

minister's approval, he submits it to the Cabinet committee on legislation and house planning and it is examined from a legal rather than a policy point of view. If this committee agrees that the bill is acceptable and could be introduced in Parliament, it reports this to Cabinet, which decides on the committee's decision. If confirmation is given, the prime minister initials the bill and it is then introduced either in the Senate or the House of Commons, depending on constitutional and political considerations.

The order and manner in which a bill is considered in Parliament is the responsibility of the president of the Privy Council and house leader who negotiates these matters with his counterparts in the opposition parties. If a bill is to be introduced in the Senate, the house leader will discuss questions such as timing and tactics with the leader of the government in the Senate, who in turn will negotiate consideration of the bill with his counterpart in the Senate.

The Privy Council office is a secretariat providing staff support to the Privy Council committee and to the Cabinet. For the purposes of the Financial Administration Act it is considered a government department. The office provides secretariats to serve the Cabinet, the Privy Council committee and their various subcommittees except the Cabinet committee on federal-provincial relations, which is served by a federal-provincial relations office. Since the prime minister is, in effect, chairman of the Cabinet, he is the minister responsible for the Privy Council office. The work of the Privy Council office is directed by a public servant known as the clerk of the Privy Council and secretary to the Cabinet. He is the senior member of the public service of Canada.

Parliamentary secretaries. The Parliamentary Secretaries Act of June 1959 provided for the appointment of 16 parliamentary secretaries from among the members of the Commons to assist ministers. That act was amended by the Government Organization Act, 1970, which allows the number of parliamentary secretaries to equal the number of ministers who hold offices listed in Section 4 of the Salaries Act, that is, ministers with departmental responsibilities, the prime minister, the leader of the government in the Senate and the president of the Privy Council. A parliamentary secretary works under direction of his minister, but has no legal authority in his association with the department, nor is he given acting responsibility or any of the powers, duties and functions of a minister in the event of his minister's absence or incapacity. Parliamentary secretaries are appointed by the prime minister and hold office for 12 months.

3.1.2 The Legislature

The federal legislative authority is vested in the Parliament of Canada — the Queen, the Senate, and the House of Commons. Bills may originate in either the Senate or the House, subject to the provisions of Section 53 of the British North America (BNA) Act, 1867, which provides that bills for the appropriation of any part of the public revenue or the imposition of any tax or impost shall originate in the House of Commons. Bills must pass both houses and receive royal assent before becoming law. In practice, most public bills originate in the House of Commons although, at the request of the government, more have recently been introduced and dealt with in the Senate while the Commons is engaged in other matters such as the debate on the speech from the throne. Private bills usually originate in the Senate. The Senate may delay, amend or even refuse to pass bills sent to it from the Commons, but differences are usually settled without serious conflict.

Section 91 of the BNA acts, 1867 to 1964, assigns to the Parliament of Canada legislative authority in very clearly specified areas. These are discussed in Chapter 2.

Under Section 95, the Parliament of Canada may make laws in relation to agriculture and immigration concurrently with provincial legislatures although federal legislation is paramount in any conflict. An amendment to the BNA Act in 1951 (Br. Stat. 1950-51, c.32) authorized the Parliament of Canada to make laws in relation to old age pensions subject to the proviso that no such law should affect the operation of any provincial laws in relation to such pensions. By the BNA Act, 1964 this amendment was extended to permit the payment of supplementary benefits, including survivors and disability benefits irrespective of age, under a contributory pension plan.