

# *The Constitutional Questions Act*

*being*

Chapter 49 of *The Revised Statutes of Saskatchewan, 1920*  
(assented to November 10, 1920).

## **NOTE:**

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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## CHAPTER 49

### An Act respecting the Decision of Constitutional and other Provincial Questions

#### Short title

1 This Act may be cited as *The Constitutional Questions Act*.

R.S.S. 1920, c.49, s.1.

#### Reference to court authorised

2 The Lieutenant Governor in Council may refer to the Court of Appeal for hearing and consideration any matter which he thinks fit, and the court shall thereupon hear and consider the same.

R.S.S. 1909, c.57, s.1 (redrawn); R.S.S. 1920, c.49, s.2.

#### Court to certify opinion

3 The court shall certify to the Lieutenant Governor in Council its opinion on the matter referred, with the reasons therefor, which shall be given in like manner as in the case of a judgment in an ordinary action; and any judge who differs from the opinion of the majority may in like manner certify his opinion and his reasons.

R.S.S. 1909, c.57, s.2 (redrawn); R.S.S. 1920, c.49, s.3.

#### Notice to Attorney General of Canada

4 In case the matter relates to the constitutional validity of any Act which has heretofore been or shall hereafter be passed by the Legislature or of any Ordinance passed by the Legislative Assembly of the North-West Territories or of some provision in any such Act or Ordinance the Attorney General of Canada shall be notified of the hearing in order that he may be heard if he sees fit.

R.S.S. 1909, c.57, s.3; R.S.S. 1920, c.49, s.4.

#### Notice to persons interested

5 The court shall have power to direct that any person interested or where there is a class of persons interested any one or more persons as representatives of such class shall be notified of the hearing and such persons shall be entitled to be heard.

R.S.S. 1909, c.57, s.4; R.S.S. 1920, c.49, s.5.

#### Appointment of counsel for unrepresented interests

6 Where any interest affected is not represented by counsel the court may request counsel to argue the case in such interest and reasonable expenses thereof shall be paid out of the consolidated fund.

R.S.S. 1909, c.57, s.5; R.S.S. 1920, c.49, s.6.

#### Appeal

7 The opinion of the court shall be deemed a judgment of the court and an appeal shall lie therefrom as in the case of a judgment in an action.

R.S.S. 1909, c.57, s.6; R.S.S. 1920, c.49, s.7.

