



# Orientation Topics

Important Terminology

Inquiry Guidelines and Logistics

About the Government of Canada and Public Policy

## Terminology used extensively in courses linked to the MEPP

This document provides an array of definitions for common terms that are used through much of the program directed towards a Masters in Engineering and Public Policy.

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Definitions of **Sustainability** on with relevance to AMDCEPP:

- the quality of a state or process that allows it to be maintained indefinitely; the principles of sustainability integrate three closely interlinked elements—the environment, the economy, and the social system—into a system that can be maintained in a healthy state indefinitely.  
[nfdp.ccfm.org/compendium/harvest/terminology\\_e.php](http://nfdp.ccfm.org/compendium/harvest/terminology_e.php)
- Sustainability: Sustainable development is the process of conducting business and commerce in a resource conservative and resource efficient manner such that operations do not compromise the ability of future generations to meet their own needs. The essential elements of this trend are the promotion and maintenance of business and community development strategies that lead to a better business environment in the future; one sustained by stable, healthful communities within a clean, safe environment. The operative concept underlying this growing trend is an emphasis on fostering community and business activity that is driven by long range goals, often met through pollution prevention strategies, extended producer responsibility or product stewardship programs, water and energy conservation initiatives, and related processes.  
[www.mass.gov/Aosd/docs/EPP/Massachusetts%20EPP%20Glossary%20of%20Terms.doc](http://www.mass.gov/Aosd/docs/EPP/Massachusetts%20EPP%20Glossary%20of%20Terms.doc)
- The present generation meeting its needs without prejudicing the ability of future generations meeting theirs.
- Meeting the needs of the present without depleting resources or harming natural cycles for future generations.
- social and environmental practices that protect and enhance the human and natural resources needed by future generations to enjoy a quality of life equal to or greater than our own.
- The ongoing process of achieving development or redevelopment that does not undermine its physical or social systems of support.  
[www.smarte.org/smarte/resource/sn-glossary.xml](http://www.smarte.org/smarte/resource/sn-glossary.xml)
- The ability to meet the needs of today's people and environment without compromising that of subsequent generations. When a program seeks to create sustainability, it aims to create an environment that can renew itself without damage to future stakeholders.  
[www.pfc.ca/cms\\_en/page1112.cfm](http://www.pfc.ca/cms_en/page1112.cfm)

## Definitions of **Sustainable Development** with relevance to AMDCEPP:

- Development that ensures that the use of resources and the environment today does not restrict their use by future generations.
- is a broad concept referring to the need to balance the satisfaction of near-term interests with the protection of the interests of future generations, including their interests in a safe and healthy environment. As expressed by the 1987 UN World Commission on Environment and Development (the "Brundtland Commission"), sustainable development "...meets the needs of the present without compromising the ability of future generations to meet their needs."  
[www.meccano.it/nuovo%20corso/documenti/inglese/GLOSSARIES%20FROM%20THE%20LESSONS/GLOSSARY%20-%20CLIMATE%20GHANGE2.doc](http://www.meccano.it/nuovo%20corso/documenti/inglese/GLOSSARIES%20FROM%20THE%20LESSONS/GLOSSARY%20-%20CLIMATE%20GHANGE2.doc)
- "Improving the quality of human life while living within the carrying capacity of supporting ecosystems" (Caring for the Earth, IUCN/WWF/UNEP, 1991)
- A process of change in which the resources consumed (both social and ecological) are not depleted to the extent that they cannot be replicated. The concept also emphasizes that the creation of wealth within the community considers the wellbeing of both the human and natural environments, and is focused on the more complex processes of development rather than on simple growth or accumulation.  
[www.smarte.org/smarte/resource/sn-glossary.xml](http://www.smarte.org/smarte/resource/sn-glossary.xml)
- Economic development that is achieved without undermining the incomes, resources, or environment of future generations.  
[www-personal.umich.edu/~alandear/glossary/s.html](http://www-personal.umich.edu/~alandear/glossary/s.html)
- is the act of pursuing economic growth and social advancement in ways that can be supported for the long term by conserving resources and protecting the environment.  
[www.vpl.ca/bcscienceclusters/glossary.html](http://www.vpl.ca/bcscienceclusters/glossary.html)
- "There are many dimensions to sustainability. First it requires the elimination of poverty and deprivation. Second, it requires the conservation and enhancement of the resource base which alone can ensure that the elimination of poverty is permanent. Third, it requires a broadening of the concept of development so that it covers not only economic growth but also social and cultural development. Fourth and most important, it requires the unification of economics and ecology in decision making at all levels." The essence of sustainable development is to ensure that society meets its present needs without compromising the ability of future generations to meet their own needs; this implicitly requires that development should not compromise the ecological integrity of the environment.  
[www.oceansatlas.org/unatlas/uses/uneptextsph/infoph/gsglossary.html](http://www.oceansatlas.org/unatlas/uses/uneptextsph/infoph/gsglossary.html)

## Definitions of **Corporate Social Responsibility** with relevance to AMDCEPP:

- The long-term interests of an organization and its employees are best served by ethically sound practices that ideally surpass expectations and minimum regulations. [www.qualityaustria.com/index.php](http://www.qualityaustria.com/index.php)
- The notion of corporate social responsibility is based on the idea that a company's responsibility goes beyond the strict legal and regulatory responsibilities. Situated within a complex social structure, the company must integrate its continual improvement strategy for internal social performance (in the fields of natural and human resources) and external performance, i.e. societal (implications within the community, relations with various stakeholders, etc.). The results obtained more and more often make up a non-financial annual report for stakeholders, known as the CSR report.  
[www.socgen.com/csr/sustainable\\_development/glossary.html](http://www.socgen.com/csr/sustainable_development/glossary.html)
- Corporate Social Responsibility (CSR) is the decision-making and implementation process that guides all company activities in the protection and promotion of international human rights, labour and environmental standards and compliance with legal requirements within its operations and in its relations to the societies and communities where it operates. CSR involves a commitment to contribute to the economic, environmental and social sustainability of communities through the on-going engagement of stakeholders, the active participation of communities impacted by company activities and the public reporting of company policies and performance in the economic, environmental and social arenas.  
[www.bench-marks.org/glossary.shtml](http://www.bench-marks.org/glossary.shtml)
- is a concept that organizations, especially (but not only) corporations, have an obligation to consider the interests of customers, employees, shareholders, communities, and ecological considerations in all aspects of their operations. This obligation is seen to extend beyond their statutory obligation to comply with legislation. CSR is closely linked with the principles of Sustainable Development, which argues that enterprises should make decisions based not only on financial factors such as profits or dividends, but also based on the immediate and long-term social and environmental consequences of their activities.  
[goodpoint.elc.polyu.edu.hk/index.php](http://goodpoint.elc.polyu.edu.hk/index.php)

## Definitions of **Precautionary Principle** with relevance to AMDCEPP:

- When information about potential risks is incomplete, basing decisions about the best ways to manage or reduce risks on a preference for avoiding unnecessary health risks instead of on unnecessary economic expenditures.
- a principle often invoked in the fields of environmental protection and human health when dealing with risk situations where there is significant scientific uncertainty and a potential for serious, irreversible or cumulative harm.
- When there is an activity that could threaten human health or the environment, precaution should be taken, even before there is complete scientific proof that the activity is harmful. The precautionary principle suggests that corporations, governments, organizations, communities, scientists and individuals should take a precautionary approach to all such activities. ...  
[www.womenshealthmatters.ca/centres/environmental/Glossary.html](http://www.womenshealthmatters.ca/centres/environmental/Glossary.html)
- The Precautionary Principle calls for care to be taken in the face of any actions that may affect people or the environment, no matter what science is able -- or unable -- to say about that action (Wingspread Consensus Statement, 1998, <http://reason.com/9904/fe.rb.precautionary.shtml>).  
[ewasteguide.info/glossary](http://ewasteguide.info/glossary)
- The principle that authorities should act cautiously to avoid damaging the environment or wellbeing of communities (in a way that cannot be reversed) in situations where the scientific evidence is not proven but the possible damage could be significant.
- The principle that states that when an activity raises threats of harm to the environment or human health, precautionary measures should be taken, even if some cause-and-effect relationships are not fully established scientifically.
- This principle establishes that a lack of information does not justify the absence of management measures. On the contrary, management measures should be established in order to maintain the conservation of the resources. The assumptions and methods used for the determination of the scientific basis of the management should be presented.
- Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost effective measures to prevent environmental degradation. (Source: Rio Declaration.)

Definitions of **Responsible Care** with relevance to AMDCEPP:

- A voluntary program in which the worldwide chemical industry strives to achieve continuous improvements in its performance on safety, health and environment.  
[www.dsm.com/en\\_US/html/sustainability/glossary.htm](http://www.dsm.com/en_US/html/sustainability/glossary.htm)
- A code of good environmental practice first formulated by the Canadian Producers Association in 1984. Members of the Association could voluntarily commit themselves to following the code and publicize their commitment. The US Chemical Manufacturers Association followed suit in 1988 while the European Chemical Industry Council adopted the code in 1989.
- A voluntary program developed by the chemical industry that helps it to raise its standards and win greater trust from the public. Under Responsible Care, the worldwide chemical industry is committed to continual improvement in all aspects of health, safety and environmental performance and to open communication about its activities and achievements.  
[www.dantes.info/Projectinformation/Glossary/Glossary.html](http://www.dantes.info/Projectinformation/Glossary/Glossary.html)

## Definitions of **public policy**

- A broad statement regarded by the legislature or by the courts as being of fundamental concern to the state and the whole of society.
- Whatever governments choose to do or not to do. Such a definition covers government action, inaction, decisions and non-decisions as it implies a very deliberate choice between alternatives.  
[www.stile.coventry.ac.uk/cbs/staff/beece/BOTM/Glossary.htm](http://www.stile.coventry.ac.uk/cbs/staff/beece/BOTM/Glossary.htm)
- The actions of government; Whatever the government chooses to do or what not to do.  
[www.wcps.k12.va.us/shs/includes/download.php](http://www.wcps.k12.va.us/shs/includes/download.php)
- A policy is a deliberate plan of action to guide decisions and achieve rational outcome(s). The term may apply to government, private sector organizations and groups, and individuals. Presidential executive orders, corporate privacy policies, and parliamentary rules of order are all examples of policy. Policy differs from rules or law. While law can compel or prohibit behaviors (e.g. a law requiring the payment of taxes on income) policy merely guides actions toward those that are most likely to achieve a desired outcome. Policy or policy study may also refer to the process of making important organizational decisions, including the identification of different alternatives such as programs or spending priorities, and choosing among them on the basis of the impact they will have. Policies can be understood as political, management, financial, and administrative mechanisms arranged to reach explicit goals.  
[en.wikipedia.org/wiki/Public\\_Policy](http://en.wikipedia.org/wiki/Public_Policy)
- Declared State objectives relating to the health, morals, and well being of the citizenry. In the interest of public policy, legislatures and courts seek to nullify any action, contract, or trust that goes counter to these objectives even if there is no statute that expressly declares it void.  
<http://www.businessdictionary.com/definition/public-policy.html>

## INQUIRY REQUIREMENTS

The MEPP degree requirements will be fulfilled once the student completes the four SEP core courses, three focus electives, and the EPP Inquiry, with at least a B- average.

### ENGINEERING AND PUBLIC POLICY INQUIRY PROCESS AND MANAGEMENT

The EPP Inquiry is an integral component of the program and work on the Inquiry generally commences at the start of the second semester and continues throughout the remainder of the academic program.

There are three phases to the Inquiry process:

- Phase I includes consultation with the Director on the subject matter contemplated, and concludes with the assignment of a Supervisor and preparation of an Inquiry Outline.
- Phase II includes draft and final Inquiry Reports to the Supervisor.
- Phase III concludes with a presentation to faculty and students on the central findings of the Inquiry

Optionally, the final report is edited and submitted to a peer review journal, with assistance from the Director and/or Supervisor.

### MAPS AND MILESTONES

1. Discuss, agree and provide an outline (a single page) to the Director by *January, for those who commence in September; or March, for those who commence in January*. The Director will arrange for you to meet with a Supervisor with expertise in your subject matter.
2. Meet with your Inquiry Supervisor April – May. This will be your Supervisor of Record for SGS.
3. Provide your first draft of your inquiry in July
4. Provide your final draft of inquiry in August. This is the formal reporting requirement necessary to conclude your inquiry

5. Present your Inquiry findings in September. This is the formal presentation requirement necessary to conclude your inquiry

For part time students, this process can begin in year two of your enrollment.

## **ASSESSMENT PROCEDURES AND GUIDELINES**

1. Inquiries are done on an individual basis, no group Inquiries are permitted
2. Inquiry Reports must be submitted in academic style, including references and a bibliography. Inquiry Reports must be well structured and written, and include an abstract, methodology, results and discussion. Policy recommendations are required, and must be clearly directed at an implementer, with consideration of the pros and cons of the recommendations proposed.
3. All reports should be available electronically and if typed, printed two sided.
4. The Supervisor of Record will grade the final report and submit a signed evaluation to the Director in advance of the presentation. The inquiry is graded Pass/Fail.
5. Grading Rubric
  - a. Abstract concise, key findings, up to 500 words, followed by keywords.
  - b. Introduction defines the issue being researched with a detail of the central question
  - c. Methods includes interviews, literature surveys, modeling techniques, etc.
  - d. Results delineate the key findings
  - e. Discussion interprets the findings in the context of the central question with support from peer reviewed literature
  - f. Policy Recommendations are practical, based on the concepts of sustainable solutions, directed at specific potential implementers, and presented with pros, cons, and methods to ensure the policies are feasible and represent effective solutions

6. Your 20 minute oral presentation must include visual aids, to be evaluated for organizational structure, clarity, ease of understanding, and effective use of graphics.
7. An assessment of pass or fail will be peer reviewed by a minimum of three faculty members who attend your presentation, and provided to the Director within five days of your presentation.

To assist us in creating a virtual library for use in the future we will request written permission to file your report in our system and to post your report on our web site.

**Academic integrity** (School of Graduate Studies Calendar 6.1)

Plagiarism is a very serious offense. The University has established a clear plagiarism policy that you must consult; you can find it at: <http://www.mcmaster.ca/senate>. From the code of behavior on graduate academic: *it shall be an offence for a student knowingly:* to plagiarize; the falsification or fabrication of research results; the submission of work that is not one's work or for which previous credit has been obtained; aiding and abetting another student's dishonesty; giving false information for the purpose of gaining admission or credits; and forging or falsifying McMaster University documents.

The Senate Academic Integrity Policy specifies the procedures to be followed in the event that a student is charged with academic dishonesty. Copies may be obtained from the office of Academic Integrity or from the website at: <http://www.mcmaster.ca/senate>

If you have difficulty viewing the University's Policy, please let us know and we will provide you a printed copy.

## TIMELINES FOR EPP INQUIRY PREPARATION

For Students Commencing in September

<b>Inquiry</b>	<b>Sequence</b>
<b>Topic Selection</b>	January
<b>Draft Outline</b>	February
<b>Proposed methodology</b>	March
<b>Supervisor Selection</b>	March
<b>Annotated Outline</b>	April
<b>Detailed methodology including interviews and literature</b>	April
<b>First Draft Report</b>	July
<b>Final Draft Report</b>	August
<b>Inquiry Presentation</b>	September
<b>Final Report</b>	September

For Students Commencing in January

<b>Inquiry</b>	<b>Sequence</b>
<b>Topic Selection</b>	April
<b>Draft Outline</b>	May
<b>Proposed methodology</b>	June
<b>Supervisor Selection</b>	June
<b>Annotated Outline</b>	July
<b>Detailed methodology including interviews and literature</b>	July
<b>First Draft Report</b>	October
<b>Final Draft Report</b>	November
<b>Inquiry Presentation</b>	December
<b>Final Report</b>	December

## **Elements of an Inquiry for Masters of Engineering and Public Policy**

**“There appears to exist a set of inner drives or incentives associated with scholarship which guide and direct the scholar’s endeavours. They represent a privately held, but publicly recognized, stance towards both the outer and inner worlds... Here lies the spirit of curiosity, the desire to know, the passion to understand, the urge to discover. In short, the ethic of inquiry<sup>1</sup>”**

The inquiry carries the onus to acquaint oneself with what is already known as something that is to be acted upon with rigour, not haphazardly; systematically, not randomly; and against some acceptable standards, not rudderless or free-floating. Being critically reflective means subjecting every item of presumed knowledge to Scrutiny. This means opening it to questioning, to proper intellectual challenge, of the kind one would apply to any proposition in the field of research or theory in one’s discipline. Additional evidence of scholarship will emerge when you can demonstrate your ability to act in a constructively critical manner without engaging in mere trashing of others’ work.

### **Defining your scope & purpose**

A scope and purpose statement briefly sets out the bounds of the inquiry. It is important to bear in mind that both the scope and purpose of your inquiry are necessarily limited by your time and availability of information.

The scope statement should be a brief description of the matter being inquired into. It should not just reiterate a position or a bias you hope to prove. You should try to frame the scope statement in neutral terms that do not suggest that you have prejudged conclusions. A scope statement also helps start your inquiry in a focussed and impartial way.

### **Getting the big picture: An inquiry, not a trial**

This is a fact-finding inquiry. This means that you are responsible for gathering the evidence or information and then using this information to find the facts. An inquiry is not a trial. You are not a prosecutor or plaintiff, but an impartial fact-gatherer. You have a duty to both collect the information and to assess it.

### **Maintaining confidentiality**

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<sup>1</sup> A Useable, Trans-Disciplinary Conception of Scholarship Author: Lee W. Andresen  
Published in: Higher Education Research & Development, Volume 19, Issue 2 July 2000,  
pages 137 - 153

### **What is confidentiality?**

A duty of confidentiality simply means that you have been entrusted to keep information to yourself and only use it for your inquiry. Most of the information you collect by way of personal interviews during an inquiry will be confidential.

### **Keeping the identity of the source confidential**

The identity of the person or persons who provide information ('the source') should be kept confidential. Do not release any information that might reveal the identity of the source. Doing so can have detrimental effects on the source, and may reduce the trust that people have in you during your inquiry.

### **Confidentiality of the documents**

Some of the documents that you gather during your inquiry may also be confidential. This includes details of statements taken during your inquiry and records of interview. Some internal documents may also be confidential, for example manuals or records. It is important not to misuse any information you gather during your inquiry.

### **Some traps to avoid**

- putting information on an unsecured computer
- leaving documents on a photocopier
- leaving incoming or outgoing faxes on a fax machine
- interviewing people where they can be seen or heard
- giving confidential information to others to copy, type, address or send
- not blacking out names, addresses or phone numbers on some documents
- leaving messages on desks, or phone services
- sending sensitive material by mail

### **Interviewing sources**

Regardless of how the information comes into your possession, you should analyze it. This involves breaking down the information into facts. Try to remove any allegations, opinions and possible exaggerations to get to facts.

### **Location and time**

Think carefully about the location and the time of the interview when interviewing a source. Interview the source where he/she is likely to feel comfortable. Allow plenty of time for the interview, as you want to get as much detail as you can from the source. A useful way of initially interviewing members of the public might be to send a letter to asking for more specific, detailed information.

### **Get Organized**

The secret to achieving a successful fact-finding inquiry is to organize the material that you have collected in ways that give you the chance to see patterns, relationships, and details between the many different types of evidence. Careful planning and organization

can help. Planning your inquiry enables you to pinpoint what you need to find and where you might be able to find it.

In order to demonstrate what you have done and when you have done it, it is useful to use running sheets to detail the actions you have completed. A running sheet is essentially an ongoing chronology of what you have done in an inquiry. This would include phone calls, letters, conversations and interviews. A running sheet should detail the time and date of an event, what the event was.

Contemporaneous notes are notes taken by you during or immediately after an event. They have the benefit of making your recollection of an event more reliable. The more detailed the notes are, the more valuable they will be. It is useful for you to carry with you a notebook in which you can record details of conversations.

Drawings and diagrams are a great way to organize information visually. These can help you see relationships between ideas, objects or people.

Graphs are a useful way to present numerical information, to analyze trends or unusual outcomes.

### **Try to avoid**

Indirect evidence.

You should try to get the information directly from the source. Evidence may become unreliable and difficult to use when people start telling you what others say they have perceived or done. Not all indirect evidence is unreliable, however, and it may be the only evidence you can find. When assessing indirect evidence, ask yourself: ‘What is the likelihood of the evidence being distorted?’

### **Opinions.**

It is your task to find out facts. People’s opinions about a person, process, or system are irrelevant to your inquiry. It is your task to find out fact and analyze it. Rather than give opinions, get the person to describe in detail what they perceived.

When taking or obtaining a statement or a report from an expert, get him or her to:

- detail what his or her area of expertise
- detail what qualifications he or she has in relation to this area of expertise
- detail what information was provided to him or her on which to base his or her opinion
- state what his or her expert opinion is in relation to the matter and what work or analysis he or she undertook in arriving at the expert opinion.

### **Follow-up interviews**

You should tell the person you are interviewing that you may require him or her to participate in a further interview or provide further information at a later date. You should also provide the person with an opportunity of subsequently giving you additional information if he or she thinks of any.

**Facts must be based on evidence**

Your findings of fact must be based on the evidence or information that you have collected during your inquiry. You must work from the information you have collected to arrive at the facts, and not the other way around. In other words, do not try to justify a fact by only collecting evidence that supports it.

Before you can make defensible statements in your report you must have information that is:

***Relevant***

Relevant information is information that would make a fact more or less probable than it would be without the information. If the information doesn't help you distinguish fact then it is irrelevant.

***Reliable***

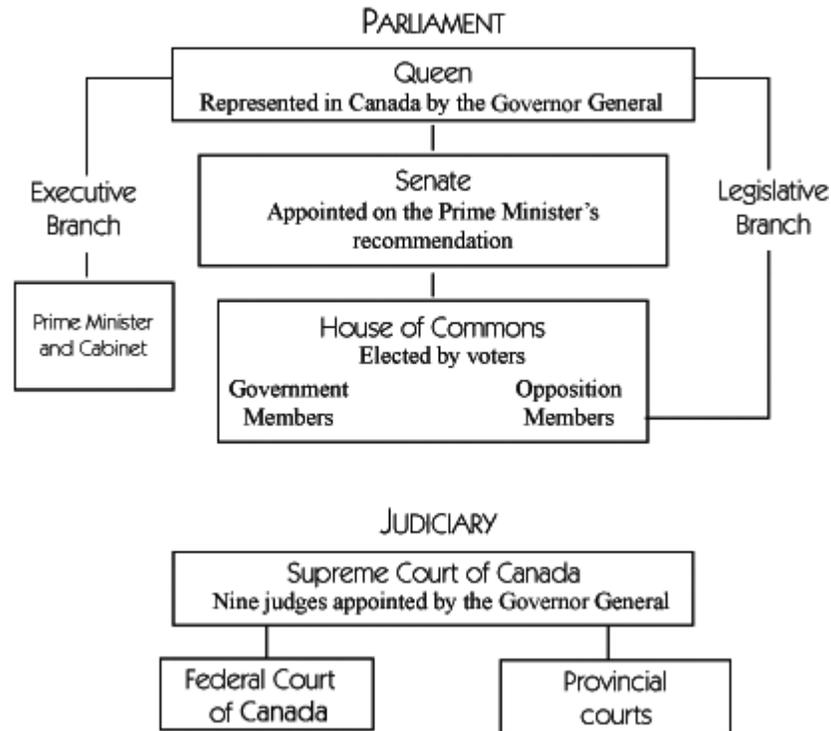
Reliable information is information that you consider to be accurate, and you are confident enough to use to make a finding of fact. Using reliable information means working out whether:

- documents are authentic or genuine and you know what they mean
- people are credible and trustworthy and they are accurate in stating what they perceived.

If you don't feel confident enough to make a finding of fact based on the information collected you must either:

- not make a finding, or
- collect more information that increases your confidence

## A Primer on Canadian Government



By the *Constitution Act, 1867*, “the executive government of and over Canada is declared to continue and be vested in the Queen.” She acts, ordinarily through the Governor General, whom she appoints, on the advice of the Canadian Prime Minister. The Governor General normally holds office for five years, though the tenure may be extended for a year or so. For details on each element of this diagram, visit [http://canadaonline.about.com/gi/dynamic/offsite.htm?zi=1/XJ&sdn=canadaonline&cdn=newsissues&tm=6&f=00&tt=2&bt=0&bts=0&zu=http%3A//www.parl.gc.ca/information/library/idb/forsey/institutions\\_01-e.asp](http://canadaonline.about.com/gi/dynamic/offsite.htm?zi=1/XJ&sdn=canadaonline&cdn=newsissues&tm=6&f=00&tt=2&bt=0&bts=0&zu=http%3A//www.parl.gc.ca/information/library/idb/forsey/institutions_01-e.asp)

“The national Parliament has power<sup>2</sup> “to make laws for the peace, order and good government of Canada,” except for “subjects assigned exclusively to the legislatures of the provinces.” The provincial legislatures have power over direct taxation in the province for provincial purposes, natural resources, prisons (except penitentiaries), charitable institutions, hospitals (except marine hospitals), municipal institutions, licences for provincial and municipal revenue purposes, local works and undertakings (with certain exceptions), incorporation of provincial companies, solemnization of marriage, property and civil rights in the province, the creation of courts and the administration of justice, fines and penalties for breaking provincial laws, matters of a merely local or private nature in the province, and education (subject to certain rights of the Protestant

<sup>2</sup> [http://www.parl.gc.ca/information/library/idb/forsey/powers\\_of\\_govt\\_04-e.asp](http://www.parl.gc.ca/information/library/idb/forsey/powers_of_govt_04-e.asp)

and Roman Catholic minorities in some provinces). Subject to the limitations imposed by the *Constitution Act, 1982*, the provinces can amend their own constitutions by an ordinary Act of the legislature. They cannot touch the office of Lieutenant-Governor; they cannot restrict the franchise or qualifications for members of the legislatures or prolong the lives of their legislatures except as provided for in the *Canadian Charter of Rights and Freedoms*.

“Of course the power to amend provincial constitutions is restricted to changes in the internal machinery of the provincial government. Provincial legislatures are limited to the powers explicitly given to them by the written constitution. So no provincial legislature can take over powers belonging to the Parliament of Canada. Nor could any provincial legislature pass an Act taking the province out of Canada. No such power is to be found in the written constitution, so no such power exists. Similarly, of course, Parliament cannot take over any power of a provincial legislature.

“Parliament and the provincial legislatures both have power over agriculture and immigration, and over certain aspects of natural resources; but if their laws conflict, the national law prevails. Parliament and the provincial legislatures also have power over old age, disability and survivors’ pensions; but if their laws conflict, the provincial power prevails.

“By virtue of the *Constitution Act, 1867*, everything not mentioned as belonging to the provincial legislatures comes under the national Parliament. This looks like an immensely wide power. It is not, in fact, as wide as it looks, because the courts have interpreted the provincial powers, especially “property and civil rights,” as covering a very wide field. As a result, all labour legislation (maximum hours, minimum wages, safety, workers’ compensation, industrial relations) comes under provincial law, except for certain industries such as banking, broadcasting, air navigation, atomic energy, shipping, interprovincial and international railways, telephones, telegraphs, pipelines, grain elevators, enterprises owned by the national government, and works declared by Parliament to be for the general advantage of Canada or of two or more of the provinces.

“Social security (except for employment insurance, which is purely national, and the shared power over pensions) comes under the provinces. However, the national Parliament, in effect, established nation-wide systems of hospital insurance and medical care by making grants to the provinces (or, for Quebec, yielding some of its field of taxes) on condition that their plans reach certain standards.

“The courts’ interpretation of provincial and national powers has put broadcasting and air navigation under Parliament’s general power to make laws for the “peace, order and good government of Canada,” but otherwise has reduced it to not much more than an emergency power for wartime or grave national crises like nation-wide famine, epidemics, or massive inflation (though some recent cases go beyond this).

“Though Parliament cannot transfer any of its powers to a provincial legislature, nor a provincial legislature any of its powers to Parliament, Parliament can delegate the

administration of a federal Act to provincial agencies (as it has done with the regulation of interprovincial and international highway traffic); and a provincial legislature can delegate the administration of a provincial Act to a federal agency. This “administrative delegation” is an important aspect of the flexibility of our constitution.”

Source:

[http://www.parl.gc.ca/information/library/idb/forsey/powers\\_of\\_govt\\_04-e.asp](http://www.parl.gc.ca/information/library/idb/forsey/powers_of_govt_04-e.asp)

Canada and the United States are both democracies. They are also both federal states. But there are important differences in the way Canadians and Americans govern themselves.<sup>3</sup> A basic difference between our constitution and the American is, of course, that we are a constitutional monarchy and they are a republic. That looks like only a formal difference. It is very much more, for we have parliamentary-cabinet government, while the Americans have presidential-congressional.

### ***What does that mean? What difference does it make?***

First, in the United States the head of state and the head of the government are one and the same. The President is both at once. Here, the Queen, ordinarily represented by the Governor General, is the head of state, and the Prime Minister is the head of the Government. Does that make any real difference? Yes: in Canada, the head of state can, in exceptional circumstances, protect Parliament and the people against a Prime Minister and Ministers who may forget that “minister” means “servant,” and may try to make themselves masters. For example, the head of state could refuse to let a Cabinet dissolve a newly elected House of Commons before it could even meet, or could refuse to let Ministers bludgeon the people into submission by a continuous series of general elections. The American head of state cannot restrain the American head of government because they are the same person.

For another thing, presidential-congressional government is based on a separation of powers. The American President cannot be a member of either House of Congress. Neither can any of the members of his or her Cabinet. Neither the President nor any member of the Cabinet can appear in Congress to introduce a bill, or defend it, or answer questions, or rebut attacks on policies. No member of either House can be President or a member of the Cabinet.

Parliamentary-cabinet government is based on a concentration of powers. The Prime Minister and every other Minister must by custom (though not by law) be a member of one House or the other, or get a seat in one House or the other within a short time of appointment. All government bills must be introduced by a Minister or someone speaking on his or her behalf, and Ministers must appear in Parliament to defend government bills, answer daily questions on government actions or policies, and rebut attacks on such actions or policies.

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<sup>3</sup> [http://www.parl.gc.ca/information/library/idb/forsey/can\\_am\\_gov\\_01-e.asp](http://www.parl.gc.ca/information/library/idb/forsey/can_am_gov_01-e.asp)

For more on the differences between Canadian and US government, visit:  
[http://www.parl.gc.ca/information/library/idb/forsey/can\\_am\\_gov\\_03-e.asp](http://www.parl.gc.ca/information/library/idb/forsey/can_am_gov_03-e.asp)

For more on Societal understanding and engagement with the Canadian Government,  
visit Canadian Heritage at:

[http://www.canadianheritage.gc.ca/special/gouv-gov/index\\_e.cfm](http://www.canadianheritage.gc.ca/special/gouv-gov/index_e.cfm)