



1927

c 117 Constitutional Questions Act

Ontario

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CHAPTER 117.

The Constitutional Questions Act.

1. The Lieutenant-Governor in Council may refer to the Appellate Division or to a judge of the Supreme Court for hearing and consideration any matter which he thinks fit, and the Court shall thereupon hear and consider the same. R.S.O. 1914, c. 85, s. 2. Reference to Court authorized.

2. The Court shall certify to the Lieutenant-Governor in Council its opinion on the matter referred, accompanied by a statement of the reasons therefor; and any judge who differs from the opinion may in like manner certify his opinion and his reasons. R.S.O. 1914, c. 85, s. 3. Court to certify opinion.

3. Where the matter relates to the constitutional validity of any Act of this Legislature, or of some provision thereof, the Attorney-General for Canada shall be notified of the hearing in order that he may be heard if he sees fit. R.S.O. 1914, c. 85, s. 4. Notice to Attorney-General of Canada.

4. The Court shall have power to direct that any person interested, or where there is a class of persons interested, any one or more persons as representatives of such class, shall be notified of the hearing, and such persons shall be entitled to be heard. R.S.O. 1914, c. 85, s. 5. Notice to persons interested.

5. Where any interest affected is not represented by counsel, the Court may request counsel to argue the case in such interest, and the reasonable expenses thereof shall be paid by the Treasurer of Ontario out of any money appropriated by this Legislature and applicable for that purpose. R.S.O. 1914, c. 85, s. 6. Appointment of counsel to argue case for unrepresented interests.

6. The opinion of the Court shall be deemed a judgment of the Court, and an appeal shall lie therefrom as from a judgment in an action. R.S.O. 1914, c. 85, s. 7. Appeal.

7. Where an appeal is had to a divisional court, sections 2, 3, 4, 5 and 6 shall apply as if the original reference had been to the divisional court. R.S.O. 1914, c. 85, s. 8. Enactments applicable to appeals.

8. An appeal to His Majesty in His Privy Council from a judgment of any court on a reference under this Act shall not be subject to the restrictions contained in *The Privy Council Appeals Act*. R.S.O. 1914, c. 85, s. 9. Appeal to Privy Council. Rev. Stat. c. 86.