

Provincial Acts are disallowed on three grounds, viz. :—

As not within the power of the Provincial legislatures ;

As in conflict with Federal legislation ;

As prejudicial to the advantage of the Dominion as a whole.

The latter ground would include the objection that the act was in violation of common right.

As the Governor-General in exercising this power is governed by the advice of the Ministry, who are the political leaders of the majority in the Dominion House of Commons, these vetoes are likely, in many cases, to be regarded by the opposition as political, especially if the vetoed measure were introduced by the governing party in the Province, being opposed to that of the Dominion.

The power vested in the Governor-General to reserve acts of the Dominion Parliament has been exercised in a few instances. An example is the Copyright Act of 1872, where the Royal assent was refused.

The Governor-General is instructed so to reserve measures which in his judgment are inconsistent with Great Britain's treaty obligations, which prejudice the rights of British subjects outside Canada, or which strike at the Queen's supremacy, and, perhaps, others where like objections exist.

The preamble to the British North America Act recites that "the Provinces of Canada, Nova Scotia, and New Brunswick have expressed their desire to be federally united with the Dominion under the crown of the United Kingdom of Great Britain and Ireland, with a constitution similar in principle to that of the United Kingdom." The essential resemblance of the Canadian constitution to that of Great Britain, and its essential difference from that of the United States, is shown by the fact that the administration is responsible to the House of Commons, and the Ministry must resign if they cease to be in accord with that majority. The appointment of all judges and senators, and of the