

Court Act (RSC 1970, c.S-19, as amended), consists of a chief justice, who is called the Chief Justice of Canada, and eight puisne judges. The chief justice and the puisne judges are appointed by the Governor in Council, and they hold office during good behaviour and are only removable by the Governor General on address of both the Senate and the House of Commons. They cease to hold office upon attaining the age of 75. The Court sits at Ottawa and exercises general appellate jurisdiction throughout Canada in civil and criminal cases. It should be noted that provincial courts and the Supreme Court of Canada apply both provincial and federal laws and that their division of authority is not coincident with the division of legislative authority between the federal and provincial governments. The Court is also required to consider and advise upon questions referred to it by the Governor in Council and it may also advise the Senate or House of Commons on private bills referred to the Court under any rules or orders of the Senate or the House of Commons.

Generally speaking, in civil cases appeals may now be brought from any judgment of the highest court of final resort in a province only when leave to appeal has been sought and secured either from the highest court of final resort in that province or from the Supreme Court of Canada itself. In the latter case leave may be granted even when such leave has been refused by any other court, when, with respect to the particular case sought to be appealed, the Supreme Court is of the opinion that any question involved therein is, by reason of its public importance or the importance of any issue of law involved in such question, one that ought to be decided by the Supreme Court. The former automatic right of appeal to the Supreme Court in civil cases where the sum claimed is in excess of \$10,000 has been repealed as of January 27, 1975 (S.C. 1974-75, c.5).

In criminal cases the appellate jurisdiction of the Supreme Court is conferred by Sections 613-624 of the Criminal Code (RSC 1970, c.C-34, as amended). Aside from cases in which a person stands sentenced to death, or in jeopardy of such a sentence, persons convicted of an indictable offence may appeal to the Supreme Court only on a question of law on which a judge of the provincial court of appeal dissents or on a question of law with leave of the Supreme Court.

Appeals from the federal courts, primarily the Federal Court of Canada, are regulated by the statute establishing them. Such appeals may essentially be made only with leave of the court.

The judgment of the Supreme Court of Canada in all cases is final and conclusive. The right to appeal to the Judicial Committee of the Privy Council in Britain was removed with respect to appeal in all
