PARLIAMENTARY FRAMEWORK

ROLE OF THE CROWN AND THE GOVERNOR GENERAL

Crown

The Crown plays a key role in Canada’s parliamentary system of government. All executive authority is understood to derive from the Sovereign, who is Canada’s formal head of state. The state is embodied in the Sovereign; therefore every one of Canada’s Members of Parliament is required to swear allegiance to the Queen. This is also why the state, in Canada, is often referred to simply as “the Crown”.

Canada is, however, a constitutional monarchy, founded on the rule of law and respect for rights and freedoms, and the Sovereign actually retains very few powers and prerogatives. The authority of the Crown is delegated to the various branches of government according to the provisions of the Constitution.

Elections are called and laws are enacted in the name of the Crown. No bill may become law without Royal Assent. Formally, the Prime Minister and the Cabinet are the Crown’s council of advisers. They govern in the name and with the consent of the Crown. The Sovereign is represented in Canada by the Governor General.

Governor General

Today, with few exceptions, no act of the Crown (or of the Governor General as the Crown’s representative) is carried out without the formal advice and consent of the Prime Minister and Cabinet. The Governor General does, however, have the right to be consulted, to encourage and to warn, and he or she meets regularly with the Prime Minister and senior government officials.

The Governor General is responsible for the appointment of the Prime Minister. In practice, he or she must appoint the leader of the party winning the most seats in the House of Commons in a federal election. The Governor General does, however, have some discretion when the governing party in a minority Parliament loses the confidence of the House.

The Governor General also dissolves Parliament before elections and opens and closes parliamentary sessions. Again, these actions are taken on the advice of the Prime Minister and the Cabinet. At the beginning of each parliamentary session, the Governor General reads the Speech from the Throne (prepared by the Prime Minister) outlining the Government’s objectives for the upcoming session. In the name of the Sovereign, the Governor General gives Royal Assent to bills passed in the Senate and the House of Commons.

As the Sovereign’s representative, the Governor General is the Head of State and the Commander-in-Chief of Canada’s armed forces. He or she also performs a number of ceremonial functions, and represents Canada in state visits abroad and in other international events. The Governor General is responsible for appointments to many official positions (e.g., judicial and diplomatic). The persons appointed are generally chosen by the federal Cabinet. These are usually referred to as Governor in Council or Order in Council appointments.

The Governor General appoints the Lieutenant Governors who are the Queen’s representatives at the provincial level. Their role in each of the provinces is similar to the role of the Governor General at the federal level.

The Governor General is appointed by the Queen on the recommendation of the Prime Minister. This means, effectively, that the Governor General is chosen by the Prime Minister. He or she usually holds office for five years, although terms have been extended to as long as seven years.
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