

federal and provincial Orders-in-Council authorized by their respective statutes, provide further constitutional material, as do the decisions of the courts that interpret the B.N.A. Acts and other statutes of a constitutional nature.

In addition, the Constitution of Canada includes substantial sections of the common law, unwritten constitutional usages and conventions and principles of representative and responsible government. The preamble to the B.N.A. Act states that it was the desire of the original provinces to be united "with a constitution similar in principle to that of the United Kingdom"; accordingly, many of the usages and conventions of government that had been developed in Britain have thrived and are evolving in the Canadian context. For example, among such usages are the principles that govern the Canadian Cabinet system of responsible government, with its close identification and functioning of executive and legislative branches.

No provision was made in the B.N.A. Act, 1867, for its amendment by any legislative authority in Canada, though the Parliament of Canada and the provincial legislatures were given legislative jurisdiction to amend or affect certain of the forms, rights and structures of their respective governments. Thus, for example, the Parliament of Canada was given jurisdiction with respect to the establishment of electoral districts and federal election laws, and the privileges and immunities of members of the House of Commons and the Senate, and each provincial legislature was empowered to amend the constitution of its province except as regarded the office of lieutenant-governor. An amendment to the B.N.A. Act passed in 1949 considerably enlarged the authority of the Parliament of Canada to legislate with respect to constitutional matters; it may now amend the Constitution of Canada except as regards the legislative authority of the provinces, the rights and privileges of provincial legislatures or governments, the constitutional rights and privileges of any class of persons with respect to schools, the use of English or French, the requirement for a session of Parliament at least once a year, and, generally, the maximum five-year life of each Parliament. Though the search for a satisfactory procedure for amending the Constitution wholly within Canada has been the subject of repeated consideration in Canada, in the absence of full agreement by the federal and provincial governments the residual power to amend the B.N.A. Act continues to be exercised by the British Parliament at the request of the Government of Canada.

Canada's status in the Commonwealth

The several stages in the development of the international status of Canada have been authoritatively described in the reports of
