



# British North America Act 1949

## CHAPTER 22

### BRITISH NORTH AMERICA ACT 1949

- 1 Confirmation of Terms of Union.
- 2 .....
- 3 Short title and citation.

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SCHEDULE — TERMS OF UNION OF NEWFOUNDLAND WITH CANADA  
— MEMORANDUM OF AGREEMENT ENTERED INTO ON  
THE ELEVENTH DAY OF DECEMBER, 1948, BETWEEN  
CANADA AND NEWFOUNDLAND

Whereas a delegation appointed from its members by the National...  
Whereas, following discussions with the delegation, the Government of  
Canada...  
Whereas the proposed terms were debated in the National Convention...  
Whereas the Governments of the United Kingdom, Canada and  
Newfoundland...  
And whereas authorized representatives of Canada and authorized  
representatives of...  
It is therefore agreed as follows:  
— TERMS OF UNION

#### UNION

- 1 On, from, and after the coming into force of these...
- 2 The Province of Newfoundland shall comprise the same territory as...

*Changes to legislation: There are currently no known outstanding effects for the British North America Act 1949. (See end of Document for details)*

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## APPLICATION OF THE BRITISH NORTH AMERICA ACTS

- 3 The British North America Acts 1867 to 1946, shall apply...

## REPRESENTATION IN PARLIAMENT

- 4 The Province of Newfoundland shall be entitled to be represented...  
5 Representation in the Senate and in the House of Commons...  
6 (1) Until the Parliament of Canada otherwise provides, the Province...

## PROVINCIAL CONSTITUTION

- 7 The Constitution of Newfoundland as it existed immediately prior to...

### *Executive*

- 8 (1) For the Province of Newfoundland there shall be an...  
9 The Constitution of the Executive Authority of Newfoundland as it...  
10 The Lieutenant-Governor in Council shall as soon as may be...  
11 All powers, authorities, and functions that under any statute were...  
12 Until the Parliament of Canada otherwise provides, the powers,  
authorities,...  
13 Until the Legislature of the Province of Newfoundland otherwise  
provides,...

### *Legislature*

- 14 (1) Subject to paragraph two of this Term, the Constitution...  
15 (1) Until the Legislature of the Province of Newfoundland otherwise...  
16 The Legislature of the Province of Newfoundland shall be called...

## EDUCATION

- 17 In lieu of section ninety-three of the British North America...

## CONTINUATION OF LAWS

### *General*

- 18 (1) Subject to these Terms, all laws in force in...

### *Supply*

- 19 Any statute of Newfoundland enacted prior to the date of...

### *Patents*

- 20 (1) Subject to this Term, Canada will provide that letters...

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*Trade Marks*

21 (1) Canada will provide that the registration of a trade...

*Fisheries*

22 (1) In this Term, the expression “Fisheries Laws” means the...

FINANCIAL TERMS

*Debt*

23 Canada will assume and provide for the servicing and retirement...

*Financial Surplus*

24 (1) In this Term the expression “financial surplus” means the...

*Loans*

25 (1) The Province of Newfoundland will retain its interest in,...

*Subsidies*

26 Canada will pay to the Province of Newfoundland the following...

*Tax Agreement*

27 (1) The Government of Canada will forthwith after the date...

*Transitional Grants*

28 (1) In order to facilitate the adjustment of Newfoundland to...

*Review of Financial Position*

29 In view of the difficulty of predicting with sufficient accuracy...

MISCELLANEOUS PROVISIONS

*Salaries of Lieutenant-Governor and Judges*

30 The salary of the Lieutenant-Governor and the salaries, allowances, and...

*Public Services, Works and Property*

31 At the date of Union, or as soon thereafter as...

32 (1) Canada will maintain in accordance with the traffic offering...

33 The following public works and property of Newfoundland shall become...

34 Where at the date of Union any public buildings of...

35 Newfoundland public works and property not transferred to Canada by...

36 Without prejudice to the legislative authority of the Parliament of...

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*Natural Resources*

- 37 All lands, mines, minerals, and royalties belonging to Newfoundland at...

*Veterans*

- 38 Canada will make available to Newfoundland veterans the following benefits,...

*Public Servants*

- 39 (1) Employees of the Government of Newfoundland in the services...

*Welfare and Other Public Services*

- 40 Subject to these Terms, Canada will extend to the Province...

*Unemployment Insurance*

- 41 (1) Subject to this Term, Canada will provide that residents...

*Merchant Seamen*

- 42 (1) Canada will make available to Newfoundland merchant seamen who...

*Citizenship*

- 43 Suitable provision will be made for the extension of the...

*Defence Establishments*

- 44 Canada will provide for the maintenance in the Province of...

*Economic Survey*

- 45 (1) Should the Government of the Province of Newfoundland institute...

*Oleomargarine*

- 46 (1) Oleomargarine or margarine may be manufactured or sold in...

*Income Taxes*

- 47 In order to assist in the transition to payment of...

*Statute of Westminster*

- 48 From and after the date of Union the Statute of...

*Saving*

- 49 Nothing in these Terms shall be construed as relieving any...

*Coming into Force*

- 50 These Terms are agreed to subject to their being approved...

SCHEDULE —

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In this Schedule the expression “District” means District as named...

**Changes to legislation:**

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