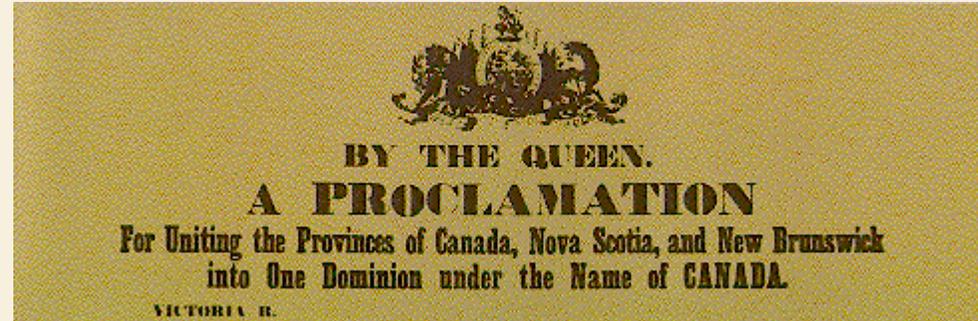




**CANADIAN
CONSTITUTION**

THE DEVELOPMENT OF CANADA'S CONSTITUTION



- Our first Constitution, the British North America Act (BNA Act) was passed by the British Parliament, and it came into effect on July 1st, 1867.
- Dominion of Canada was born consisting of Ontario, Quebec, New Brunswick, and Nova Scotia, but was not an independent country because Britain still controlled its foreign affairs.
- Throughout the years Canada was given more independence, but because they were still tied to the BNA act, they were not truly independent.
 - 1931: Statute of Westminster, control over foreign affairs
 - 1949: Supreme Court of Canada became Canada's highest court of appeal

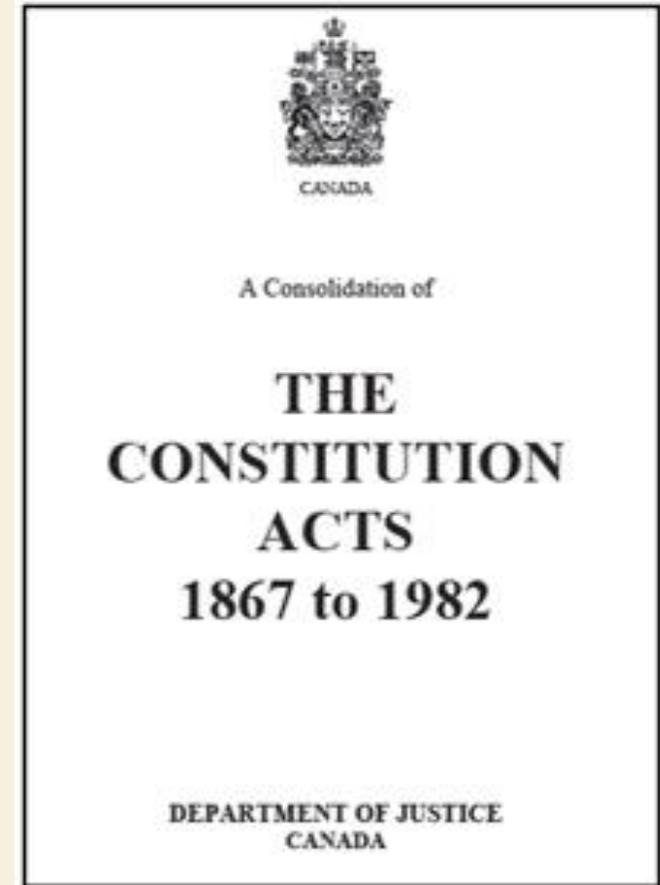
CANADIAN CONSTITUTION

- In 1981 the amending formula was put in place to try and change the constitution. It required the consent of the Canadian Parliament and 2/3 of the provinces with 50% of its population approve the change.
- The constitution document was transferred to Canada from Britain on April 17th, 1982, meaning Canada officially became an independent country.
- The BNA Act was renamed the Constitution Act, 1867.
- The Constitution Act, 1982 would include key element from the Constitution Act, 1867, the amending formula, and the Canadian Charter of Rights and Freedoms.



THE DIVISION OF POWERS

- Constitution Act, 1867 lists the powers of federal, provincial, and territorial governments.
- It outlines which government has jurisdiction to make laws in specific areas.
 - Federal Government responsibilities outlined in section 91.
 - Provincial Government responsibilities outlined in section 92.
 - Section 93 gives the province control over education.



A THIRD LEVEL OF GOVERNMENT

- Although the Constitution Act, 1867, established only two levels of government, the provincial level gives up some of their power to create a third level, local municipality.
- Municipalities include, cities, towns, townships, villages, and counties.
- Most bylaws are passed by their municipalities
- Some bylaws include:
 - Garbage collection
 - Emergency services
 - Building permits
 - Water services
 - Night-time noise
 - Regulations on stray cats and dogs



HOW THE LAWS ARE MADE

IN CANADA

HOW LAWS ARE MADE IN CANADA

- A law that the government has proposed is called a bill.
- Once it is passed it becomes an act, or statute law.

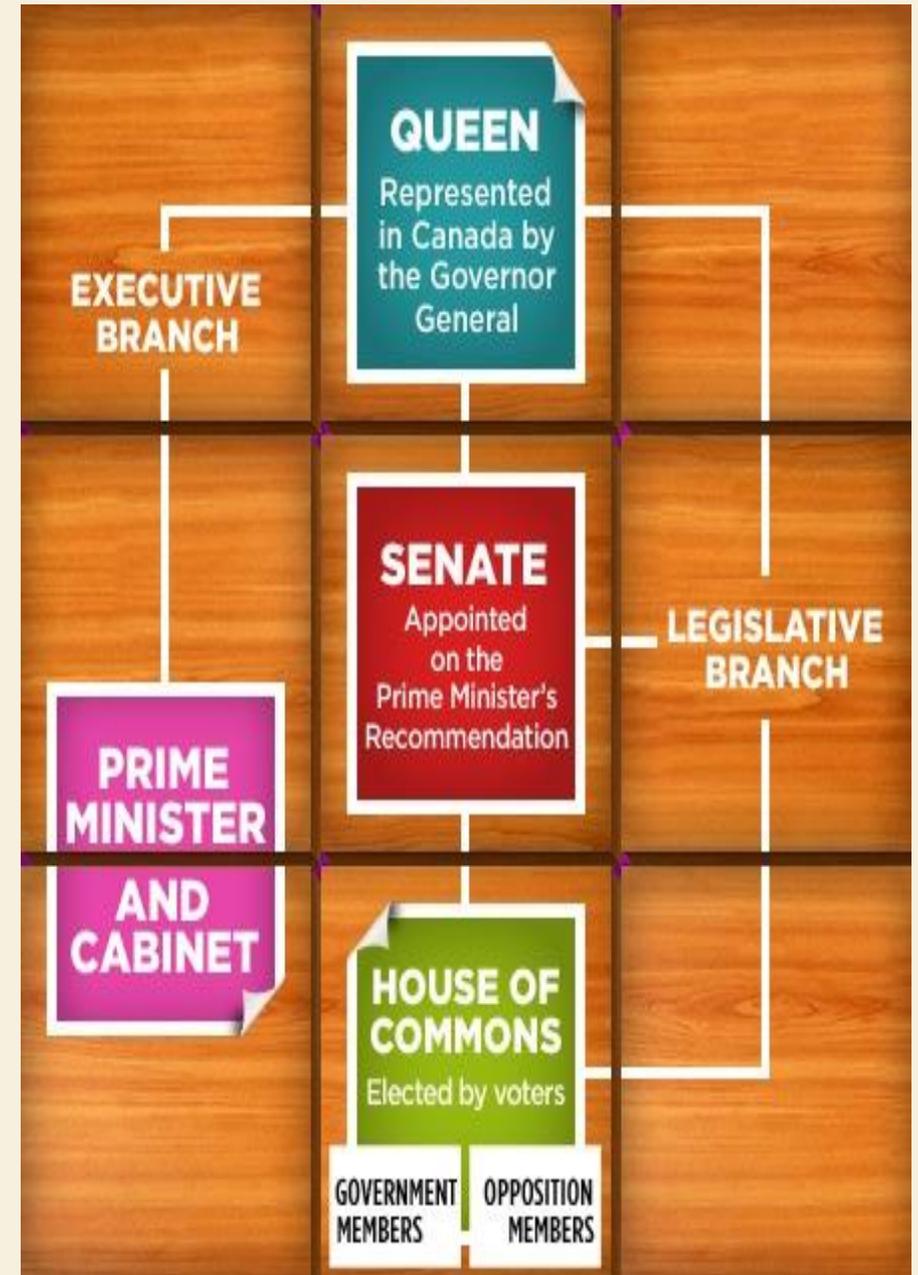


HOW FEDERAL LAWS ARE PASSED

- Federal laws are made by the Parliament, which is broken into three categories:
 - House of Commons
 - Senate
 - Governor General (who represents Queen Elizabeth)
- The House of Commons has the largest role in making laws in Canada.
- Each member of Parliament is an elected representative of a riding (district). Canada is split into 338 districts which will each have a voted MP represent them.
- The political party with the most MP's elected to the house of commons forms the government, the other parties form the opposition.
- The leader of the political party with the most MP's becomes the Prime Minister of Canada.



- Once the Prime Minister is elected, he/she will appoint elected MPs of his/her party to the Cabinet.
- Cabinet ministers are heads of government departments, and see that federal laws are carried out.
- If a government wants to introduce a new law, a cabinet member introduces a bill in the house of commons, if approved, it is sent to the Senate. If Senate approves, it is sent to the governor general who would sign it into law.
- Once a bill becomes a law, we must obey it, or face the potential consequences.



HOW PROVINCIAL LAWS ARE PASSED

- The details of the procedures vary from one municipality to another.
- In general, an elected council, led by a mayor, votes on municipality bylaws.

