

# 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](#).<sup>[1]</sup> 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" <sup>[2]</sup>); and
- Appointing the Lieutenant Governors of each Canadian province.<sup>[3]</sup>

Lieutenant Governors represent the reigning monarch at the provincial level.<sup>[4]</sup> Their role within their respective provinces resembles that of the Governor General at the federal level.<sup>[5]</sup> 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.

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

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

<sup>[3]</sup> 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](http://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\\_rolecrownngovernorgeneral-e.htm](http://www.parl.gc.ca/About/House/Compendium/web-content/c_d_rolecrownngovernorgeneral-e.htm)>; Jacques Monet, "Governor General" (18 July 2012) *The Canadian Encyclopedia*, online: <[www.thecanadianencyclopedia.ca/en/article/governor-general/](http://www.thecanadianencyclopedia.ca/en/article/governor-general/)>.

<sup>[4]</sup> *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>>.