

WSE/ELJ.

OTTAWA, December 22, 1936. 192.....

Confidential.

MEMORANDUM FOR MR. PICKERING:

Re: Summoning Parliament.

The only provisions of the British North America Act governing the summoning of Parliament now applicable are sections 20 and 38, which read as follows:

"20. There shall be a Session of the Parliament of Canada once at least in every Year, so that Twelve Months shall not intervene between the last Sitting of the Parliament in one Session and its first Sitting in the next Session."

"38. The Governor General shall from Time to Time, in the Queen's Name, by Instrument under the Great Seal of Canada, summon and call together the House of Commons."

By paragraph V of the Letters Patent constituting the office of Governor-General and Commander-in-Chief of the Dominion of Canada dated 23rd March, 1931, it is provided:

"V. And We do further authorize and empower Our said Governor-General to exercise all powers lawfully belonging to Us in respect of the summoning, proroguing, or dissolving the Parliament of Our said Dominion."

As pointed out by Munro - "The Constitution of Canada" - page 110, the British North America Act is silent as to the manner in which Parliament is summoned, "except in so far as it provides by section 38 that the Governor-General may summon the House of Commons in the Queen's name under the great seal."

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W.L.M. King Papers, Memoranda and Notes, 1933-1939
(M.G. 26, J 4, volume 201, pages C139651-C140076)

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