

The Opposition.—The Opposition occupies an essential place in constitutions based on the British Parliamentary System. Like many other institutions such as that of the premiership, for instance, it takes its place with the many unwritten arrangements, tested by time, that have been accepted and become firmly established.

The choice of the Canadian electorate not only determines who shall govern Canada but, by deciding which party receives the second largest number of seats in the House of Commons, it settles which of the major parties becomes the Official Opposition. The function of the Leader of the Opposition is to offer intelligent and constructive criticism of the government of the day.

When criticism by the Opposition becomes sufficiently effective it can overthrow the existing government and the Leader of the Opposition might then, as a result of the ensuing election, find himself the Prime Minister.

Although the position of Leader of the Opposition is not recognized in the British North America Act, it received statutory acknowledgment in Canada in 1927. The Senate and House of Commons Act of that year provided for an annual salary to be paid to the Leader of the Opposition in addition to his indemnity as a Member of the House. (See p. 100.)

The Franchise.—Legislation concerning the right to vote at Dominion elections is outlined at pp. 72-73 of the 1947 Year Book.

The present franchise laws are contained in the Dominion Elections Act, 1938 (2 Geo. VI, c. 46, as amended by 6 Geo. VI, c. 26 and 12 Geo. VI, c. 46). The franchise is conferred upon all British subjects, men and women, who have attained the age of 21 years and who have been ordinarily resident in Canada for 12 months prior to polling day at a Dominion election, and ordinarily resident in the electoral district on the date of the issue of the writ ordering such election. Classes of persons denied the right to vote are:—

- (1) Judges appointed by the Governor General in Council;
- (2) The returning officer for each electoral district;
- (3) Persons undergoing punishment as inmates of any penal institution for the commission of any offence;
- (4) Indians ordinarily resident on an Indian reservation who did not serve in the First or Second World Wars;
- (5) Persons restrained of their liberty or management of their property by reason of mental disease;
- (6) Eskimos, whether born in Canada or elsewhere;
- (7) Doukhobors, residing in the Province of British Columbia, whether born in Canada or elsewhere;
- (8) Persons disqualified under any law relating to the disqualification of electors for corrupt and illegal practices.

The Act to amend the Dominion Elections Act, passed on June 15, 1948, removed the provisions previously in effect which disqualified Japanese or other persons by reason of race from voting at Dominion elections, also inmates of institutions maintained by any government or municipality for the housing of the poor.

Regulations, known as the Canadian Defence Service Voting Regulations, were drawn up and promulgated in 1948 prescribing voting procedure for personnel of the Permanent Force of the Army, Navy and Air Force. The regulations provide that these voters cast their ballots for candidates in the constituency in which they last resided prior to enlistment.