English law was declared to be in force in uninhabited territory discovered and planted by British subjects, except in so far as local conditions made it inapplicable. The same may be said of Newfoundland although the colony dealt with the subject in a statute of 1837. In Quebec, its reception depends upon the Royal Proclamation of 1763 and the Quebec Act of 1774. In each of the other provinces and in the Yukon Territory and Northwest Territories, the matter has been dealt with by statute.

The criminal law systems of the provinces as they exist today are based on the British North America Act of 1867. Section 91 of the act provides that "The exclusive legislative authority of the Parliament of Canada extends to ... the criminal law, except the constitution of courts of criminal jurisdiction but including the procedure in criminal matters". By Section 92(14), the legislature of the province exclusively may make laws in relation to "the Administration of Justice in the Province, including the Constitution, Maintenance, and Organization of Provincial Courts, both of Civil and Criminal Jurisdiction and including Procedure in Civil Matters in those Courts". The Parliament of Canada may, however (Sect. 101), establish any additional courts for the better administration of the laws of Canada. It should be noted that the Statute of Westminster, 1931 effected important changes, particularly by abrogating in part the Colonial Laws Validity Act, 1865 (Br.) and confirming the right of a Dominion to make laws having extraterritorial operation.

At the time of Confederation each of the colonies affected had its own body of statutes relating to the criminal law. In 1869, in an endeavour to assimilate them into a uniform system applicable throughout Canada, Parliament passed a series of acts, some of which dealt with specific offences and others with procedure. Most notable of the latter was the Criminal Procedure Act, but other acts provided for the speedy trial or summary trial of indictable offences, the powers and jurisdiction of justices of the peace in summary conviction matters and otherwise, and the procedure in respect of juvenile offenders.

Codification of the criminal law through a criminal code bill founded on the English draft code of 1878, Stephen's *Digest of criminal law,* Burbidge's *Digest of the Canadian criminal law,* and the relevant Canadian statutes was brought about by the Minister of Justice, Sir John Thompson, in 1892. This bill became the Criminal Code of Canada and came into force on July 1, 1893. It must be remembered, however, that the criminal code was not exhaustive of the criminal law. It was still necessary to refer to English law in certain matters of procedure and it was still possible to prosecute for offences at common law. Moreover, Parliament has declared offences under certain other acts, e.g. the Narcotic Control Act, to be criminal offences.

An examination and study of the criminal code was authorized by Order in Council dated February 3, 1949, and the commission which had been assigned the task of revising the code presented its report with a draft bill in February 1952. After coming before successive sessions of Parliament it was finally enacted on June 15, 1954 and the new Criminal Code (RSC 1970, c.C-34) came into effect on April 1, 1955. Since the new code came into force a number of important amendments have been made. These include an amendment in 1956 providing that motions for leave to appeal to the Supreme Court of Canada in criminal cases should be heard by a quorum of at least five judges of that court instead of by a single judge; amendments effected in 1959, providing a statutory extension of the definition of "obscenity" and making provision for seizure and condemnation of offending material without a charge necessarily being laid against any person; amendments dealing with genocide and public incitement of hatred; extensive amendments relating to the allowing of time for payment of fines; amendments dealing with offences committed in aircraft in flight over the high seas; important and extensive amendments relating to the invasion of privacy and interception of communications; and an amendment forbidding the publication in a newspaper or broadcast of a report that any admission or confession tendered in evidence at a preliminary inquiry or a report of the nature of such admission or confession