

Governor in Council

Whenever a piece of Canadian legislation, such as the *Constitution*, mentions the 'Governor in Council' this refers to the Governor General acting *by* and *with* the advice of the [Queen's Privy Council for Canada](#).^[1] In practice, this means the Governor General acting on advice given by federal Cabinet – the Privy Council's operative branch.

The 'Governor in Council' has been assigned many duties, some of which include:

- Giving a royal recommendation for any bill that proposes to spend government revenues;
- Giving Royal Assent in order for a bill to become law;
- Dissolving Parliament before elections;
- Opening and closing parliamentary sessions;
- Appointing many senior governmental officers (these appointments are called "Governor in Council appointments" ^[2]); and
- Appointing the Lieutenant Governors of each Canadian province.^[3]

Lieutenant Governors represent the reigning monarch at the provincial level.^[4] Their role within their respective provinces resembles that of the Governor General at the federal level.^[5] For this reason, provincial legislation often refers to the 'Lieutenant Governor in Council'. This refers to a Lieutenant Governor acting *by* and *with* the advice of his or her provincial cabinet.

^[1] *Constitution Act, 1867* (UK), 30 & 31 Vict, c 3, s 13, reprinted in RSC 1985, Appendix II, No 5 .

^[2] Canada, "Governor in Council appointment process overview" (29 February 2016), online: <www.appointments.gc.ca/prsnt.asp?page=Process&lang=eng>.

^[3] Parliament of Canada "Parliamentary Framework - General Article: Crown and Governor General" (October 2015), online: <www.parl.gc.ca/About/House/Compendium/web-content/c_g_parliamentaryframework-e.htm>; Parliament of Canada "Parliamentary Framework - Detailed Article: Role of the Crown and the Governor General" (October 2015), online: <www.parl.gc.ca/About/House/Compendium/web-content/c_d_rolecrownandgovernorgeneral-e.htm>; Jacques Monet, "Governor General" (18 July 2012) *The Canadian Encyclopedia*, online: <www.thecanadianencyclopedia.ca/en/article/governor-general/>.

^[4] *Constitution Act*, *supra* note 1 at s 58.

[5] The British Royal Family, "Canada: The Governor-General and the Lieutenant Governors", online: <<https://www.royal.uk/canada>>.