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MEMORANDUM TO THE CABINET:

CONFIDENTIAL

CABINET DOCUMENT

Revision of Governor General's Documents

Copy No. 171  
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1. The documents relating to the office and appointment of Governor General of Canada (i.e., the Letters Patent establishing the office, the Royal Instructions and the actual Commission of Appointment) have not been revised since 1931. Even in that year, they were not subjected to the thoroughgoing revision which the Imperial Conferences of 1926, 1929, and 1930, and constitutional developments in Canada, might have warranted. It was accordingly felt that it might be desirable to recommend to His Majesty the issuance of suitably revised documents prior to the formal appointment of Viscount Alexander in April, 1946.

2. To meet this apparent need, an Inter-departmental Committee was established early in the present year. The Committee has prepared draft revised documents (copies of which are enclosed) and the Departments of Justice, the Secretary of State of Canada, and External Affairs, as well as the Clerk of the Privy Council, have expressed concurrence therein. In preparing the enclosed drafts, the Committee proceeded on the following principles; namely that:-

(a) The documents should be consolidated and re-issued under the Great Seal of Canada, rather than under the Great Seal of the Realm or the Sign Manual and Signet.

(b) The texts of the documents should be altered, where necessary, to reflect the present constitutional position and practice in Canada.

(c) Provision should be made in each document for countersignature by the Prime Minister of Canada.

3. Apart from minor textual alterations in line with the above-mentioned principles, the most noteworthy changes incorporated in the new documents may be summarized as follows:-

(a) By Clause III of the new Letters Patent, the Governor General is entitled to exercise all of His Majesty's powers and authorities in respect of Canada. This, of course, does not involve any theoretical curtailment of the Royal Prerogative; nor does it necessitate any change in the present practice governing Submissions to His Majesty. (In practice, it is proposed to continue the making of Submissions to His Majesty, except where his powers and authorities have been specifically conferred on the