

minister and more or less to that of the Secretary to the Cabinet in Great Britain, and that he felt this assistant should be chosen by the Prime Minister and be outside the provisions of the Civil Service Act. The item was agreed to but with an amendment requiring any incumbent to retire with his Prime Minister unless the succeeding Prime Minister wished to retain him.

An actual appointment of this nature does not appear to have been made at the time but the pattern was taking form. In the latter half of the 1930's a growing complexity of government, important Commonwealth developments and a disturbed international situation all pointed to an increasing need for some of the procedural remedies suggested earlier. A subcommittee of the Privy Council was established in August 1936 called the Canadian Defence Committee, under the chairmanship of the Prime Minister. In 1938 Mr. King, in line with his proposals some ten years before, appointed Mr. A. D. P. Heeney as Principal Secretary in a Prime Minister's Office that had nearly doubled its staff during that period.

One of Mr. Heeney's duties was to act as Secretary to the Canadian Defence Committee which was generally known as the Defence Committee of the Cabinet. With the advent of World War II there was a proliferation of ministerial and other committees with the object of spreading the increased pressure of work on the Ministers and settling special problems in the most expeditious manner. Before hostilities started in 1939 several subcommittees of Council were established one of which, the Emergency Council, was designed as a supervisory body to the remainder and to view the war effort as a whole. It was composed of senior Ministers and took over the duties of the Defence Committee of prewar days. Mr. Heeney continued to act as Secretary, and minutes were kept. A few months later there was a substantial reorganization and the subcommittees of Council were replaced by committees of the Cabinet, a more appropriate description. Of these the War Committee was the principal one, replacing the Emergency Council. It consisted of a small number of Ministers selected by the Prime Minister because of various qualifications for the effective control and co-ordination of the war effort.

An account in some detail of the whole war organization of the Government including this system of committees and their functions was given to the House of Commons by the Prime Minister, Mr. King, on July 8, 1940.

The development of committees with a consequent need for Agenda, Minutes and Circulated Conclusions made the provision of secretarial assistance imperative. It was considered most suitable to associate this work with the Privy Council Office and in May 1940 when Mr. Heeney was appointed to the position of Clerk of the Privy Council he was also made the first Secretary to the Cabinet.

This extension of the duties of the Clerk of the Privy Council was in effect a recognition of the dual nature of the central executive in Canada. The functional difference between Cabinet and Council has not always been clearly recognized and the terms are commonly combined or used as synonyms. The difference however is significant and is pointed up by the ever increasing complexity of the problems facing the Government. Briefly, Council is the body established by statute for the purpose of tendering advice to the Crown which, when approved, emerges as a formal instrument, the Order or Minute of Council, having full force and effect in law. Cabinet on the other hand is a body having no legal standing but deriving its authority and functions from unwritten conventions and practice. It is concerned with making policy decisions, which may require submission to Council to implement and the issue of a formal instrument. Implementation often takes other forms however such as a statement in the House of Commons, a Cabinet directive to departments, a communication to foreign governments, the introduction of legislation in Parliament and so on.