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From the Secretary of the Cabinet: Sir Robert Armstrong KCB, CVO

Ref: A06211

4th December 1981

The Canadian Constitution

Thank you for your letter of 27th November, telling me that Mr. Trudeau is likely to ask the Prime Minister to agree that Royal Assent to the proposed Bill to patriate the Canadian Constitution should be something of a ceremony (i. e. given in the manner customary before the Royal Assent Act 1967 was passed) and that it should be televised so that it can be shown in Canada.

I doubt whether Ministers would be favourably disposed towards this idea. The ceremony of summoning the Commons by Black Rod to attend in the Lords for the Royal Assent to Bills has passed into disuse (save on the occasion of Prorogation), and its revival, even for the purpose of giving assent to a Canada Bill, would be controversial, and could give rise to resentment in the Commons which could lead to protests (or worse) in the House of Commons.

The idea of televising the formalities of Royal Assent being given without a Commission (even if Mr. Trudeau thought that worthwhile) is scarcely less unattractive. Nothing of the kind has ever been done for any of the numerous independence acts that have been passed, and indeed no Parliamentary occasion has ever been broadcast on television (the State Opening is in a category of its own). It would be a troublesome and embarrassing business to secure the necessary agreements, which might not in the event be forthcoming.

The Canadians will have their own ceremony when the Act is proclaimed in Ottawa; I think Ministers will expect them to rest content with that.

ROBERT ARMSTRONG

Sir Wilfrid Bourne, KCB, QC

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With the compliments of
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