

in economic matters, have required reference to the Privy Council to determine the limits of the legislative power of the two levels of government. Section 91 enumerating the responsibilities of the federal government, including the Dominion's power to regulate trade and commerce and to make laws for the "peace, order and good government of Canada", has received different emphasis at different periods, in comparison with the broad interpretation that has been given to that part of Section 92 dealing with property and civil rights in the provinces. As a good deal of present day legislation regulating the economic life of the Dominion was unthought of in the days of Confederation, it does not come within the specific enumerations of Section 91, and has, in many cases, required co-operation between different levels of government before it has become effective.

The powers of the Canadian Parliament in matters of economic policy are of a broad and general nature. Under the B.N.A. Act, the Dominion has, among other things, the power to regulate international and inter-provincial trade and commerce, fisheries, banking, currency and coinage, weights and measures, bankruptcy and insolvency, and certain other economic matters. The central authority has the right to tax in any form, whereas the provinces may only tax in certain fields. The Dominion has control of all interprovincial and international transportation and communication, and has concurrent powers over agriculture and immigration. In general, the Dominion is restricted to regulation of interprovincial and international business activity, but it has certain powers of economic regulation such as supervision over companies with Dominion charters; power to discourage trade combinations and other similar economic practices and, by declaring it to be for the general advantage of Canada, control over certain fields such as the grain trade.

The provinces have exclusive power over such matters as local welfare and the administration of municipal institutions. They also control the natural resources of the province, such as mines, forests, inland fisheries as well as public lands. Provincial governments are limited to direct taxation for raising revenue for provincial purposes, but they regulate all intraprovincial trades, businesses and business transactions, and have control over property and civil rights within the province, as well as over all matters of a local or private nature. Jurisdiction over most aspects of social legislation relating to health and welfare measures, old age pensions housing, etc., belongs to the provinces.

In practice, the Federal Government has been able to initiate and carry through broad economic policies necessary for the development of the Canadian economy. But increasing participation by governments in economic matters over the past few decades, has led to legislative and administrative difficulties between federal and provincial levels of government in this country. In times of emergency, such as war, the Federal Government has an overriding authority, but it is of a temporary nature and for a limited time only. However, at other time when close economic integration on a nation-wide scale has made uniform government action essential to the national interest, federal and provincial governments have worked together to overcome constitutional difficulties. To deal with economic problems that overlap with the provincial sphere, the Federal Government has spent money directly on housing, family allowances, agricultural and unemployment relief. The constitutional amendment of 1940, providing unemployment insurance and a national employment service was introduced to provide the central government with more effective means of dealing with unemployment. Another measure used was the conditional grant which sets certain standards or conditions for programmes undertaken by the provinces with the aid of funds from the central government. Another device for meeting the problems created by divided jurisdiction has been concurrent legislation, i.e. measures passed by both federal and provincial authorities to cover the same case. In such fields as agriculture, where the two governments have concurrent powers under the B.N.A. Act, duplication of services and administration difficulties can be and are avoided in this way. However, there