

CHAPTER II.—CONSTITUTION AND GOVERNMENT

CONSPECTUS

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NOTE.—The interpretation of the symbols used in the tables throughout the Year Book will be found facing p. 1 of this volume.

PART I.—CONSTITUTION OF CANADA

The Canadian federal state was established by the British North America Act, 1867, which united the three British North American provinces of Canada, New Brunswick and Nova Scotia into one country, divided into four provinces, namely, Ontario, Quebec, New Brunswick and Nova Scotia. British Columbia entered the Union in 1871 and Prince Edward Island in 1873. The Province of Manitoba was created in 1870 and the Provinces of Saskatchewan and Alberta in 1905 out of portions of the territories formerly held by the Hudson's Bay Company which had been admitted to the Union in 1870. Newfoundland entered the Union in 1949. Canada now consists of ten provinces and two territories known as the Yukon Territory and the Northwest Territories.

The British North America Act of 1867 divided both legislative and executive authority between Canada and the provinces. Judicial authority was not similarly divided, federal and provincial courts having jurisdiction with respect to both federal and provincial laws.

Although the British North America Act of 1867 and its subsequent amendments is popularly regarded as the Constitution of Canada, it is not an exhaustive statement of the laws and rules by which Canada is governed. The Constitution of Canada in its broadest sense includes other statutes of the United Kingdom Parliament (e.g., the Statute of Westminster, 1931), statutes of the Parliament of Canada relating to such matters as the succession to the Throne, the demise of the Crown, the Governor General, the Senate, the House of Commons, electoral districts, elections, Royal Style and Titles, and also statutes of provincial legislatures relating to provincial government and provincial legislative assemblies. Other written instruments such as the Royal Proclamation of 1763, early instructions to Governors, Letters Patent creating the offices of Governor and Governor General, and Orders in Council passed pursuant to the British North America