

Cabinet committees provide a forum for thorough study of policy and expenditure proposals, although the cabinet remains the prime focus of decision-making. Membership of cabinet committees is public but the same rules of secrecy that apply to cabinet deliberations apply to cabinet committees. The prime minister determines the establishment of cabinet committees, their membership and terms of reference. Ministers may invite one or two officials as advisers during cabinet committee meetings. The secretariats of the committees are provided by the Privy Council office and the secretary of a cabinet committee is usually also an assistant secretary to the cabinet. Treasury Board, which is a cabinet committee and a committee of the Privy Council established by statute is an exception; it has its own secretariat headed by a secretary who has the status of a deputy minister.

Under the direction of the prime minister, the secretary to the cabinet prepares agenda and refers memoranda to cabinet to the appropriate committee for study and report to the full cabinet. Except where the prime minister instructs otherwise, all memoranda to cabinet are submitted over the signature of the minister concerned.

The terms of reference of cabinet committees cover virtually the total area of government responsibility. All memoranda to cabinet are first considered by a cabinet committee, except when they are of exceptional urgency or when the prime minister directs otherwise, in which case an item may be considered immediately by the cabinet committee on priorities and planning or the full cabinet.

On the initiative of a minister a policy proposal is prepared, the implementation of which will require new legislation or the amendment of existing legislation. The proposal is addressed formally to cabinet, but is considered first by the relevant policy committee. If approved, the proposal goes forward as a recommendation for confirmation or consideration by cabinet.

If the committee's decision is confirmed, the justice department is instructed to prepare a draft bill expressing in legal terms the intent of the policy proposal. When the draft bill has the minister's approval, he submits it to the cabinet committee on legislation and house planning where it is examined from a legal rather than a policy point of view. Once this committee agrees that the bill is acceptable in all respects, or with modifications, and could be introduced in Parliament, it reports this to cabinet. If cabinet 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 government house leader who negotiates these matters with his counterparts in the

opposition parties. If a bill is to be introduced in the Senate, the president of the Privy Council 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 the opposition leader in the Senate.

The Privy Council office is a secretariat providing staff support to the special committee of the Privy Council, to the cabinet and to the prime minister. For the purposes of the Financial Administration Act it is considered a government department. 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 a minister, but has no legal authority in association with the department, and is not given acting responsibility or any of the powers, duties and functions of a minister in that minister's absence or incapacity. Parliamentary secretaries are appointed by the prime minister.

19.3 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 of Commons, subject to Section 53 of the Constitution 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 in the Senate in order that they may be dealt with there while the Commons is engaged in other matters such as the debate on the speech from the throne. Private bills may originate in either the House of Commons or 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.