

by the Governor-in-Council. They may have powers, duties and functions and exercise supervision and control of elements of the public service, and may seek parliamentary appropriations to cover the cost of their staff and operations. Other ministers of state may be appointed to assist departmental ministers with their responsibilities. They may have powers, duties and functions delegated to them by the departmental minister, who retains ultimate legal responsibility. Ministers of state of a third group may be appointed under the act to be members of the ministry without being assigned to assist a particular minister. All ministers are appointed on the advice of the Prime Minister by commissions of office issued by the Governor General under the Great Seal of Canada, to serve and to be accountable to Parliament as members of the government and for any responsibility that might be assigned to them by law or otherwise.

In Canada, almost all executive acts of the government are carried out in the name of the Governor-in-Council. The Cabinet, or a committee of ministers acting as a committee of the Privy Council, makes submissions for approval to the Governor General, who is bound by the constitution in nearly all circumstances to accept them. Although some are routine and require little discussion in Cabinet, others are of major significance and require extensive deliberation, sometimes covering months of meetings of officials, Cabinet committees and the full Cabinet.

The Cabinet must consider and approve the policy underlying each piece of proposed legislation. After proposed legislation is drafted it must be examined in detail. Between 40 and 60 bills are normally considered by Cabinet during a parliamentary session. Policies to be adopted in fundamental constitutional changes or at a major international conference are among the issues which, on occasion, demand this extensive and detailed consideration.

**The Cabinet committee system.** The nature and large volume of policy issues to be decided on by Cabinet do not lend themselves to discussion by 30 or more ministers. Growing demands on the executive have stimulated delegation of some Cabinet functions to its committees.

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. Attendance by departmental officials during Cabinet committee meetings is strictly limited. 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