

APPENDIX C

Vancouver, July 23, 1980

DRAFT PROPOSALDELEGATION OF LEGISLATIVE AUTHORITY

- delegation  
of  
Parliament
- consent of  
provincial  
legislature
- item
- delegation  
of legisla-  
ture of a  
province
- consent of  
Parliament
- consent of  
consent
- enforcement
- revocation  
consent
- repeal of  
law by  
Parliament
- repeal of  
law by  
provincial  
legislature
- XX. (1) Notwithstanding anything in the Constitution of Canada, Parliament may make laws in relation to any matter, subject or class of subjects coming within the legislative jurisdiction of a province.
- (2) No law may be enacted by Parliament under subsection (1) unless, prior to the enactment thereof, the legislature of at least one province has consented to the enactment of such a law by Parliament.
- (3) No law enacted under subsection (1) has effect in any province unless the legislature of that province has consented to the operation of such a law in that province.
- (4) Notwithstanding anything in the Constitution of Canada, the legislature of a province may make laws in the province in relation to any matter, subject or class of subjects coming within the legislative jurisdiction of Parliament
- (5) No law may be enacted by a province under subsection (4) unless, prior to the enactment thereof, Parliament has consented to the enactment of such a law by the legislature of that province.
- (6) A consent given under this section may relate to any matter, subject or class of subjects.
- (7) Parliament or the legislature of a province may make laws for enforcing any law made by it under this section.
- (8) A consent given under this section may at any time be revoked, and
- (a) if a consent given under subsection (3) is revoked, any law made by Parliament to which the consent relates that is operative in the province in which the consent is revoked thereupon ceases to have effect in that province; and
- (b) if a consent given under subsection (5) is revoked, any law made by the legislature of a province to which the consent relates thereupon ceases to have effect
- (9) Parliament may repeal any law made by it under this section, insofar as it is part of the law of one or more provinces, but the repeal does not affect the operation of that law in any province to which the repeal does not relate.
- (10) The legislature of a province may repeal any law made by it under this section.