

burden on the latter and out of keeping with the status of Canada. The Provinces have always had the right, under the B.N.A. Act, to amend their constitutions, but there has been no similar provision under which the Parliament of Canada could amend the purely Federal Constitution, or under which parts of the constitution of joint federal-provincial concern could be amended in Canada. On Sept. 14, 1949, the Prime Minister informed the Premiers of the Provinces that Parliament would be asked at its next session to pass an Address requesting an amendment of the British North America Act which would give the Parliament of Canada power to amend the Canadian constitution in relation to its purely federal aspects. The Prime Minister also suggested that a conference should be held to discuss with the provinces the method of amending the parts of the constitution that concern both the federal and the provincial authorities.

An Address by the Parliament of Canada was moved by the Prime Minister on Oct. 17, 1949, and led to the passage by the United Kingdom Parliament of the British North America (No. 2) Act, 1949, on Dec. 16, 1949. Under the Act the Parliament of Canada now has the power to amend the purely federal portions of the Canadian Constitution.

The Federal-Provincial Conference to discuss methods of amending the parts of the constitution of joint concern met from Jan. 10 to 12, 1950. The Conference agreed that, to simplify consideration, it would be desirable to classify the various sections of the B.N.A. Act and other constitutional enactments according to the extent of federal and provincial participation that would be desirable in amendment of each. For the purpose, the provisions of the constitution were to be grouped under six heads:

- (1) provisions which concern parliament only, which should be amended by an Act of Parliament;
- (2) provisions which concern the provincial legislatures only, which should be amended by Acts of the Legislatures;
- (3) provisions which concern Parliament and one or more but not all of the Provincial Legislatures, which should be amended by an Act of Parliament and an Act of the Legislature of each province affected;
- (4) provisions which concern Parliament and all of the Provincial Legislatures, which should be amended by an Act of Parliament and Acts of such majority of the Legislatures and upon such additional conditions, if any, as might be decided upon;
- (5) provisions concerning fundamental rights, and amendment of the amending procedures, which should be amended by an Act of Parliament and Acts of the Legislatures of all the provinces;
- (6) provisions which should be repealed.

The Conference agreed that the Federal and Provincial Governments should submit their recommendations for classification to a standing committee of Attorneys General which should try to harmonize the different views.

The Committee of Attorneys General met from Aug. 21 to 23, 1950. It found that there was unanimity in the submissions by the governments on the classification of several sections and substantial agreement concerning others. During the course of the Committee's sessions, further agreement was reached. The Minister of Justice, as Chairman of the Committee of Attorneys General, reported to the Second Session of the Constitutional Conference which met in Quebec from Sept. 25 to 28. (In submitting his report, the Minister stated that, as a result of the discussions of the Committee, there remained, out of a total of 147 sections, approximately 30 sections of substantive importance which might be regarded as the more difficult ones upon which to reach agreement.) The Conference discussed some of the points on which difficulty of classification had been encountered, as well as other questions of a constitutional character, and directed the Committee