
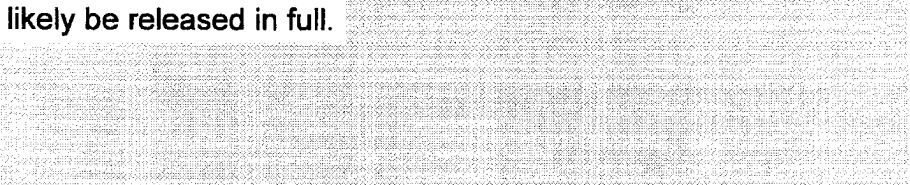


SECRET

MEMORANDUM FOR RACHEL CURRAN

ACCESS TO INFORMATION REQUEST FOR THE *MANUAL OF OFFICIAL PROCEDURE OF THE GOVERNMENT OF CANADA*

(Information Only)

- PCO received an Access to Information request from the media for the *Manual of Official Procedure of the Government of Canada*. The request was made during the last election, at which time there were a number of media inquiries regarding guidance on conduct during elections.

- The *Manual* is a 1968 PCO publication that provided guidance to Prime Ministers, Ministers and public servants on the principles and practices of Canada's system of government (e.g., how cabinet is formed, how Parliament is dissolved and elections called, protocols for the death of the Sovereign, Governor General and Prime Minister). It also provided relevant examples for the application of these principles and practices, including historical information on decisions and steps taken, as well as copies of documents that would have been issued (e.g., instrument of advice from a Prime Minister to the Governor General on the appointment of Ministers).
- Given the age of the *Manual*, and the 20-year limitation on *Access to Information Act* disclosure exceptions for information such as Cabinet confidences and advice to Ministers, the document will likely be released in full.


s.21(1)(b)

- While the *Manual* provides information on features of our system of government that are commonly understood, many areas of the document are out of date and no longer accurately depict procedure. The *Manual* also addresses [REDACTED], including:
 - the process for recommending the dissolution of Parliament and the calling of an election;
 - the Governor General's role in the summoning, prorogation and dissolution of Parliament, including when he acts on the advice of the Prime Minister and when he may exercise reserve powers;
 - restraints on government business during elections (more commonly referred to as the "caretaker convention");
 - how the Prime Minister is selected, appointed and replaced;
 - when the Prime Minister might consider resigning;
 - the Prime Minister's position in government, including matters under his prerogative (e.g., appointments);
 - the formation of a new Ministry, including the resignation of the previous government and the appointment of new Ministers;
 - considerations for the formation of minority governments, including whether there would be an expectation of support in Parliament;
 - access to previous administrations' records;
 - resignation and dismissal of Ministers;
 - acting arrangements for the Prime Minister and Ministers;
 - the distinction between PMO and PCO;
 - the Constitutional position of the Crown (e.g., The Queen as Head of State, powers and duties of The Queen);
 - considerations should the Sovereign be incapacitated or absent, including the implications of a regency;
 - protocols following the passing of the Sovereign, including

considerations for potential means of commemoration;

- Royal marriages and births;
 - Royal visits;
 - how the Governor General is selected, appointed and removed from office;
 - the Letters Patent of 1947 establishing the Governor General's office and authorizing the Governor General to act on The Queen's behalf;
 - the ability of the Governor General to reserve or disallow federal or provincial legislation;
 - expulsion of members of the House of Commons;
 - secret sessions of the House of Commons;
 - appointment of Senators;
 - resignation, removal and leave of Judges;
 - appointment, extension, removal and replacement of Lieutenant Governors, including whether consultation with provinces is required;
 - the powers and duties of Lieutenant Governors; and
 - the receipt of foreign awards and honours.
- o We have informed PCO Communications of the proposed response to this Access to Information request. We will prepare anticipatory Questions and Answers for the manual's release for use on a reactive basis, and will be available to develop additional material, should follow-up questions be raised.

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Joe Wild

s.21(1)(b)

Manual of Official Procedure of the Government of Canada: Qs and As

General Qs and As

Q: What is the *Manual of Official Procedure of the Government of Canada*?

A: The *Manual* is a 1968 document providing guidance for the Prime Minister, Ministers and public servants on constitutional and procedural matters.

Q: What kind of guidance did it provide?

A: The *Manual* outlined various practices for government protocol, operations and considerations for their use, and provided historical examples of these practices.

Q: Who wrote it?

A: The Privy Council Office prepared the *Manual*.

Q: Do the Prime Minister/Minister/public servants consult the *Manual* now?

A: The *Manual* is not currently in circulation.

Q: Why isn't the *Manual* in use today?

A: The *Manual* is not in circulation and therefore has not been kept up to date. Government practices have evolved in the forty-three years since the *Manual's* publication. Because it has not been updated, the *Manual*, although it is of historical interest, is no longer applicable as current guidance.

Q: Why isn't the *Manual* publicly available?

A: The *Manual* is not currently in circulation and has not been kept up to date.

Q: Is there a more up-to-date version of the *Manual*?

A: To the best of our knowledge, the *Manual* was not revised after its original publication.

Q: If the Manual is no longer in use, what guidance is provided to Ministers on these topics?

A: Ministers have a range of resources available to them. For instance, *Accountable Government: A Guide for Ministers and Ministers of State* is a frequently updated source of guidance on key issues of interest to Ministers. It is available on the PCO website at [link].