

In the following year the Letters Patent constituting the office of Governor General and Commander-in-Chief of the Dominion of Canada were revised. A new Patent was issued under the Great Seal of the Realm. At the same time new and revised Instructions to the Governor General were passed under the Royal Sign Manual, on the recommendation of the Prime Minister of Canada. These new instructions omitted the earlier reference to instructions from the Privy Council (Imperial) or one of the Principal Secretaries of State. Moreover, instead of the earlier provision whereby the Governor General sought permission from the King under his Sign Manual and Signet or through one of the Principal Secretaries of State to absent himself from Canada, the new Instructions provide for grant of such permission by the King under his Sign Manual and Signet or through the Prime Minister of Canada.

The same Imperial Conference defined the status of the Dominions within the Commonwealth as follows:—

“They are autonomous Communities within the British Empire, equal in status, in no way subordinate one to another in any aspect of their domestic or external affairs, though united by a common allegiance to the Crown, and freely associated as members of the British Commonwealth of Nations.”

At the same time the Conference formally adopted the principle, already tacitly accepted, as noted above, that no self-governing Dominion is to be bound by the provisions of any treaty in the making of which it has not participated. Each treaty is to state clearly to what parts of the Empire it is to apply; the King makes the treaty on behalf of such parts of the Empire as are specifically named.

The new status of the Dominions thus enunciated has been internationally recognized on many occasions, notably in invitations from the United States to subscribe to the Kellogg Pact for the Renunciation of War and in the organization of the Permanent Court of International Justice.

The Statute of Westminster and Confirmation of Equality of Status.—

Equality of status having been achieved, there remained only the final step of establishing unequivocally in law what had become recognized as definite fact. This last step was taken in the enactment of the Statute of Westminster, 1931, following the recommendation of the Imperial Conference of 1930, and after each of the Dominions had given its specific approval not alone to the substance of the Draft Bill, but to each of its specific provisions. The Act made the Colonial Laws Validity Act no longer applicable to any law made by the Federal or any Provincial Legislature; thereafter no Dominion Act shall be void nor inoperative because repugnant to any existing or future law in the United Kingdom; the Parliament of Canada may repeal or amend any Act of the United Kingdom in so far as it is part of the Canadian law; the Canadian Parliament has full power to make laws having extra-territorial operation; no Imperial statute shall be a part of the law of Canada unless the Dominion has requested and consented to the enactment thereof; restrictive provisions of the Merchant Shipping Act, 1894, and of the Colonial Courts of Admiralty Act, 1890, are specifically declared to be inapplicable to the Dominions; the repeal, amendment or alteration of the British North America Act, 1867, is excepted from applicability of the Statute; the restriction of powers conferred upon the Federal and the Provincial Legislatures to matters within their respective legislative competency is confirmed.

The Growth of Canadian Diplomatic Representation Abroad.—The change in the international status of Canada may also be linked to the development of diplomatic representation abroad. In 1880 a Canadian High Commissioner was appointed to London to handle Canadian interests with the British Government,