

TABLE 4.1 Areas of Legislative Responsibility as Set Out in the Constitution Act, 1867

SECTION 91	SECTION 92
91. It shall be lawful for the [King], by and with the Advice and Consent of the Senate and House of Commons, to make Laws for the Peace, Order, and good Government of Canada, in relation to all Matters not coming within the Classes of Subjects by this Act assigned exclusively to the Legislatures of the Provinces; and for greater Certainty, but not so as to restrict the Generality of the foregoing Terms of this Section, it is hereby declared that (notwithstanding anything in this Act) the exclusive Legislative Authority of the Parliament of Canada extends to all Matters coming within the Classes of Subjects next herein-after enumerated; that is to say, ...	92. In each Province the Legislature may exclusively make Laws in relation to Matters coming within the Classes of Subjects next herein-after enumerated; that is to say,
1A. The Public Debt and Property.	
2. The Regulation of Trade and Commerce. 2A. Unemployment Insurance.	2. Direct Taxation within the Province in order to the raising of a Revenue for Provincial Purposes.
3. The borrowing of money on the sole Credit of the Province.	3. The raising of Money by any Mode or System of Taxation.
4. The Establishment and Tenure of Provincial Offices and the Appointment and Payment of Provincial Officers.	4. The borrowing of Money on the Public Credit.
5. The Management and Sale of the Public Lands belonging to the Province and of the Timber and Wood thereon.	5. Postal Service.
6. The Establishment, Maintenance, and Management of Public and Reformatory Prisons in and for the Province.	6. The Census and Statistics.
7. The Establishment, Maintenance, and Management of Hospitals, Asylums, Charities, and Eleemosynary Institutions in and for the Province, other than Marine Hospitals.	7. Militia, Military and Naval Service, and Defence.
8. Municipal Institutions in the Province.	8. The fixing of and providing for the Salaries and Allowances of Civil and other Officers of the Government of Canada.
9. Shop, Saloon, Tavern, Auctioneer, and other Licences in order to the raising of a Revenue for Provincial, Local, or Municipal Purposes.	9. Beacons, Buoys, Lighthouses, and Sable Island.
10. Navigation and Shipping.	10. Local Works and Undertakings other than such as are of the following Classes: (a) Lines of Steam or other Ships, Railways, Canals, Telegraphs, and other Works and Undertakings connecting the Province with any other or others of the provinces, or extending beyond the Limits of the Province: (b) Lines of Steam Ships between the Province and any British or Foreign Country: (c) Such Works as, although wholly situate within the Province, are before or after their Execution declared by the Parliament of Canada to be for the general Advantage of Canada or for the Advantage of Two or more of the Provinces.

TABLE 4.1 Areas of Legislative Responsibility as Set Out in the Constitution Act, 1867 (continued)

SECTION 91	SECTION 92
11. Quarantine and the Establishment and Maintenance of Marine Hospitals.	11. The Incorporation of Companies with Provincial Objects.
12. Sea Coast and Inland Fisheries.	12. The Solemnization of Marriage in the Province.
13. Ferries between a Province and any British or Foreign Country, or between Two Provinces.	13. Property and Civil Rights in the Province.
14. Currency and coinage.	14. The Administration of Justice in the Province, including the Constitution, Maintenance, and Organization of Provincial Courts, both of Civil and of Criminal Jurisdiction, and including Procedure in Civil Matters in those Courts.
15. Banking, Incorporation of Banks, and the Issue of Paper Money.	15. The Imposition of Punishment by Fine, Penalty, or Imprisonment for enforcing any Law of the Province made in relation to any Matter coming within any of the Classes of Subjects enumerated in this Section.
16. Savings Banks.	16. Generally all Matters of a merely local or private Nature in the Province.
17. Weights and Measures.	
18. Bills of Exchange and Promissory Notes.	
19. Interest.	
20. Legal Tender.	
21. Bankruptcy and Insolvency.	
22. Patents of Invention and Discovery.	
23. Copyrights.	
24. Indians, and Lands Reserved for the Indians.	
25. Naturalization and Aliens.	
26. Marriage and Divorce.	
27. The Criminal Law, except the Constitution of Courts of Criminal Jurisdiction, but including the Procedure in Criminal Matters.	
28. The Establishment, Maintenance, and Management of Penitentiaries.	
29. Such classes of Subjects as are expressly excepted in the Enumeration of the Classes of Subjects by this Act assigned exclusively to the Legislatures of the Provinces.	