

The Conference passed the following resolutions :—

“(i) The Conference approves the Report of the Conference on the Operation of Dominion Legislation (which is to be regarded as forming part of the report of the present Conference), subject to the conclusions embodied in this section.

“(ii) The Conference recommends—

“(a) That the statute proposed to be passed by the Parliament at Westminster should contain the provisions set out in the schedule annexed :

“(b) That the 1st December, 1931, should be the date as from which the proposed statute should become operative :

“(c) That, with a view to the realization of this arrangement, resolutions passed by both Houses of the Dominion Parliaments should be forwarded to the United Kingdom, if possible by the 1st July, 1931, and, in any case, not later than the 1st August, 1931, with a view to the enactment by the Parliament of the United Kingdom of legislation on the lines set out in the schedule annexed :

“(d) That the statute should contain such further provisions as to its application to any particular Dominion as are requested by that Dominion.”

SCHEDULE.

CLAUSES IN PROPOSED LEGISLATION.

1. In accordance with the recommendation in paragraph 43 of the Report of the Conference on the Operation of Dominion Legislation, a clause as follows :—

“It is hereby declared and enacted that the Parliament of a Dominion has full power to make laws having extra-territorial operation.”

2. In accordance with the recommendation in paragraph 53, a clause as follows :—

“(1) The Colonial Laws Validity Act, 1865, shall not apply to any law made after the commencement of this Act by the Parliament of a Dominion.

“(2) No law and no provision of any law made after the commencement of this Act by the Parliament of a Dominion shall be void or inoperative on the ground that it is repugnant to the law of England, or to the provisions of any existing or future Act of Parliament of the United Kingdom, or to any order, rule, or regulation made under any such Act, and the powers of the Parliament of a Dominion shall include the power to repeal or amend any such Act, order, rule, or regulation in so far as the same is part of the law of the Dominion.”

3. In accordance with the recommendation in paragraph 55, a clause as follows :—

“No Act of Parliament of the United Kingdom passed after the commencement of this Act shall extend or be deemed to extend to a Dominion as part of the law in force in that Dominion unless it is expressly declared in that Act that that Dominion has requested, and consented to, the enactment thereof.”

4. In accordance with the recommendations in paragraph 66, clauses as follows :—

“Nothing in this Act shall be deemed to confer any power to repeal or alter the Constitution or the Constitution Act of the Commonwealth of Australia or the Constitution Act of the Dominion of New Zealand otherwise than in accordance with the law existing before the commencement of this Act.

“Nothing in this Act shall be deemed to authorize the Parliament of the Commonwealth of Australia to make laws on any matter within the authority of the States of Australia, not being a matter within the authority of the Parliament or Government of the Commonwealth of Australia.”

NOTE.—In view of the doubts that have arisen concerning the interpretation of the draft section in paragraph 66 in its application to the Canadian Constitution, the words “Dominion of Canada” and “provinces” have been deleted. It is intended that a section dealing exclusively with the Canadian position will be inserted after the representations of the provinces have received consideration.

5. In accordance with the recommendation in paragraph 81, a clause as follows :—

“Notwithstanding anything in the Interpretation Act, 1889, the expression “colony” shall not, in any Act of the Parliament of the United Kingdom passed after the commencement of this Act, include a Dominion or any province or State forming part of a Dominion.”

6. In accordance with the recommendations in paragraph 123, clauses as follows :—

“Without prejudice to the generality of the foregoing provisions of this Act, sections seven hundred and thirty-five and seven hundred and thirty-six of the Merchant Shipping Act, 1894, shall be construed as though reference therein to the Legislature of a British possession did not include reference to the Parliament of a Dominion.