

shall be construed as though reference therein to the legislature of a British possession did not include reference to the parliament of a dominion.

Without prejudice to the generality of the foregoing provisions of this act section four of the Colonial Courts of Admiralty Act, 1890 (which requires certain laws to be reserved for the signification of His Majesty's pleasure or to contain a suspending clause), and so much of section seven of that act as requires the approval of His Majesty in council to any rules of court for regulating the practice and procedure of a colonial court of admiralty, shall cease to have effect in any dominion as from the commencement of this act.

(1) Nothing in this act shall be deemed to apply to the repeal, amendment or alteration of the British North America Acts, 1867 to 1930, or any order, rule or regulation made thereunder.

(2) The powers conferred by this act upon the parliament of Canada or upon the legislatures of the provinces shall be restricted to the enactment of laws in relation to matters within the competence of the parliament of Canada or of any of the legislatures of the provinces respectively.

(3) The provisions of section of this act shall extend to laws made by any of the provinces of Canada and to the powers of the legislatures of such provinces.

(A number to be inserted corresponding to the section number of the second clause set forth in the schedule, Imperial conference, 1930, summary of proceedings, page 19.)

Notwithstanding anything in the Interpretation Act, 1889, the expression "colony" shall not, in any act of the parliament of the United Kingdom passed after the commencement of this act, include a dominion or any province or state forming part of a dominion.

All of which we humbly pray Your Majesty may take into your favourable and gracious consideration.

He said: In moving the motion that stands in my name for the adoption of a humble address to His Majesty the King in order that there may be passed a statute of the Imperial parliament to be known as the statute of Westminster, I do so with the utmost pleasure because I realize that it is the culmination of the long, long effort that has been made since we were a colony, to become the self-governing dominion that we now are.

The proposed statute might be considered from many angles, but I shall consider it from only three and I shall make my observations upon it as brief as possible. It may be considered first from the standpoint of what transpired at the Imperial conference in 1926, second, from the standpoint of what transpired at the conference on the operation of dominion legislation in 1929 and, lastly, from the standpoint of what transpired at the Imperial conference in 1930. I would not take so

much time to deal with some phases of this matter were it not for the desirability of placing upon the record a very short historical sketch of the various steps that have been taken in order that this motion might now be made in this House of Commons. It will be recalled that the report of the Imperial conference of 1926 contained these words:

They—

That is, Great Britain and the dominions.—are autonomous communities within the British Empire, equal in status, in no way subordinate one to another in any aspect of their domestic or external affairs, though united by a common allegiance to the crown, and freely associated as members of the British commonwealth of nations.

It is hardly necessary for me at this late date to say that that was not a correct statement legally of the then position and that technically it could not be supported. It was rather the expression of a hope than the statement of a fact. It therefore became necessary, if the hopes expressed were to be realized, that legislation should be passed, not only by the Imperial parliament itself but by the legislatures of the overseas dominions. In other words, there must be an expression of a desire, coupled with action by the Imperial parliament. In order that that might be done with at least some semblance of regard to legal technicalities, there was set up a committee to deal with the operation of dominion legislation. That committee met in London. My hon. friend the ex-Minister of Justice (Mr. Lapointe) was one of the members of it. The duties of that committee I think it is worth while stating to the house. They were as follows:

To inquire into, report upon and make recommendations concerning:

1. Existing statutory provisions requiring reservation of dominion legislation for the assent of His Majesty or authorizing the disallowance of such legislation.

2. (a) The present position as to the competence of dominion parliaments to give their legislation extra-territorial operations.

(b) The practicability and most convenient method of giving effect to the principle that each dominion parliament should have power to give extra-territorial operation to its legislation in all cases where such power is ancillary to provision for the peace, order and good government of the dominion.

3. The principles embodied in or underlying the Colonial Laws Validity Act, 1865, and the extent to which any provisions of that act ought to be repealed, amended, or modified in the light of existing relations between the various members of the British commonwealth of nations as described in this report.

That, it will be obvious, referred to the report of the conference of 1926. The conference on the operation of dominion laws