



Chapter Two

Government and the Law

Canada is a democratic country. History has shown that the first democracy was born in the little Greek city-state of Athens approximately 2500 years ago. There, all male citizens (about 40,000) participated personally in all government decisions. In Athens, the people were in a pure democracy in which every citizen had a say in their day-to-day lives. In Athens, only men were involved in government. All other members of their society such as non-Greeks, women, slaves, etc., had no role to play in the government.

Although a crude form of democracy, at least by our modern standards, Athens was the birthplace of democracy. But, to the average Athenian of 500 B.C., it was unthinkable that someone else should govern them. In Athens democracy meant “rule by the people” which meant that all citizens had a direct input into their laws and could even get involved in the law-making process.

Unlike the “pure” democracy that worked in small city-state Athens, in Canada there are too many people making up our complex society. As a result, Canada has a representative form of democracy. In Canada, the people “rule” by choosing other citizens to represent their wishes and views in government. By contrast, in ancient Athens, each of their 40,000 citizens participat-

ed directly in government. Today, almost 22 million Canadian voters elect 308 of their fellow citizens to represent them in the national government - one representative for about every 73,000 voters - and one prime minister to speak for almost 30 million

In the beginning...

Democratic government in Canada had its origins in Nova Scotia in 1758 when “representative” government first came into being. As we have seen in *Chapter One — A History of Law* the first government in Nova Scotia was a military one at Annapolis Royal. By 1750, Nova Scotia was governed by the Governor and an appointed council that also ruled quite harshly at times. Unfortunately, the law and government were in the hands of a small, often rich, elite.

After 1758, even though the province had elected representatives, the ruling cabinet or Executive Council was still appointed by the Governor. This came to an end in 1848 when Nova Scotia made another Canadian governmental “first” by winning “responsible government” through the famous libel trial involving Joseph Howe. Under this new system, the council or “cabinet” became accountable to the assembly. It was made up of

members drawn from the political party that the majority of seats in the House of Assembly. The system worked well. So much so that in 1867, with Confederation, it was decided to maintain the system of government.

After 1867, the newly formed Dominion of Canada was to be governed by an elected Parliament, a Governor-General who represented the Queen, an appointed upper house — the senate, and an elected lower house — the House of Commons.

Each Canadian province was to have a legislature, with a Lieutenant-Governor representing the Queen and an elected lower house — the legislative assembly. In the beginning some provinces had an appointed upper house, but these have been eliminated in all provinces.



The Elector and the Right to Vote

At the centre of our governmental system is you: the elector.

But, who should have the right to vote?

Voting is the most fundamental way by which we can freely express our beliefs on how our country should be governed. In essence, each Canadian voter is directly participating in the government of their country.

In Canadian federal elections, every man and woman who is eligible to vote if they are eighteen years of age or older; is a Canadian citizen; and must have their name on the Voter's List. The only exception is for any Canadian who is a regular member of our armed forces. They possess the right to vote regardless of their age.

In Provincial elections the rule is the same except you do not have to be a Canadian citizen. As for Municipal elections, the rules for voters is the same as the Provincial electors plus you must have lived in the

municipality, town or city for at least six months.

But, not all Canadians are allowed to vote.

For example, judges and those civil servants who supervise election as well as people who have been found guilty of illegal activities or dishonesty in previous elections are not allowed to vote.

The Voting Process:

During an election, every Canadian citizen who eligible to vote is placed on the Voter's list by enumerators. These are people who go door-to-door in each area collecting names of eligible voters.

In Federal elections, in order to vote you must have your name on the Voter's List if you live in an urban area. If your name is not on the Voter's List you can have it added by visiting a Revisal Officer who will add your name to the list if he/she feels you meet the voter requirements. However, if you live in a rural area, your name may be added to the list on Election Day if someone in the rural area "vouches" for you.

As for Provincial and Municipal elections, your name can either be added by the Revisal Officer or on election day if someone in the rural area "vouches" for you.

Then, on election day, those people who are on the Voter's List (or who are added to the list) select by majority vote the person in their constituency or riding who the electors feel can best represent their interests in Parliament. The election in each constituency is under the direction of a Returning Officer who is assisted by Poll Clerks.

The voting process is very simple. On Election Day you go to the Polling Place or Poll, where your name is checked off the Voter's List by a Poll Clerk. Next, you are given a carefully folded piece of paper — a ballot, upon which the names of the candidates are listed in alphabetical order. Each ballot has a counterfoil that features a number of the ballot. This number is entered in a book next to your name before you go into the polling booth.

The elector takes the ballot from the poll clerk and goes into a polling booth where they mark an "x" in a circled spot next to the name of the candidate of his or her choice. The elector refolds the ballot with the counterfoil exposed. The elector returns to the poll clerk who separates the counterfoil from the ballot and discards it in the recycling bin. The folded ballot is placed in a sealed ballot box by a poll clerk.

After the polls close, the returning officers and poll clerks open the sealed ballot boxes, count the votes and advise the Chief Returning Officer of the name of the winner. Often candidates have agents supervising the

voting process at the polls and scrutineers during the counting of the ballots in order to ensure that all aspects of the voting process are followed fairly and honestly.

In most cases, the elected representatives are members of a political party such as the Liberals, Reform, the Bloc Quebecois, Progressive Conservatives, New Democratic Party, and several other parties. The party that gets the majority of the seats in the Parliament forms the government.



The Governing Process:

Technically, Canada's Governor-General governs Canada through a cabinet referred to as the Privy Council. It is chaired by the prime minister and consists of elected representatives, who have been selected by the Prime Minister and subsequently appointed by the Governor-General.

Within the cabinet, members are referred to as Ministers. Usually, the federal cabinet has 30 or more Ministers. For example, the 2005 Federal Cabinet is made up of 37 Ministers. In the meantime, provincial cabinets vary from about 10 to 30. These Ministers are assigned "portfolios," or control of various departments such as Defence, Commerce, Finance, Justice, etc.).

As a Minister, they are ultimately responsible for and accountable to the House of Commons or the assembly for their particular departments. Occasionally, there are ministers without portfolio. These are Ministers who are not in charge of any department but are expected to oversee a particular area of interest or have a talent that is of importance to the government. As well, at the federal level, there are ministers of state who are in charge of a particular aspect of a department (for example, the Ministry of State for External Affairs).

Most of the legislation brought before the House of Commons originates from the cabinet. Some legislation is the exclusive preserve of cabinet. For example, only the cabinet can prepare and introduce tax legislation and any legislation involving the expenditure of public money. These are referred to as "money bills" must be introduced first in the House of Commons. Money bills cannot be introduced in the Senate. Further, the Senate does not have the power involving the creation of taxes or the expenditure of public money.

Any member of either the House of Commons or

the Senate can introduce legislation to decrease a tax or an expenditure. Only the House of Commons has the power to pass this. But, this is a very rare occurrence.

Who takes control of government?

In recent Federal elections, the ruling Progressive Conservative government was swept out of office by the Liberal Party. If in a general election, national or provincial, results in the opposition party gaining a clear majority in the House of Commons, the cabinet must resign, and the Governor-General invites the leader of the victorious party to become the prime minister and form a new cabinet.

If no party is successful in obtaining a clear majority, the government or cabinet that was in office before, and during the election, has two choices.

First, it can resign, in which case the Governor-General will call on the leader of the largest party in opposition to form the government.

Second, it can choose to stay in office call all of the new elected members to the House of Commons. There it may suggest that it forms a minority government (having less than one-half of the seats in the House of Commons).

At that point, the House will decide by majority vote which option it prefers. In the last Federal Election, for example, this is what happened when the Liberal Party formed the government even though it did not have a majority in the House of Commons. But, an alliance was formed between the Liberal and New Democratic Parties.

Minority governments are in a very weak political position especially when a motion of censure or non-confidence in the government is brought into the House. If a government is defeated on such a motion, it must either resign (the Governor-General will then the leader of the opposition to form a new cabinet), or ask for a dissolution of Parliament and a fresh election.



Term of Office?

Politicians at the Municipal level have a set term of office. In Nova Scotia, for example, this is for four years. However, politicians at the provincial and federal levels do not have set terms. Elected Members of Parliament or those in a provincial legislature are nor-

mally elected for not more than five years. However, Canada's history books are dotted with governments that have lasted for less than a year, some less than three months. Elections are called at the whim of the Prime Minister or when a government is defeated.

When a prime minister dies or resigns, his or her cabinet comes to an end. But, the party in power stays in power if this prime minister's party still has a majority in the Commons. In that event, the Governor-General must find a new prime minister at once. This is normally undertaken by the party in power, through a nominating party convention. While this is underway, the Deputy Prime Minister assumes the duties of the Prime Minister in a "caretaker" role. Usually, the old cabinet would remain in power until the new Prime Minister is chosen.

If the prime minister dies, or resigns for personal reasons, then the Governor-General usually consults leading members of the majority party as to who will be most likely to be able to form a government that can command a majority in the House. He then calls on the person he has decided has the best chance.

The new prime minister will, of course, hold office only until the majority party has, in a national or provincial conventional, chosen a new leader, who will then be called on to form a government.



Powers of Canada and the Provincial & Municipal Governments

In Canada, the Federal Government in Ottawa has the power under the Canadian Constitution "to make laws for the peace, order and good government of Canada," with the exception of those "subjects assigned exclusively to the legislatures of the provinces."

There are three levels of government in Canada — municipal, provincial and federal.

The lowest of these are the municipal governments.

These governments are limited in scope to cities, towns and counties. They are normally led by a Mayor, a Warden or a Reeve and are governed by a number of Councillors. Their jurisdiction covers local issues such as fire protection, police protection, garbage and water, local building and planning regulations, etc. In essence, this level is considered to be the "grassroots" level of government.

Provincial legislatures deal with issues that affect the province as a whole. The government is led by the Premier (except in Quebec where the National Assembly is led by a Prime Minister) and his/her cabinet.

Provincial governments have power over direct taxation in their province that is to be used for provincial purposes.

In addition, they have direct and exclusive control over their natural resources, labor legislation (such as maximum hours, minimum wages, safety standards, workmen's compensation), welfare and social services, local and provincial prisons, charitable institutions, hospitals, municipal institutions, incorporation of provincial companies, marriage and death regulations, property and civil rights in the province, the administration of justice and the design of the court system, setting of fines and related penalties for breaking provincial laws and education.

In brief, if the matter is dealt within the well being of the province as a whole, and does not affect another province, then it is said to be within the scope (*intra vires*) of the Provincial government. Anything beyond this is considered to be beyond the scope (*ultra vires*) of the government.

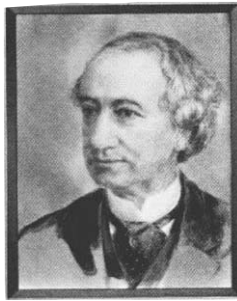
As long as the province is operating within the confines of the Constitution Act, 1982, it may amend its own constitution by an ordinary act of the legislature.

However, a province is not allowed to eliminate or change the office of Lieutenant-Governor; restrict the franchise or qualifications for members of the assemblies, or prolong the lives of their legislatures except as provided for in the Charter of Rights and Freedoms.

Provincial legislatures are limited to those powers explicitly given to them by our written Constitution. No provincial legislature can take over powers belonging to the Parliament of Canada. Similarly, of course, Parliament cannot take over any power of a provincial legislature, nor could Parliament expel any province from the federation.

Under the Constitution Act, 1867, everything not mentioned as belonging to the provincial legislatures comes under the national Parliament. This is a very

lengthy list and includes powers exclusive to the federal government such as: federal taxation; family allowances; hospital insurance and Medicare; higher education, the payment of equalization grants in order to bring up the health, education and general welfare in the poorer provinces up to an average national standard; defense; the fisheries; money and banking; interest; bankruptcy; weights and measures; patents; copyrights; naturalization and aliens; the criminal law and procedure in criminal cases; the general law of marriage and divorce; unemployment insurance; the Supreme Court of Canada and the Federal Court of Canada.



There are times that the federal parliament and the provincial legislatures both have power over agriculture, immigration and over certain aspects of natural resources; but if their laws conflict, the federal law prevails.

It should be noted that Parliament cannot transfer any of its powers to a provincial legislature, and a provincial legislature may not transfer any of its powers to Parliament,



The rule of law and the courts

Responsible government and federalism are two cornerstones of the Canadian system government. But, there is a third, without which neither of the first two would be safe: the rule of law.

What does the rule of law actually mean?

This means that everyone is subject to the law. In Canada, no one, no matter how important or powerful they may be, is above the law. The prime minister, Queen, Governor-General, any lieutenant-governor; bureaucrats, etc. are not above the law.

This is a fundamental basis to our legal system. If anyone were to be above the law, it could be argued successfully that none of our liberties would be safe.

What keeps the governments, their agencies, bureaucrats, etc., from getting above the law, by doing things the law forbids, or by improperly using powers that the law has not given them?

The courts:

If anyone or agency tries to go beyond the law, they will be brought before the courts.

But, can the courts be influenced by the those in power?

In Canada, the judiciary is independent of government. This goes back to the English system of government where the courts have been separated from government for more than 300 years.

Today, if a judge gives a ruling contrary to the desires of government, the government cannot remove him from the bench. The only way this can be done is if both Houses of Parliament agree.

The Constitution Act provides that almost all of our courts are to be provincial — created by the provincial legislature. The Act also provides that judges of the Family Court, Provincial Court, Probate Court and Small Claims Court (Adjudicator) are to be appointed by the Provincial Legislature. The justices of the “Superior Courts” — Supreme Court and Courts of Appeal shall be appointed by the Federal government and shall be removable only with the agreement of the Governor-General and both Houses of Parliament. Judges can be removed only after it has been determined that they are guilty of some form of misbehavior, or it has been shown that they are unable to perform their duties due to inability or incapacity.

Justices of the Supreme Court of Canada and the Federal court are under the same rules.

Interesting enough, no judge of any Canadian superior court has been removed from the bench. They are perfectly safe to make their decisions without any fear of reprisal or punishment from the government of the day.



The independence of the judiciary is critical in Canada because the Supreme Court interprets our written Constitution. As a result, the Supreme Court of Canada has the power to define the limits and scope of the powers of the federal and provincial governments.

The Supreme Court of Canada is the highest court in the land. It consists of nine judges, three of whom must come from the Quebec Bar.

The justices are appointed by the Governor-General on the advice of the national cabinet, and may hold office till they reach 75. The Supreme Court has the final decision on constitutional questions. It also deals with appeals of decisions rendered from the provincial courts of appeal.



The Institutions of our Government

In Canada, the institution of Parliament consists of the Queen, the Senate and the House of Commons.

The Queen, Governor-General and Lieutenant-Governors:

In Canada, the Head of State is the Queen by virtue of the Constitution Act, 1867, “the executive government of and over Canada is declared to continue and be vested in the Queen.”

However, Queen Elizabeth acts through Governor-General Michaëlle Jean whom she appointed, on the advice of the prime minister. The Governor-General normally holds office for five years. Provincially, the Queen is represented by the lieutenant-governors.



No legislation or bill, either federal or provincial, may become law without the Royal Assent. The monarch has, on occasion, given the assent personally to federal acts, but ordinarily the assent is given by the Lieutenant-Governor.

The Senate:

Today, the Canadian Senate has 105 appointed members:

24 from the Maritime provinces (10 from Nova Scotia, 10 from New Brunswick, four from Prince

Edward Island);

24 from Quebec; 24 from Ontario;

24 from the Western provinces (six each from Manitoba, Saskatchewan, Alberta and British Columbia);

six from Newfoundland;

and one each from the Yukon Territory, the Northwest Territories and Nunavut.

Senators are appointed by the prime minister and they hold office till age 75 (unless they miss two consecutive sessions of Parliament).

Before 1965, they held office for life, and the few remaining senators appointed before that date retain their seats.

Senators must be at least 30 years old, and must have real estate worth \$4,000 net, and total net assets of at least \$4,000. They must reside in the province or territory for which they are appointed: in Quebec, they must reside, or have their property qualification, in the particular of Quebec’s 24 senatorial districts for which they are appointed.



The Senate can initiate any bills except money bills. It can amend, or reject, any bill whatsoever. It can reject any bill as often as it sees fit. No bill can become law unless it has been passed by the Senate.

In theory, these powers are formidable. For the most part, the Senate rarely rejects a bill or makes any amendment that seriously alters the principal intent of a bill. The amendments that are made usually are for simplification or clarification purposes. These bills are almost always accepted by the House of Commons.

The Senate’s main work is done in its many committees, where bills are examined clause-by-clause, and even line-by-line. In addition, these committees hear evidence from groups or organizations, as well as individuals, who would be affected by the particular bill under review.

In recent decades, the Senate also has been involved in committees and commissions that investigate important public problems such as poverty, unemployment, inflation, the aging, the efficiency (or lack thereof) of government departments, etc. Often, it has been shown that these investigations have resulted in significant positive change.

For the taxpayer, this type of work is a bargain because senators are already paid and they have staff at their disposal.



The House of Commons:

The principal law-making institution in Canada is the House of Commons. It consists of 305 members, each representing a constituency or riding. The constituencies vary somewhat in size, within prescribed limits.

In 2004, the number of seats were increased. Today, the distribution of seats as is follows:

Area	Seats
Ontario.....	106
Quebec.....	75
British Columbia.....	36
Alberta.....	28
Manitoba.....	14
Saskatchewan.....	14
Nova Scotia.....	11
New Brunswick.....	10
Newfoundland and Labrador..	07
Prince Edward Island.....	04
Northwest Territories.....	01
Inuvit.....	01
Yukon Territory	01
Total	305

Political Parties:

Our system would not work without having political parties. Today, the major federal parties in Canada are



the Liberals, Reform, Bloc Quebecois and New Democratic Party. These were not created by the law. They

are now recognized by the law as “official parties” once they elected representatives



to the House of Commons. Canadian citizens have created them to meet their needs. Political parties are actually voluntary associations of people who hold similar opinions on many public questions.



As we have seen, the party that wins the largest number of seats in a general election usually forms the government and its leader becomes the prime minister.



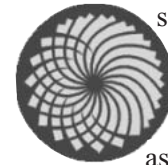
The second largest party is named as the official Opposition, and its leader becomes the “Leader of Her Majesty’s Loyal Opposition” or “The

Leader of the Opposition.” The Opposition leader is paid the same salary as a minister of the government.



In addition, the leader of any party that has at least twelve seats, also gets a higher salary than an ordinary MP. These parties also get public money for research.

Why all this money on opposition?



Our system of government demands watchfulness, scrutiny, criticism and careful monitoring to ensure that the government is doing exactly what the people want.

Remember, the opposition party sees it as the alternative to the government of the day.

The Speaker:

The Speaker is its presiding officer of the Senate, House of Commons or Provincial Legislature. The Speaker decides all questions of procedure and order brought before the House. Further, he or she is in charge of the House of Commons staff. The Speaker is expected to be impartial, non-partisan in making his or her decisions. It is important that the Speaker is fair, just and equal in enforcing the rules of the house whether it be the Prime Minister or an Opposition backbencher.

The Speaker of the Canadian Senate is appointed by the federal cabinet.

However, the Speaker of the House of Commons is elected by the House itself, after each general election. He or she must be an elected member of the House.

What goes on in Parliament?

Opening of a session:

Canada’s Parliamentary tradition is steeped with formality. On the opening day of a new session of the House of Commons, you will find the members of the House of Commons mingling with each other in the chamber. There is no order and it appears to be little more than a gentleman’s club.

Then, suddenly on a signal, the great doors of the chamber are slammed shut. Three knocks later, the doors are opened, the Gentleman Usher of the Black Rod announces that the immediate attendance of Honorable Members are requested in the Senate chamber.

The members go to the Senate Chamber, where the Speaker of the Senate states:

“I have been commanded to let you know that her Excellency the Governor-General does not see fit to

declare the causes of his summoning the present Parliament of Canada until the Speaker of the House of Commons shall have been chosen according to law.”

The members then return to their own chamber and elect their Speaker of the House.

The same afternoon, the Governor-General arrives in the Senate chamber. The Gentleman Usher of the Black Rod is asked to summon the House of Commons. Once again, members go to the Senate and stand at the bar of the Upper House.

The Speaker of the House of Commons informs the Governor-General of his or her election, and asks for Her Excellency’s confirmation of all the traditional rights and privileges of the Commons. The Speaker of the Senate delivers that confirmation.

Next, the Governor-General delivers the Speech from the Throne that is in both official languages of Canada.

The Speech from the Throne is actually written by the Federal cabinet. It usually contains the government’s opinion of the condition of Canada and outlines what the policies the government will follow in the months or even year ahead. In addition, it also outlines the bills the government plans to introduce in order to improve the problems facing Canada.

When the Governor-General finishes, the members of the House of Commons then return to their own chamber. Usually, the prime minister introduces a Bill Respecting the Administration of Oaths of Office.

This is often referred to as a dummy bill. It is only brought up at the beginning of a new session. This bill gives the House of Commons’ the right to discuss anything or any legislation it sees as critical before they start the debate on the Speech from the Throne.

Next comes the address in reply to the Speech from the Throne. A government supporter moves, usually a backbencher, and another government supporter (also a backbencher) seconds, a motion for an address of thanks to the Governor-General for the gracious speech.

The debate surrounding the speech can go on for several days. During this debate, opposition parties often move amendments. These are critical to the government and its policies and if the majority of the House of Commons agree with the amendment, the government is defeated for “want of confidence.”

Debate on this address and the amendments is limited to eight days, and ranges over the whole field of the nation’s business. This debate is the first real business of each session. It should be noted that a “sitting” of the House lasts for one day. A “session” lasts for several

months or for over a year. There must be at least one sitting per year.

A Working Day in the House of Commons:

The House of Commons follows a relatively regular schedule. The daily sitting begins at 11:00 a.m. on Mondays, Tuesdays, and Thursdays; 10:00 a.m. on Fridays; and 2:00 p.m. on Wednesdays

The Speaker takes his chair and the serjeant-at-arms carefully places the mace (a gold-plated war club which serves as a symbol of the House’s authority) on a long table directly in front of the Speaker and between both sides of the House.



The Speaker next reads the daily prayer.

In the House of Commons, government supporters sit to the Speaker’s right and members of the opposition parties sit to the left. The first one or two rows of desks on the government side, near the center, are occupied by the prime minister and his or her cabinet.

Opposite them sit the leader of the official Opposition and the chief members of his party who often serve as official critics. In opposition, these critics are assigned a portfolio to monitor. In essence, these critics form what is sometimes referred to as a “shadow cabinet.”

The leaders of the lesser opposition parties sit in the front row farther down the chamber, at the opposite end from the Speaker. Between both sides of the house, at the long table sit the Clerk of the House and the Clerk’s Assistant, who are responsible to keep the official record of all decisions made by the House.

At desks in the wide space between Government and Opposition sit the Hansard Reporters. There is one reporter who works in English and the other in French. These two reporters enter into record the speeches made in the house — word for word. These are published the next day.

In the Gallery, on top of the house in a balcony there are simultaneous translators in both English and French for all speeches. In addition, all proceedings of the House of Commons are televised for a permanent record.

Once various routine procedures are dispensed with, the House next considers various Government Routine Orders.

At 2:15 p.m. each day, (11:15 a.m. on Fridays) a 45-minute “Question Period” is held. It is at this moment when members, usually from the Opposition parties, ask ministers pointed questions on government actions

and policies. This is considered to be a very important part of the process of keeping the government both responsible and responsive to the people's needs.

After Question Period, the rest of daily sitting is involved with bills or proposed laws. Any member of the House of Commons may introduce a bill. However, most of the time is reserved for bills introduced by the government.

The final hour of each daily sitting is set aside for the consideration of any business that is sponsored by a private member. These are members from any party who is not part of the cabinet.

How is legislation enacted?

First, a cabinet minister or backbencher proposes the bill by first moving for the House's "leave" to introduce it. This is almost always given automatically, and without debate.

Next comes First Reading. At the stage, the bill is read a first time, and published on the record.

A few days later, the member makes a motion for the Second Reading. At this stage, the members debate the principle of the bill. If it passes the Second Reading, it goes to a Committee of the House.

The House of Commons has many committees made up of both government and opposition members. These are divided into the following types:

- **Legislative Committees:**

They examine bills after second reading in the House.

- **Standing Committees:**

They are tasked to study certain issues, documents, departments or estimates on an ongoing basis for the duration of the Parliament. There are 25 standing committees such as Agriculture, Communications National Health and Welfare and so on)

- **Special Committees**

They are appointed to inquire into specific matters on an ad hoc basis.

- **Committee of the Whole**

This consists of all House of Commons members. It usually meets to consider money bills and occasionally other legislation.

In some cases, committees will appoint some of their members to form sub-committees in order to devote more attention to a specific piece of legislation.

The Senate also has many of the same types of committees as the Commons.

In addition, there are standing joint committees with Members from both Houses and occasionally special

joint committees.

Usually, nowadays, after second reading, the legislation goes before the legislative committee. There are, at times, as many legislative committees as there are bills referred to them.

During the Committee phase, witnesses may appear; documentation reviewed; and the bill is examined clause-by-clause.

Committees, sitting under less formal rules than the House, examine bills clause by clause. Each clause has to be passed by a majority vote of the Committee. Any member of the committee may move any amendments.

When they are finished, the Committee reports back to the house with, or without, amendments.

The legislative committee is dissolved at the reporting stage. Usually, there are approximately 10 members serving on each Committee usually in proportion to the strength of each party in the House itself.

When the proposed changes or amendments to the bill have been passed, or rejected, the bill moves to the next stage — **third reading**. Once passed, the bill then moves to the Senate.

There, the Senate gives the bill a "sober second look". The process in the Senate is identical to that in the House of Commons, namely first, second and third readings.

Once the bill has been passed by both houses, it is not law until it has been **assented** to by the **Governor General** or a **Deputy of the Governor General** (usually Supreme Court Judge).

In the Canadian parliamentary system, Royal Assent has never been refused to a federal bill.

End of a Parliamentary session:

When both Houses of Parliament have finished a session's business, Parliament is "**prorogued.**" In essence, this procedure is similar to the opening of the session. The Governor General returns to the Senate chamber. The Gentleman Usher of the Black Rod goes to the Commons and requests the members to come to the Upper Chamber — the Senate. Once they arrived, the Governor-General makes a speech that is often a review of what the government has accomplished in that session.





Provincial Legislatures & Municipal Governments

Every province in Canada has a legislative assembly that is very similar to the House of Commons.

As well, these legislatures operate their business in much the same way. All legislation must go through three readings and must receive Royal Assent by the lieutenant-governor.

As is the case federally, members of the legislative assembly are elected from constituencies established by the legislature. These are usually in proportion to population.

Municipal governments — cities, towns, villages, counties, districts, metropolitan regions are set up by

the provincial legislatures, and have such powers as the legislatures see fit to give them. Mayors, reeves, and councilors are elected on such basis as the provincial legislature prescribes.

Today there are close to 5,000 municipal governments in Canada. These governments provide us with such services as water supply, sewage and garbage disposal, roads, sidewalks, street lighting, building codes, parks, playgrounds, libraries and so forth.

Schools are generally looked after by school boards or commissions elected under provincial education acts.



A Federal State

Canada is a federal state that brings together a number of different political communities with a common government working for common goals for the country as a whole. As part of this federal state, there are separate “state” or “provincial” or “cantonal” governments which are designed to address particular purposes of each community. The United States of America, Canada, Australia and Switzerland are all federal states.

