# GOVERNMENT OF YUKON

# GENERAL ADMINISTRATION MANUAL
# VOLUME 1: CORPORATE POLICIES — POLICY 1.5
# TITLE: INTERGOVERNMENTAL RELATIONS POLICY
# EFFECTIVE: 2026/12/01

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## 1. SCOPE

### 1.1. Authority

This policy is issued under the authority of Cabinet minute No. C2026-031 [7], dated November 12, 2026.

1.1.1. Nothing in this policy limits the authority of Cabinet to make decisions on intergovernmental relations for the Government of Yukon.

### 1.2. Application

1.2.1. This policy applies to all departments as defined in GAM Policy 1.1 and public officers as defined in the Financial Administration Act. Departments must require consultants contracted to conduct intergovernmental relations functions on behalf of the Government of Yukon to comply with this policy.

1.2.2. This policy applies to intergovernmental relations, including agreements, between the Government of Yukon and the Government of Canada, provincial and territorial governments, and foreign countries, nations or other political jurisdictions outside Canada, as well as agencies or parties representing such governments.

1.2.3. This policy does not apply to relations that are substantively bilateral, plurilateral or multilateral affairs solely between the Government of Yukon and First Nation or Indigenous governments, which are subject to GAM 1.12 unless otherwise specified in that policy.

1.2.4. This policy does not apply to relations with municipalities and local governments within Yukon.

1.2.5. For further clarity, this policy applies to plurilateral and multilateral relations to which Indigenous or Yukon municipal/local governments, or agents representing such governments, are a party, insofar as the activities, meetings or agreements under consideration also involve matters substantively dealing with relations with a government described in 1.2.2.

### 1.3. Objectives

1.3.1. This policy is intended to:

- clarify the roles and responsibilities of Cabinet, departments, public officers, and consultants in respect to intergovernmental relations; and,
- support a whole-of-government process for intergovernmental relations activities, negotiations and agreements

### 1.4. Definitions

1.4.1. **Exploratory Discussions** – the first, informal, step in the process of engaging another government on a potential intergovernmental negotiation or agreement used to assess the potential scope of what could be included in an agreement, and the feasibility of negotiating a formal agreement. They are not formal negotiations and are not guaranteed to lead to negotiations.

1.4.2. **Governments or Other Governments** – the Government of Canada, other provincial and territorial governments, and foreign countries, nations or other political jurisdictions outside of Canada at the national, subnational or local level. Within this policy, the definition does not include Indigenous governments or local governments in Yukon.

1.4.3. **Notification of Implementation** – a formal notification to other parties to an intergovernmental agreement that the Government of Yukon has completed the steps necessary to implement an agreement, such as by completing regulatory or legislative changes, altering programs, completing specific activities, or establishing a working group or committee. This is typically a letter from the Minister who signed the agreement to the other signatories, but may be simple correspondence or reporting between points of contact for an agreement.

1.4.4. **Intergovernmental activities** – activities that support or affect the development and maintenance of effective intergovernmental relations, including but not limited to:

- negotiating and entering into intergovernmental agreements;
- participating in intergovernmental meetings, conferences and forums;
- taking part in national and international programs and events;
- jointly making statements or other expressions of policy with another government;
- contributing to the development of national policies; and
- working and collaborating with officials and representatives from other governments.

1.4.5. **Intergovernmental agreements** – all formal binding or non-binding agreements or negotiated expressions of commitment between the Government of Yukon and other governments. This includes but is not limited to: treaties; agreements (including agreements-in-principle); contracts and associated change orders; accords; memoranda and letters of understanding or cooperation; or other arrangements.

1.4.6. **Intergovernmental meetings –** meetings between the representatives of the Government of Yukon and those of other governments. (e.g. delegations, conferences, forums, and events such as federal-provincial-territorial meetings, one-off interactions, or specific meetings on the margins of a larger event, and courtesy calls.)

1.4.7. **Intergovernmental relations –** political, economic and other affairs and interactions between the Government of Yukon and other governments as described in section 1.2.2, including all intergovernmental activities as defined above.

1.4.8. **Intergovernmental relations framework –** an internal document, including annexes, that outline how the Government of Yukon's advances its intergovernmental interests, priorities, goals, and objectives in relation to other governments and the plans to achieve those objectives.

1.4.9. **Negotiation mandate –** Cabinet direction to launch formal negotiations outlining general negotiating priorities.

## 2. ROLES AND RESPONSIBILITIES

### 2.1. Cabinet

2.1.1. Provides overall direction for the Government of Yukon's intergovernmental relations.

2.1.2. Approves the intergovernmental relations framework, and any subsequent revisions as they are recommended by the Minister responsible for Intergovernmental Relations;

2.1.3. Approves and/or establishes the government's policy positions on existing and emerging intergovernmental issues;

2.1.4. Approves negotiation mandates;

2.1.5. Approves intergovernmental agreements that advance new or change existing policies or programs, or otherwise make a substantial commitment on the behalf of the Government of Yukon;

2.1.6. May choose to delegate or otherwise change its authorities and roles in relation to this policy, including through new superseding legislation, regulation, or policy.

### 2.2. Minister responsible for Intergovernmental Relations

2.2.1. Provides direction on intergovernmental matters and initiatives.

2.2.2. Provides direction on the implementation of the intergovernmental relations framework, including by approving annexes to the framework that don't require Cabinet approval.

2.2.3. Recommends to Cabinet:

- the intergovernmental relations framework and subsequent revisions;

- positions on existing and emerging intergovernmental issues; and
- policies or procedures that otherwise advance the government's intergovernmental objectives.

**2.3. Secretary to Cabinet**

2.3.1. Arranges for review of intergovernmental matters and agreements being presented to Cabinet for approval.

2.3.2. May require that intergovernmental meetings or agreements that would not normally require Cabinet or Management Board approval, be submitted to Cabinet or Management Board for such approval.

2.3.3. May determine an alternate process for approval of a negotiation mandate or agreement in accordance with section 5.2 of this policy.

**2.4. Deputy Head responsible for Intergovernmental Relations**

2.4.1. Advises Ministers on intergovernmental relations, including the intergovernmental relations framework and associated strategies or other appendices to the framework.

2.4.2. Implements the Cabinet's intergovernmental relations policies.

2.4.3. Promotes consistency and coordination of intergovernmental activities across government.

2.4.4. May delegate any of these responsibilities.

**2.5. Other Ministers**

2.5.1. Recommend to Cabinet or Cabinet committees the government's positions related to intergovernmental activities within their departmental areas of responsibility;

2.5.2. Approve departmental plans to host intergovernmental meetings in Yukon or attend intergovernmental conferences and meetings outside Yukon, other than simple meetings, as outlined in section 4 of this policy;

2.5.3. Approve intergovernmental agreements that do not require Cabinet approval.

2.6. **Executive Council Office**

2.6.1. The Department is responsible for Intergovernmental Relations and Protocol and coordinates effective intergovernmental relations with departments.

2.6.2. Develops and implements the intergovernmental relations framework and related strategies, other appendices, and operational guidance.

2.6.3. Reviews international activities and initiatives, including policies and legislation, involving relations between the Government of Yukon and other governments for

intergovernmental implications and alignment with the intergovernmental relations framework;

2.6.4. Provides advice on matters concerning protocol and precedence;

2.6.5. Maintains an archive of intergovernmental agreements.

**2.7. Department of Justice and Legal Services Branch**

2.7.1. Provides for the legal review of intergovernmental agreements developed by responsible departments, upon request by such departments.

**2.8. Department of Finance and Office of the Comptroller**

2.8.1. At the request of responsible departments, reviews intergovernmental agreements that have substantive financial administration and financial reporting implications and provides advice on the appropriate treatment of those implications.

**2.9. Deputy Heads of Departments**

2.9.1. Ensure their departments are in compliance with this policy;

2.9.2. Advise their Minister and the Deputy Head responsible for Intergovernmental Relations on intergovernmental activities within their departmental mandate;

2.9.3. Ensure a copy of every signed final intergovernmental agreement is provided to ECO-Intergovernmental Relations for archival records.

2.9.4. Notifies ECO-Intergovernmental Relations when intergovernmental activities of departments take place at the ministerial level or involve substantive intergovernmental commitments.

**2.10. Public Officers**

2.10.1. Reflect the government's goals and objectives and communicate its positions when participating in intergovernmental activities;

2.10.2. Ensure statements at intergovernmental meetings are consistent with direction from Cabinet, the Minister responsible for their department, and/or the intergovernmental relations framework.

## 3. INTERGOVERNMENTAL RELATIONS FRAMEWORK

**3.1. General**

3.1.1. The intergovernmental relations framework requires approval by Cabinet, on advice of the Minister responsible for Intergovernmental Relations.

3.1.2. The intergovernmental relations framework sets out the higher-level rationale and principles on which the intergovernmental objectives and strategic approach of the

Government of Yukon are based. This framework applies to all relations and activities with other governments.

### 3.2. Implementation

3.2.1. The Minister responsible for Intergovernmental Relations may approve annexes to the intergovernmental relations framework. Such annexes include strategies, directives, and other guidance that support the pursuit of the Government of Yukon's intergovernmental objectives. The Minister may delegate this authority to the Deputy Head responsible for Intergovernmental Relations.

3.2.2. ECO-Intergovernmental Relations is responsible for the development and implementation of the intergovernmental relations framework and any annexed strategies or other documents.

3.2.3. When an annex to the intergovernmental relations framework has substantive impacts on the mandate of another department, ECO-Intergovernmental Relations must consult that department. Approval of such an annex requires Cabinet approval.

3.2.4. All departments and public officers must ensure that their work is aligned and does not conflict with the objectives outlined in the intergovernmental relations framework and annexes, insofar as that work relates to relations with other governments.

## 4. INTERGOVERNMENTAL MEETINGS

### 4.1. General

4.1.1. Intergovernmental meetings hosted by the Government of Yukon require approval by the responsible Minister(s).

### 4.2. Officials level meetings:

4.2.1. Officials level meetings are meetings that take place at the deputy head level and below.

4.2.2. Ministers may delegate the authority to approve the hosting of officials level meetings by the Government of Yukon to their deputy head.

4.2.3. Departments may send delegations to attend intergovernmental meetings outside of Yukon, in accordance with relevant directives on travel and travel policy.

4.2.4. For public officials attending conferences, forums, federal-provincial-territorial meetings, or ad hoc meetings involving substantive commitments or outcomes for the Government of Yukon, a short report must be prepared for their deputy head.

### 4.3. Ministerial meetings

4.3.1. Ministerial meetings are meetings in which a Yukon Cabinet Minister participates with representatives of another government at a leadership or diplomatic level.

4.3.2. Public officials attending ministerial meetings must prepare a short report for their deputy head and the Minister's office.

4.3.3. Departments should inform ECO-Intergovernmental Relations of ministerial meeting arrangements prior to the meeting date to seek advice on relevant intergovernmental and protocol considerations. This is not to be interpreted as a requirement that ECO- Intergovernmental Relations approve ministerial meetings. When available, ECO-Intergovernmental Relations should be provided with:

- the purpose of the meeting;
- the agenda;
- the briefing package prepared for Yukon's representative;
- communiqués and/or official minutes; and
- the short report prepared by the Yukon's delegation.

### 4.4. Joint Statements

4.4.1. Joint Statements may be made as part of Intergovernmental Meetings in line with ordinary communications policy and guidance.

4.4.2. Where Joint Statements make substantive commitments on behalf of the Government of Yukon, implementing such commitments must follow ordinary Cabinet approval processes.

4.4.3. Joint Statements made as part of an Intergovernmental Meeting that make substantive commitments must also follow the requirements set out in section 5.7 "Implementation" of this policy.

## 5. INTERGOVERNMENTAL AGREEMENTS

### 5.1. General

5.1.1. Intergovernmental agreements are formal binding or non-binding agreements between governments. Departments should only enter into intergovernmental agreements when less formal arrangements are not feasible or appropriate.

5.1.2. Renewals, amendments and extensions of existing agreements, as well as new or amended appendices to agreements, are intergovernmental agreements subject to this policy.

5.1.3. For greater clarity, informal arrangements to undertake a limited action, the activities of intergovernmental committees, or working groups, including those that may incur internal expenses, are not intergovernmental agreements subject to this policy.

### 5.2. Approval of Intergovernmental Agreements

5.2.1. Intergovernmental agreements require Cabinet approval when they:

- set or establish new policy or programs;
- substantively change existing policy or programs;

- advance a proposal that implicates the mandate of more than one minister; or
- may be controversial.

5.2.2. Cabinet approval is not required for:

- an agreement that does not meet any of the criteria in paragraph 5.2.1 of this policy.
- an agreement that is procedural or administrative in nature, that express existing policy positions, that formalize existing intergovernmental activities without creating additional substantive commitments, or that involve commitments on matters that would not otherwise require Cabinet approval;
- renewals or extensions of an existing Cabinet-approved agreement without significant changes to their terms, particularly where agreements have a renewal clause, and if none of the criteria in paragraph 5.2.1. otherwise apply;
- a transfer payment agreement that is purely financial in nature and does not result in new or amended policies and programs; or
- a contract agreement that is below the direct award procurement thresholds set out in the GAM 2.6 Procurement Policy.

5.2.3. Management Board approval is required for intergovernmental agreements that:

- create or significantly change government funding programs;
- require new financial resources to implement;
- create financial obligations for which a department does not already possess spending authority.

5.2.4. The Secretary of Cabinet, in consultation with the Minister responsible for Intergovernmental Relations, may determine an alternate process for approval of a negotiation mandate or agreement when a decision is urgently required that:

- cannot viably meet timelines through the normal processes; and
- may result in substantive injury to Yukon's interests if not approved within those timelines by:
    - significantly disadvantaging the territory in negotiations or in pursuing intergovernmental objectives;
    - significantly harming the Government of Yukon's financial or legal obligations;
    - significantly disrupting relations with other governments; or
    - causing widespread harm or impacting public safety.

**5.3. Exploratory Discussions**

5.3.1. A department may conduct exploratory discussions in the ordinary course of their intergovernmental activities to determine whether an agreement with another government is desirable and what might be included in an agreement.

5.3.2. A department must seek approval from its deputy head to continue pursuing exploratory discussions when it becomes apparent that an agreement may require Cabinet approval under section 5.2 of this policy.

5.3.3. Departments may launch exploratory discussions on matters that fall primarily within their mandate and may also incidentally discuss matters that fall outside of the department's core mandate. When exploratory discussions begin to deal substantively with matters within another department's mandate, that department must be consulted.

**5.4. Negotiation Mandates**

5.4.1. Departments may negotiate intergovernmental agreements for matters that fall within their mandate. Where negotiations implicate the mandates of other departments, those departments must be consulted.

5.4.2. Cabinet approval of a negotiation mandate is required before a Department begins formal negotiations with another government towards an agreement that is expected to require approval by Cabinet under section 5.2 of this policy.

5.4.3. A negotiation mandate must include, among other things:

- an expiration date and renewal conditions.
- the expected purpose of the negotiations and relationship to other agreements;
- potential intergovernmental implications and areas of negotiation;
- a preliminary outline of the Government of Yukon's initial negotiating positions and interests;
- potential financial and legal obligations and risks that may be incurred if the negotiations are successful or unsuccessful;
- potential implications for existing Yukon laws, powers and authorities; and
- an analysis of alternatives to a negotiated agreement.

**5.5. Intergovernmental Agreement Review**

5.5.1. All intergovernmental agreements, regardless of whether they must be approved by Cabinet, must be submitted for review by ECO-Intergovernmental Relations before the text is finalized by negotiators and while it is still possible to make changes to the agreement.

5.5.2. ECO-Intergovernmental Relations must provide a written review of the agreement that provides:

- recommendations and considerations;
- alignment with the intergovernmental relations framework; and
- an assessment of whether the agreement qualifies as requiring Cabinet approval under section 5.2 of this policy.

5.5.3. The responsible department should seek legal advice if there is a significant legal issue in an agreement. The department must review the agreement for risks, including:

- whether the Government of Yukon can meet its obligations under the agreement;
- whether the Government of Yukon has authority to sign the agreement; and
- whether the agreement is binding on the Government of Yukon.

5.5.4. The responsible department should seek advice on financial administration or financial reporting from Department of Finance, Office of the Comptroller when an agreement raises substantive financial administration or financial reporting issues. This includes agreements that:

- have significant financial implications including substantial expenditures or revenues;
- involve complex financial arrangements, such as public private partnerships, new funds, or other structures requiring advice on their financial structure and terms;
- involve more than three or more parties in a financial arrangement, or contemplate financial contribution from a third party; or
- involve financial questions of compliance with applicable legislation, the financial administration manual, accounting standards or direction by Management Board.

**5.6. Signature**

5.6.1. An intergovernmental agreement must be signed by a Minister or delegate who has authority to sign on behalf of the Government of Yukon under sections 2.3-2.4 of the *Government Organization Act* and paragraph 17(2)(d) of the *Interpretation Act*. Where the agreement involves the transfer or receipt of funds, the signing representative must also have authority under the *Financial Administration Act* and the Signing Authorities policy, Financial Administration Manual (FAM) 5.5.

5.6.2. An intergovernmental agreement requiring Cabinet Approval under section 5.2 of this policy may not be signed prior to such approval.

5.6.3. Where possible, the Government of Yukon's representative should be of an equivalent level to the representative(s) of any other government(s) party to the agreement, provided that representative has authority to sign the agreement.

**5.7. Implementation**

5.7.1. Departments are responsible for implementing the commitments made in intergovernmental agreements or joint statements (described in section 4.4 of this policy) for matters within their mandate.

5.7.2. Departments must assess whether the Government of Yukon can implement its commitments under an intergovernmental agreement or joint statement prior to signing or otherwise making a commitment.

5.7.3. Departments must review the agreements for which they are responsible on a periodic basis to assess if any agreements have become dormant or inactive, expired, or have otherwise been terminated.

5.7.4. In situations where an agreement is terminated, or in which a commitment is made that cannot be implemented in practice, ECO-Intergovernmental Relations should be notified to assess intergovernmental implications, and the Department of Justice and Legal Services Branch should be consulted if legal advice is needed.

5.7.5. For some agreements, fulfilling the terms of the agreement may require changes to legislation (including regulations) or require changes to policy that are not completed through Cabinet approval of the agreement itself. For such agreements, the Government of Yukon may require that, as a condition of its signature, the agreement or parts of the agreement are not in effect until it has completed those required steps to meet its obligations under the agreement.

5.7.6. The Government of Yukon must provide a Notification of Implementation to all other parties to the agreement once the required steps are completed.

5.7.7. Departments must notify ECO-Intergovernmental Relations when the Notification of Implementation has been delivered.

**5.8. Indemnification**

5.8.1. Where circumstances allow, Departments should negotiate to exclude indemnification terms in intergovernmental agreements. If circumstances require that indemnification terms be included, such terms must comply with subsection 65(1) of the *Financial Administration Act* and meet the definition of a permitted indemnity as defined in that subsection. This includes indemnities incidental to the agreement and that do not pose a material financial risk as approved by the Department of Finance, indemnification of Canada under certain wording or terms, and indemnifications authorized by a regulation made under paragraph 65(4)(b) of the *Financial Administration Act*.

5.8.2. Departments must consult the Department of Finance prior to finalizing the text of any agreement that includes an indemnification provision to ensure that the indemnification is a permitted indemnity or authorized by law.

**5.9. Registration of agreement**

5.9.1. Upon signature, departments must provide intergovernmental agreements to ECO-Intergovernmental Relations for registration into the Intergovernmental Agreements Archive.