

FEDERAL DRAFT
FOR DISCUSSION PURPOSES ONLY

DELEGATION OF LEGISLATIVE AUTHORITY

- Delegation to Parliament (1) Notwithstanding anything in the Constitution of Canada, Parliament may make laws in relation to any matter or class of subjects coming within the legislative jurisdiction of a province.
- Consent of provincial legislature (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.
- Idem (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.
- Delegation to legislature of a 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 or class of subjects coming within the legislative jurisdiction of Parliament.
- Consent 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.
- Extent of consent (6) A consent given under this section may relate to any matter or class of subjects.
- Enforcement (7) Parliament or the legislature of a province may make laws for enforcing any law made by it under this section.
- Revocation of consent (8) A consent given under this section may at any time be revoked.
- Effect of revocation of consent (9) Where 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.
- Idem (10) Where 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.
- Repeal of law by Parliament (11) 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.
- Repeal of law by provincial legislature (12) The legislature of a province may repeal any law made by it under this section.