

1914

# c 85 Constitutional Questions Act

Ontario

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## CHAPTER 85.

## An Act for expediting the decision of Constitutional and other Provincial Questions.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

- Short title.      **1.** This Act may be cited as *The Constitutional Questions Act*. 9 Edw. VII. c. 52, s. 1.
- Reference to Court authorized.      **2.** The Lieutenant-Governor in Council may refer to a Divisional Court 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. 9 Edw. VII. c. 52, s. 2.
- Court to certify opinion.      **3.** 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. 9 Edw. VII. c. 52, s. 3.
- Notice to Attorney-General of Canada.      **4.** 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. 9 Edw. VII. c. 52, s. 4.
- Notice to persons interested.      **5.** 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. 9 Edw. VII. c. 52, s. 5.
- Appointment of counsel to argue case for unrepresented interests.      **6.** 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 out of the Suitors' Fee Fund or by the Treasurer of Ontario out of any money appropriated by this Legislature and applicable for that purpose. 9 Edw. VII. c. 52, s. 6.
- Appeal.      **7.** 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. 9 Edw. VII. c. 52, s. 7.

8. Where an appeal is had to a Divisional Court, sections 3, 4, 5, 6 and 7 shall apply as if the original reference had been to the Divisional Court. 9 Edw. VII. c. 52, s. 8.

9. 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*. 9 Edw. VII. c. 52, s. 9.

Enactments  
applicable to  
appeals.

Appeal to  
Privy Council.

Rev. Stat.  
c. 54.

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