415	30	n/a
Prince Edward Island	75	n/a	n/a
Québec	1,141	86	2
Saskatchewan	801	n/a	n/a
Yukon	8	n/a	n/a
Total	3,647	143	2

Table 3. Largest and smallest governments by province and territory in 2001⁶⁷

Province/territory	Population	Largest local government	Population	Smallest local government	Population
Alberta	2,974,807	Calgary (city)	878,866	Gadsby village	40
British Columbia	3,907,738	Greater Vancouver Regional District	2,091,080	Stikine (district)	1,034
• Upper-tier		Vancouver (city)	545,671	Silverton (village)	222
• Lower-tier		Winnipeg (city)	619,544	Waskada (village)	208
Manitoba	1,119,583	Saint John (city)	69,661	Meductic (village)	189
New Brunswick	729,498	St John's (city)	99,182	Tilt Cove (town)	10
Newfoundland and Labrador	512,930	Yellowknife (city)	16,541	Sachs Harbour (hamlet)	114
Northwest Territories	37,360	Halifax (regional municipality)	359,111	Annapolis Royal (town)	550
Nova Scotia	908,007	Iqaluit (city)	5,236	Grise Fiord (hamlet)	163
Nunavut	26,745	Toronto (city)	2,481,494	Thornloe (village)	120
Ontario	11,410,046	Mississauga (city)	612,925	Head, Clara and Maria (township)	228
• Single-tier		Region of Peel (includes Mississauga)	988,948	Haliburton (county)	228
• Lower-tier		Charlottetown (city)	32,245	St Louis (community)	98
• Upper-tier		Montréal (City)	1,637,563	Barkmere (city)	44
Prince Edward Island	135,294	Roussillon	141,619	Caniapiscau	3,546
Québec	7,237,479	Communauté métropolitaine de Montréal	3,426,350	Communauté métropolitaine de Québec	682,757
• City		Saskatoon (city)	196,811	3 villages have less than 10	10
• Regional county municipality		Whitehorse (city)	19,058	Teslin (village)	267
• Metropolitan Community					
Saskatchewan	978,933				
Yukon	28,674				

third to two-fifths of all elected officials in local governments; Manitoba and Saskatchewan have the lowest participation of women.

In all provinces and territories, council meetings must be open to the public. Legislation prescribes under what circumstances a council meeting may be closed (personal information, labour relations, law enforcement, litigation and similar issues). In order to ascertain that decisions are rendered in the best interest of the public, legislation in all provinces and territories includes provisions governing conflicts of interest.

In most provinces and territories, councils may appoint committees to which they can delegate powers and duties. In certain areas legislation prescribes what may be delegated, while others only allow for the creation of advisory committees. In Québec, local councils subject to the Cities and Towns Act may adopt a by-law to establish an executive committee and newly amalgamated cities and other charter cities are required to do so. The City of Winnipeg, in Manitoba, must establish an executive policy committee composed of the mayor, the chairpersons of any standing committees established by council, and any other member appointed by the mayor. Typically, councils set up committees for finance, land use planning, recreation and culture and public security.

Other than in Québec, councils determine the remuneration of their councillors. In Québec, a provincial regulation prescribes the maximum remuneration for municipal elected officials.⁵ In most jurisdictions, councils must publicly report total remuneration for each councillor annually.

5.2 Other participatory structures

There is a wide variety of participatory structures both formal and informal. In some jurisdictions, citizens may serve on standing or advisory committees of the local councils. In many provinces and territories, eligible petitioners have the right to petition for a referendum on a by-law or resolution, or any matter within the jurisdiction of the council, except for the annual operating and capital budgets. In Prince Edward Island only, citizens vote to approve the annual operating and capital budgets, and on any amendments to these. In Québec, local government borrowing by-laws and some amendments to zoning and planning by-laws are subject to referenda under provincial legislation.

5.3 Local government staffing

Local governments appoint their own staff. Most provincial and territorial legislation prescribes that each local government must

appoint a chief administrative officer or corporate officer, a financial officer or treasurer, and an auditor.

5.4 Independent scrutiny

If a council is not operating in the interests of its residents, provincial and territorial ministers have the power to investigate and intervene, and ultimately may dismiss the council. Ministers also have the powers to appoint a municipal administrator if a council does not fulfil its duties.

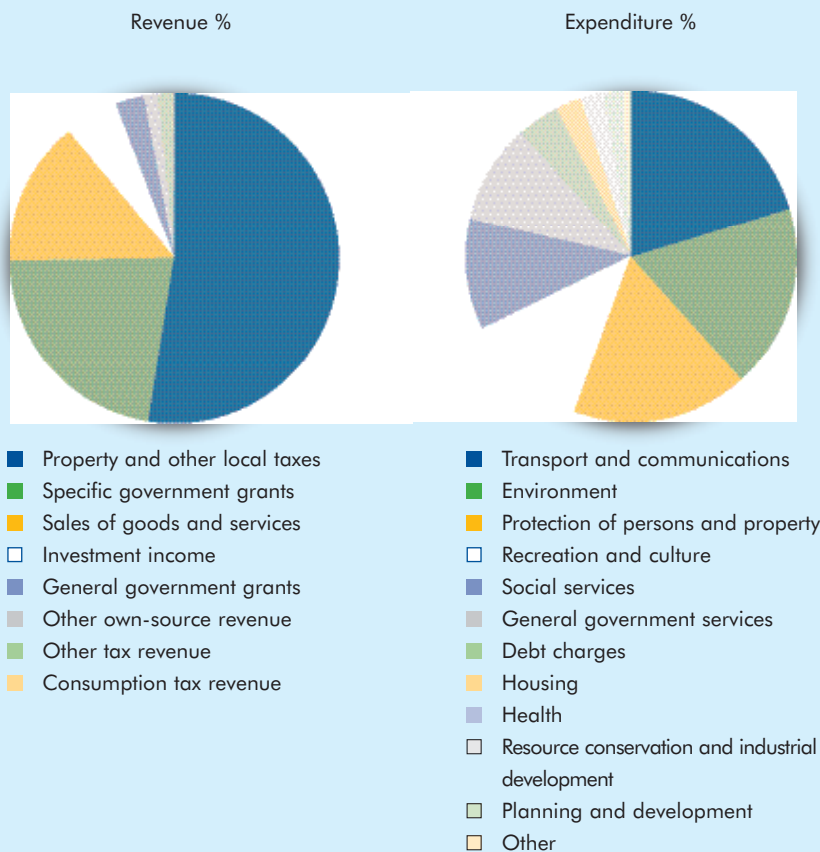
6 DISTRIBUTION OF SERVICE DELIVERY COMPETENCE

The legislation set by the various provinces and territories gives local governments considerable discretion on what services they can provide: local governments are corporations and as such, have all the rights and liabilities of a corporation. In most recent legislation, the purposes of local government as stated in legislation determine the scope of their responsibilities and the services they may deliver.

Local governments in most provinces and territories provide:

- Drinking water and wastewater treatment
- Local roads construction and maintenance
- Waste collection and disposal

Figure 1. The financial structure of local government in Canada



- Protection of persons and property (police, fire protection)
- Land use planning and development
- Public transit
- Economic development services, and
- Recreational and cultural facilities.

7 FINANCE

7.1 Revenue

In 2005 the total revenue for local government, excluding school boards, was

CAD\$53.31bn (US\$50.72bn).⁸ In 2005, local general government revenue came from:

- | | |
|-----------------------------------|-------|
| 1. Property and other local taxes | 52.7% |
| 2. Sales of goods and services | 22.2% |
| 3. Specific government grants | 14.3% |
| 4. Investment income | 5.1% |
| 5. General government grants | 2.9% |
| 6. Other own-source revenue | 1.4% |
| 7. Other tax revenue | 1.3% |
| 8. Consumption tax revenue | 0.2% |

Many areas are exploring new revenue sources for local governments. Some recently implemented include: transfers of a portion of the provincial gas or fuel tax, revenue-sharing of video lottery and/or casino revenues, transfer of a portion of personal and corporate income tax, revenue-sharing of traffic and other provincial fines. Most jurisdictions provide authority for local governments to collect fees and licences and charge for development permits.

7.2 Revenue-sharing

In 2005, with the implementation of the New Deal for Cities and Communities,⁹ the Government of Canada took steps to engage and consult with stakeholders; to continue to promote new partnerships between federal, provincial, and municipal governments; and to start to deliver stable, predictable, long-term funding for cities and communities in urban and rural areas. Budget 2006 pledged to invest a total of \$16.5bn in infrastructure initiatives over the next four years. For example, the federal government made a one-time payment of \$400m in 2005-2006 for public transit, with the potential of another \$900m for 2006-2010; and committed \$5bn from 2005-2010 through the sharing of federal gas tax revenues to fund sustainable municipal infrastructure. The federal government also committed to a goods and services tax (GST) rebate worth \$7bn over 10 years.

Overall, transfers from higher levels of government to local governments accounted for 16% of total local government revenues in 2004. Transfers from the federal government, which are always specific-purpose transfers, are a small share of total revenues, 1.3% in 2004. Specific-purpose transfers from the provinces and territories made up for 11.7% of total revenues in 2004.

There are significant differences across the country: the local governments in the territories (Northwest Territories, Nunavut, and Yukon) are highly dependent on transfers, accounting for between 41.5% and 59% of total local government revenues in 2004.

In Manitoba, New Brunswick, Prince Edward Island and Saskatchewan, general-purpose transfers are more important than specific-purpose transfers while in the other jurisdictions specific transfers are more important.

7.3 Expenditure

In 2005 the total expenditure by local government, excluding school boards was CAD\$58.53bn¹⁰ (US\$47.66bn)¹¹. In 2005, the principal items of expenditure were:

Table 4. Distribution of urban areas according to population size, in 2001

Canada – Urban Areas

Population range from	Number of urban areas	% of total urban areas	Population in urban areas	% of total urban population
1,000 to 4,999	603	66.0%	1,405,218	5.9%
5,000 to 9,999	133	14.6%	946,880	4.0%
10,000 to 14,999	52	5.7%	625,354	2.6%
15,000 to 19,999	22	2.4%	356,806	1.5%
20,000 to 24,999	20	2.2%	433,685	1.8%
25,000 to 49,999	32	3.5%	1,139,156	4.8%
50,000 to 74,999	17	1.9%	1,057,871	4.4%
75,000 to 99,999	5	0.5%	423,960	1.8%
100,000 to 499,999	20	2.2%	3,278,333	15.6%
500,000 to 999,999	6	0.7%	4,369,921	18.3%
over 1,000,000	3	0.3%	9,412,027	39.4%
Total	903	100%	23,908,211	100%
			79.7% of total Canadian population	

1. Transport and communications	19.7%
2. Environment	17.3%
3. Protection of persons and property	16.5%
4. Recreation and culture	12.0%
5. General government services	10.4%
6. Social services	9.4%
7. Debt charges	3.8%
8. Housing	3.3%
9. Health	2.6%
10. Resource conservation and industrial development	2.0%
11. Planning and development	1.8%
12. Other	0.8%

The percentages vary from one jurisdiction to another, reflecting the differences in the responsibilities delegated to local governments.

8 ORGANISATIONS OF LOCAL GOVERNMENT

All provinces and territories have at least one local government association and some have different associations for urban and rural interests: there are currently 24 associations.

Membership of associations is voluntary. Five of the associations were created under a provincial Act. In recent years, associations have been formally recognised in provincial and territorial legislation as the official bodies to be consulted in matters relating to legislative changes or changes to municipal responsibilities or funding: this is the case in British Columbia, Nova Scotia, Ontario, Québec, and the Yukon. Nine of the thirteen jurisdictions provide annual grants to municipal associations to support their activities.

The Federation of Canadian Municipalities (FCM) has been recognised since 1901 as

the national advocate for municipal government. It represents local governments at the national level on federal policy and programme matters. Eighteen provincial and territorial associations are members along with more than 1,100 local governments.¹³ FCM has an international office to provide support to local government on international projects and policies supported by the Canadian International Development Agency (CIDA). It is a member of CLGF.

9 INTERGOVERNMENTAL RELATIONS

Federal, provincial and territorial relations exist in many fields, both at the political and administrative levels. Federal, provincial and territorial ministers – such as the ministers responsible for finance, energy, environment, housing, transportation, culture and heritage, women – meet at least once a year. Deputy ministers also meet on a regular basis.

The Council of the Federation, established in December 2003 by the premiers of the provinces and the territories, is a new institution created in order to develop cooperation and closer ties between provincial and territorial members.¹⁴

Provincial and territorial ministers responsible for local government from all the provinces and territories also meet annually. Since 1967, the Intergovernmental Committee on Urban and Regional Research (ICURR) – whose membership includes all the provincial and territorial departments responsible for local government and the federal government – has been an information clearing-house on urban, rural and regional issues and has shared expertise, and commissioned research.

At the federal level the responsibilities of

the Minister of Transport, Infrastructure and Communities include major horizontal issues in relation to cities and communities for the Government of Canada.

British Columbia has legislation covering provincial–local government relations, which specifies principles of mutual respect and cooperation, consultation, and respect for the varying needs and conditions of different local authorities. Ontario endorses the principle of ongoing consultation and commits to consulting municipalities in the Municipal Act, 2001. Québec legislation provides for the establishment of a board formed of municipal representatives to advise the minister. In Nova Scotia, the minister must by legislation consult with the municipal association on any proposed amendment to the Act, and must furthermore notify the association one year in advance of the effective date of any legislation, regulation or administrative action that could either decrease revenues or increase expenditures of local governments. Furthermore, Nova Scotia has recently signed a Memorandum of Understanding with the municipal association to guide the provincial - municipal relationship. As noted previously, other provinces and territories formally recognise municipal associations and commit to consulting these on matters that affect local governments.

10 E-GOVERNMENT

Canada is seen as one of the leading countries in the use of IT by local authorities to provide greater online access to services.

Municipalities actively promote their activities through websites and use them to encourage and develop citizen participation, including surveys on municipal budgets, priorities or other initiatives. In seven of the 13 provinces and territories, council and committee meetings may be webcast.

The federal government has funded broadband for rural and remote communities as part of its Canada Strategic Infrastructure Fund and as part of the Broadband for Rural and Northern Development Programme. Many provinces and territories have also established their own programmes in order to connect rural and remote communities to the internet.

In 2005, an estimated 21.9 million adult Canadians used the internet for personal reasons.¹⁵

11 LOCAL GOVERNMENT AND THE FIRST NATIONS

Section 35 of the Constitution Act 1982 recognises and affirms the existing aboriginal and treaty rights of the Indian, Inuit and Métis

Table 5. General-purpose and specific-purpose transfers to local governments as a share of total revenues¹² 2005

Province/territory	Provincial and territorial general-purpose transfers	Provincial and territorial specific-purpose transfers	Federal specific-purpose transfers
Alberta	0.3%	11.3%	0.6%
British Columbia	2.0%	3.3%	0.8%
Manitoba	13.9%	7.3%	2.6%
New Brunswick	8.1%	7.7%	3.7%
Newfoundland and Labrador	5.2%	12.9%	1.8%
Northwest Territories	18.3%	1.3%	18.6%
Nova Scotia	3.1%	2.7%	1.0%
Nunavut	14.8%	41.6%	0.1%
Ontario	2.7%	17.3%	2.1%
Prince Edward Island	2.6%	3.6%	0.4%
Québec	2.6%	10.1%	0.2%
Saskatchewan	5.9%	6.2%	5.9%
Yukon	20.1%	7.7%	10.2%
Total	2.9%	12.8%	1.5%

peoples of Canada. Canada's Inherent Right Policy 1995 is based on the recognition of an Aboriginal right (or 'inherent right') of self-government within Section 35. This is based on the view that the aboriginal peoples of Canada have the right to govern themselves in relation to the matters that are internal to their communities, integral to their unique cultures, identities, traditions, languages and institutions, and with respect to their special relationship to the land and resources. However, negotiations under the Inherent Right Policy do not define the legal scope and content of the inherent right. The policy focuses on the negotiation of practical self-government arrangements that are tailored to meet the specific needs of individual aboriginal communities or groups. Currently, therefore, an aboriginal group must use the courts in order to define the legal scope and content of an inherent right to self-government. These self-government arrangements are not considered local government.

Under the existing federal policy, qualifying aboriginal groups may negotiate self-government arrangements that recognise jurisdiction, or authority over a variety of issues, including government structure, land management, healthcare, child welfare, education, housing and economic development. Negotiations are between aboriginal groups, the federal government and, in areas affecting its jurisdiction and interests, the relevant provincial or territorial government.

12 ENVISAGED REFORMS

Reform of local government, which started in the mid-1990s, has continued in all provinces and territories. The focus of current reforms is on increasing revenue streams and revenue diversification, greater local autonomy, enhanced accountability performance measurements and service delivery.

In Alberta, the Minister's Council on Sustainability established in 2005 is now focusing on actions in response to reports on the roles and responsibilities of local government, intermunicipal relationships and growth issues, new municipal revenue sources, and issues faced by rural and urban municipalities differing in size. In Ontario, the premier has launched a Provincial - Municipal Fiscal and Service Delivery Review which will be conducted by both the municipal and provincial orders of government.

The Government of Canada is taking constructive steps which recognise that national priorities like climate change, clean air and water, immigrant settlement and

affordable housing require all governments – federal, provincial, territorial and municipal – to work together in partnership to help communities develop and implement local solutions to national priorities.

13 SUMMARY

The Canadian system of government is highly decentralised. The system of local government in Canada is complex and diverse as it is up to each province and territory to determine its own system through their legislative and administrative powers. Reform is ongoing, and local government continues to innovate to respond to changing needs.

Notes

i. Annex A identifies the main authority responsible for service delivery: there are cases where an authority does not deliver the service but does fund it, which have not been taken into account. For example, the federal government funds social housing but is not the service delivery authority. There are many differences between the provinces and territories and, within each, between different local governments.

References

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- 2 CIA World Factbook, 2007
- 3 Constitution Act 1867, Section 92
- 4 Intergovernmental Committee on Urban and Regional Research (ICURR)
- 5 Règlement sur le maximum de la rémunération annuelle des élus municipaux
- 6,7 Statistics Canada, CANSIM Table 385-0004, 2004
- 8 CAD\$1 = US\$0.859251, 30 September 2005
- 9 Infrastructure Canada at www.infrastructure.gc.ca/ndcc/index_e.shtml
- 10 Statistics Canada, CANSIM Table 385-0004, 2004
- 11 As at 30 September 2005
- 12 Statistics Canada, CANSIM Table 385-0004, 2004
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- 15 CIA World Factbook 2007.

Service	Delivering authority			Remarks
	Federal government	Province Territory	Local authority	
GENERAL ADMINISTRATION				
Police	●	●	●	Varies between provinces
Fire protection		●	●	
Civil protection		●	●	
Criminal justice		●		
Civil justice	●	●		
Civil status register		●		
Statistical office	●	●		
Electoral register	●	●	●	
EDUCATION				
Pre-school		●		
Primary		●		
Secondary		●		
Vocational and technical		●		
Higher education		●		
Adult education		●		
SOCIAL WELFARE				
Kindergarten and nursery		●	●	
Family welfare services		●	●	
Welfare homes		●	●	
Social security		●	●	
PUBLIC HEALTH				
Primary care		●	●	
Hospitals	●	●		
Health protection	●	●	●	
HOUSING AND TOWN PLANNING				
Housing		●	●	
Town planning		●	●	
Agriculture land planning		●	●	
TRANSPORT				
Roads	●	●	●	
Transport	●	●		
Urban roads		●	●	
Urban public transport		●	●	
Ports	●	●	●	
Airports	●	●	●	
ENVIRONMENT AND PUBLIC SANITATION				
Water and sanitation		●	●	
Refuse collection and disposal		●	●	
Street management		●		
Cemeteries and crematoria			●	
Environmental protection	●	●	●	
Consumer protection	●	●		
Other environmental services	●	●	●	
CULTURE, LEISURE AND SPORTS				
Theatre and concerts		●	●	
Museums and libraries	●	●	●	
Parks and open spaces	●	●	●	
Sports and leisure	●	●	●	
Other cultural facilities	●	●	●	
UTILITIES				
Gas services		●	●	
District heating				
Water supply			●	
Electricity		●	●	
ECONOMIC				
Agriculture, forests and fisheries	●	●		
Economic promotion		●	●	
Trade and industry	●	●	●	
Tourism	●	●	●	

● = Indicates some service delivery