
These laws and conventions may be formally expressed, as in the case of the United States Constitution. In that country, the word "Constitution" means a particular document. In Britain, however, there is no document that is known as the Constitution. The Constitution there consists partly of written material, partly of conventions that have not been given official expression, and partly of statutes relating to some aspect of government.

No single constitutional document

In Canada there is no document that purports to set out the complete law pertaining to the country's government. The Constitution, as in the case of Britain, consists in part of written material and in part of conventions or customs. While the B.N.A. Act of 1867, with its subsequent amendments, is the major constitutional document of Canada, it is not, in fact, an exhaustive statement of the laws and rules by which Canada is governed. The written constitutional material further includes other British statutes (such as the Statute of Westminster, 1931), and British Orders-in-Council (notably those admitting various provinces and territories to federation). Included as well are statutes of the Parliament of Canada relating to such matters as the Succession to the Throne, the Royal Style and Titles, the Governor General, the Senate, the House of Commons, the creation of courts, the establishment of government departments, the franchise, elections, and statutes of provincial legislatures of a fundamental constitutional nature similar to those listed above. Other written instruments, such as the Royal Proclamation of 1763, the Letters Patent of October 1, 1947, constituting the office of Governor General of Canada, the Commission of the Governor General, and federal and provincial Orders-in-Council of a fundamental constitutional nature authorized by their respective statutes provide further constitutional material, as do those decisions of the courts that have interpreted 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 federally 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, it is a convention that the Government will resign or ask for a dissolution of Parliament (and a new election) upon the passing of a non-confidence motion by the House of Commons. This is not set out in any law, but is among the usages and principles governing our Cabinet system of responsible government.
