

Alberta, and Saskatchewan respectively on the dates which the said several agreements bear;

And Whereas each of the said agreements has been approved by the Parliament of Canada and by the Legislature of the Province to which it relates;

And Whereas subsequently to the execution of the agreement with the Province of Alberta it was agreed that in addition to the rights accruing thereunder to the Province, it should be entitled to such further rights, if any, with respect to the subject matter of the said agreement as were required to be vested in the Province in order that it might enjoy rights equal to those conferred upon or reserved to the Province of Saskatchewan under any agreement upon a like subject matter thereafter approved and confirmed in the same manner as the said agreement with the Province of Alberta, and provision accordingly was made by the Parliament of Canada and by the Legislature of the Province;

And Whereas each of the said agreements provides that the same shall come into force only after it has been confirmed by this Parliament, and the Dominion of Canada has requested and consented to the enactment of this Act;

Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in the present Parliament assembled, and by the authority of the same, as follows:

1. The said several agreements are hereby confirmed and shall have the force of law respectively notwithstanding anything in the British North America Act, 1867 to 1916, or any Order in Council or terms or conditions of Union made or approved under any of the said Acts, or in any Act of the Parliament of Canada.

2. The agreement with the Province of Alberta in the schedule hereto contained shall have the force of law as aforesaid, subject to the proviso that in addition to the rights accruing thereunder to the said Province, the said Province shall be entitled to such further rights, if any, with respect to the subject matter of the said agreement as are required to be vested in the said Province in order that it may enjoy rights equal to those which may be conferred upon or reserved to the Province of Saskatchewan under agreement with such last mentioned Province in the schedule hereto contained.

3. This Act may be cited as the "British North America Act, 1930" and the British North America Acts, 1867 to 1916, and this Act may be cited together as the "British North America Acts, 1867 to 1930."

All of which we humbly pray Your Majesty to take into your favourable and gracious consideration.

Hon. J. J. DONNELLY: Honourable members, inasmuch as the resolution now being considered by the Senate is, as I understand it, an application to the Imperial Parliament to amend the British North America Act, I should like to inquire of the honourable leader of the Government whether the different provinces have consented to this amendment to the British North America Act.

My reason for putting the question is this. As I understand it, the British North America Act was a contract entered into by the various provinces, and I have heard it stated at different times that it can be amended only with the consent of all the provinces that entered into it. If this is true, the amendments now proposed would require the consent, not only of the provinces particularly interested in this case, but of all the provinces. My information may not be correct, but I should like to have the opinion of the honourable leader of the Government on this point before the resolution is passed.

Hon. Mr. DANDURAND: I am not aware that these agreements between the four provinces and the Dominion of Canada have been transmitted to the Governments of the other provinces of the Dominion, but I know that at the Dominion-Provincial Conference, held two years ago, approval was given by the other Governments to the policy that is now being followed. I may say that I was agreeably surprised to hear it declared at that conference, for the first time, by the representatives of the two large provinces of Ontario and Quebec, that they concurred in the Western Provinces being treated fairly with respect to their natural resources, and in improved terms being granted the Maritime Provinces, and that they were asking for no compensation for themselves. This was all the more agreeable in view of the fact that within my own observation there had always been considerable reluctance in permitting any change in what was called the basis of Confederation, more especially with respect to anything affecting the financial arrangements. The new attitude on the part of the older provinces showed a totally different temper and a far more liberal spirit than had obtained prior to that time. That is the only answer I can give to my honourable friend at the moment.

Hon. Mr. DONNELLY: I am not sure that the honourable leader of the Government has grasped my question. It was not my intention to offer any objection to the agreement with the Prairie Provinces in respect to the transfer of the natural resources, but I have frequently heard it said that the British North America Act could not be amended without the consent of all the provinces. If that is correct, I think that before we pass this resolution we should have the consent of the different provinces in an official form. I may be wrong. My purpose is mainly to ask for information.