

CONSTITUTION

In so far as Canada has a written constitution, that document is the British North America Act, 1867, with subsequent amendments. A large part of Canadian constitutional practice is, however, unwritten and must therefore be interpreted from historical precedent and common procedure.

The titular head of government is the King, represented by the person of the Governor-General, who retains certain official functions. Parliament consists of two chambers, a Senate of which the members are appointees for life, and a House of Commons to which the members are elected by popular ballot.

Unlike the practice of the United States, where the President is elected as such, the Prime Minister in Canada assumes his portfolio indirectly, as the leader of the political party with the majority support in the House of Commons.

Cabinet Ministers, as well as the Prime Minister, are elected by popular ballot and hold seats in the House of Commons as individual constituency members. The Cabinet is therefore responsible as a body to the House of Commons, and its members, as individual representatives to the constituencies they represent.

The legislative body of the government is the House of Commons, with a present membership of 245 elected by popular vote. The Province of Quebec has a fixed representation of 65 seats with the other provinces represented according to their population in relation to that of Quebec. The House is elected for a maximum period of five years, but may be dissolved at any time by the Governor-General at the request of the Prime Minister. The Senate has a fixed number of 96 members appointed for life on the recommendation of the Government.

Every bill must be passed by both chambers before it becomes law and the Senate has the theoretical power of veto. In practice, however, the Senate's functions are largely the important ones of criticism and scrupulous study of any legislation passed by the House of Commons.

As laid down in the British North America Act, the powers of government in Canada are divided between the federal government, and the provinces. Each province has its own legislative body which is unicameral, with the exception of Quebec. Matters that can be described as of local interest, such as education, health, property and civil rights and municipal institutions are under provincial jurisdiction. Matters affecting the country as a whole, such as trade and commerce, defence, banking, post office, currency, railways and navigation are assigned to the Dominion.

Under the War Measures Act, the federal government assumed wide powers for the prosecution of the war, subject to the control of Parliament. The Act has been extensively used in organizing the military and economic sides of the war effort.

Since the war, the federal government has intervened in some provincial matters, including the control of wages and working conditions and price fixing. The provinces have also handed over to the Dominion the sole right to collect income taxes during the war, with the stipulation that a portion be allotted back to them as compensation for their loss of revenue.