



REFERENCE PAPERS

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OF THE DEPARTMENT OF EXTERNAL AFFAIRS

OTTAWA - CANADA

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THE GOVERNOR GENERAL OF CANADA

The Governor General is the representative of His Majesty the King in Canada and, as such, performs many important functions in the administration of the government of Canada. Such of his powers and authorities as are not outlined in the British North American Acts, 1867-1943, are conferred in Letters Patent and Royal Instructions signed by His Majesty the King. Together, they establish the office of Governor General (who is also Commander-in-Chief over the Canadian armed forces), and prescribe the manner in which his powers and authorities may be exercised.

For instance, the Governor General delivers the Speech from the Throne. He summons, prorogues and adjourns Parliament. He appoints public officers and gives the Royal Assent to Bills which have passed the Canadian Parliament. He exercises the prerogative of mercy. Such high functions are, however, primarily of a formal or ceremonial character and are exercised, under the laws and customs of the Canadian constitution, in accordance with the advice of the Canadian Government.

The Governor General, as the King's representative in Canada, is in no sense the agent of the United Kingdom Government which is represented in Canada by a High Commissioner. It is generally understood that the person to fill the office is selected on the advice of the Canadian Government and his Commission of Appointment, while signed by His Majesty the King, is countersigned by the Prime Minister of Canada. He holds in all essential respects the same relation to the public affairs of Canada as is held by His Majesty the King in relation to the public affairs of the United Kingdom.

The position of the Governor General has not always been as it is today. Indeed, the story of the constitutional development of Canada is largely the history of the office of Governor General. This obviously cannot be told in a few words. Suffice it to say that the office as now established is the product of a gradual development in the laws and conventions of the Canadian constitution, specially marked by the conclusions reached by the Imperial Conferences of 1926, 1929, and 1930, and embodied in the Statute of Westminster, 1931.

In the result, the United Kingdom, Canada, and the other Dominions are, in relation to the Crown as in other respects, "autonomous Communities within the British Empire, equal in status, in no way subordinate one to another in any respect 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".

The office of the Governor General is thus essentially symbolic. Its existence does not imply that Canada is in any way subordinate. Rather, it evidences the continuing relation between the Crown and Canada which arises out of the common allegiance owed to the Crown by members of the British Commonwealth of Nations.

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THE GOVERNMENT OF CANADA

The Government of Canada is the representative of the people of Canada and is responsible to the Parliament of Canada. It is the duty of the Government to ensure that the laws of Canada are faithfully executed and that the public interest is protected.

The Government of Canada is committed to the principles of democracy and the rule of law. It is the duty of the Government to ensure that the rights and freedoms of all Canadians are protected and that the public interest is protected.

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