



British North America Act 1867

1867 CHAPTER 3 30 and 31 Vict

VI.—

DISRIBUTION OF LEGISLATIVE POWERS

Exclusive Powers of Provincial Legislatures

92 Subjects of exclusive provincial legislation.

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,—

- (1) The amendment from time to time, notwithstanding anything in this Act, of the constitution of the province, except as regards the office of Lieutenant Governor.
- (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.
- (4) The establishment and tenure of provincial offices, and the appointment and payment of provincial officers.
- (5) The management and sale of the public lands belonging to the province, and of the timber and wood thereon.
- (6) The establishment, maintenance, and management of public and reformatory prisons in and for the province.
- (7) The establishment, maintenance, and management of hospitals, asylums, charities, and eleemosynary institutions in and for the province, other than marine hospitals.
- (8) Municipal institutions in the province.
- (9) Shop, saloon, tavern, auctioneer, and other licences, in order to the raising of a revenue for provincial, local, or municipal purposes.

Changes to legislation: There are currently no known outstanding effects for the British North America Act 1867, Section 92. (See end of Document for details)

- (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.
- (11) The incorporation of companies with provincial objects.
- (12) The solemnization of marriage in the province.
- (13) Property and civil rights in the province.
- (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) 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) Generally, all matters of a merely local or private nature in the province.

Modifications etc. (not altering text)

- C1** Power of legislatures of Provinces extended by Statute of Westminster 1931 (22 & 23 Geo. 5 c.4), s. 7(2)

Changes to legislation:

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