

1980

British North America Act, 1915

Ontario

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IMPERIAL, 5-6 GEORGE V, CHAPTER 45

An Act to amend the British North America Act, 1867

[19th May, 1915]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1) Notwithstanding anything in the *British North America Act, 1867*, or in any Act amending the same, or in any Order in Council or terms or conditions of union made or approved under the said Acts or in any Act of the Canadian Parliament—

Alteration of
constitution
of Senate.
30 and 31
Vict., c. 3.

- (i) The number of senators provided for under section twenty-one of the *British North America Act, 1867*, is increased from seventy-two to ninety-six:
- (ii) The Divisions of Canada in relation to the constitution of the Senate provided for by section twenty-two of the said Act are increased from three to four, the fourth division to comprise the Western Provinces of Manitoba, British Columbia, Saskatchewan, and Alberta, which four Divisions shall (subject to the provisions of the said Act and of this Act) be equally represented in the Senate, as follows:—Ontario by twenty-four senators; Quebec by twenty-four senators; the Maritime Provinces and Prince Edward Island by twenty-four senators, ten thereof representing Nova Scotia, ten thereof representing New Brunswick, and four thereof representing Prince Edward Island; the Western Provinces by twenty-four senators, six thereof representing Manitoba, six thereof representing British Columbia, six thereof representing Saskatchewan, and six thereof representing Alberta:
- (iii) The number of persons whom by section twenty-six of the said Act the Governor-General of Canada may, upon the direction of His Majesty the King, add to the Senate is increased from three or six to four or eight, representing equally the four divisions of Canada:

- (iv) In case of such addition being at any time made, the Governor-General of Canada shall not summon any person to the Senate except upon a further like direction by His Majesty the King on the like recommendation to represent one of the four Divisions until such Division is represented by twenty-four senators and no more:
- (v) The number of senators shall not at any time exceed one hundred and four:
- (vi) The representation in the Senate to which by section one hundred and forty-seven of the *British North America Act, 1867*, Newfoundland would be entitled, in case of its admission to the Union is increased from four to six members, and in case of the admission of Newfoundland into the Union, notwithstanding anything in the said Act or in this Act, the normal number of senators shall be one hundred and two, and their maximum number one hundred and ten:
- (vii) Nothing herein contained shall affect the powers of the Canadian Parliament under the *British North America Act, 1886*.

49 and 50
Vict., c. 35.

Repealed by
the Statute
Law Revision
Act, 1937,
17-18 Geo. V,
c. 42 (Imp.).

(2) *Paragraphs (i) to (vi) inclusive of subsection (1) of this section shall not take effect before the termination of the now existing Canadian Parliament.*

Constitution
of House of
Commons.

2. The *British North America Act, 1867*, is amended by adding thereto the following section immediately after section fifty-one of the said Act:—

51A. Notwithstanding anything in this Act, a province shall always be entitled to a number of members in the House of Commons not less than the number of senators representing such province.

Short title.

3. This Act may be cited as the *British North America Act, 1915*, and the *British North America Acts, 1867 to 1886*, and this Act may be cited together as the *British North America Acts, 1867 to 1915*.