

# CHAPTER III.—CONSTITUTION AND GOVERNMENT

## CONSPECTUS

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The Government of the Dominion of Canada was established under the provisions of the British North America Act of 1867.\* This Statute of the Imperial Parliament, as from time to time amended, forms the written basis of the Constitution of Canada. Subsequent sections of this chapter describe in some detail the processes by which the Constitution has developed and the institutions, as at present constituted, by which Canada is governed.

The several stages in the development of the status of the Dominion have been authoritatively described in the reports of successive Imperial Conferences including that held at London in 1926, which defined the group of self-governing communities consisting of the United Kingdom and the Dominions as "autonomous communities within the British Empire, equal in status, in no way subordinate one to another in any aspect of their domestic or foreign affairs, though united by a common allegiance to the Crown and freely associated as members of the British Commonwealth of Nations". That Conference also recognized that, as a consequence of this equality of status, the Governor General of a Dominion "is the representative of the Crown, holding in all essential respects the same position in relation to the administration of public affairs in the Dominion as is held by His Majesty the King in Great Britain", and that "it is the right of the Government of each Dominion to advise the Crown in all matters relating to its own affairs". Simultaneously, with this change in the constitutional relationship between the several parts of the British Commonwealth of Nations, there developed, as complementary aspect of nationhood, the assumption by the several Dominions of further responsibilities and rights of sovereign States in their relations with other members of the community of nations. Membership in the League of Nations, the exercise of treaty-making

\* See pp. 40-60 of the 1942 Year Book for text of the original B.N.A. Act and notes regarding amendments and modifications thereto.