

United Kingdom retains certain powers with reference to Dominion legislation ; and, thirdly, while the Parliament of the United Kingdom can legislate with extra-territorial effect, there is doubt as to the powers in this respect of Dominion Parliaments. The Imperial Conference accordingly recommended that steps should be taken by the United Kingdom and the Dominions to set up a Committee with terms of reference on the following lines :—

“ To inquire into, report upon, and make recommendations concerning—

“ (i) Existing statutory provisions requiring reservation of Dominion legislation for the assent of His Majesty, or authorizing the disallowance of such legislation.

“ (ii) (a) The present position as to the competence of Dominion Parliaments to give their legislation extra-territorial operation.
(b) The practicability and most convenient method of giving effect to the principle that each Dominion Parliament should have power to give extra-territorial operation to its legislation in all cases where such operation is ancillary to provision for the peace, order, and good government of the Dominion.

“ (iii) The principles embodied in or underlying the Colonial Laws Validity Act, 1865, and the extent to which any provisions of that Act ought to be repealed, amended, or modified in the light of existing relations between the various members of the British Commonwealth of Nations as described in this Report ”
(*i.e.*, the Report of the Imperial Conference).

MERCHANT SHIPPING.

12. The Imperial Conference of 1926 also considered the general question of merchant shipping legislation. On this subject the Conference pointed out that, while uniformity of administrative practice was desirable and, indeed, essential as regards the merchant shipping legislation of the various parts of the Empire, it was difficult to reconcile the application, in their present form, of certain provisions of the principal statute relating to merchant shipping—*viz.*, the Merchant Shipping Act, 1894—with the present constitutional status of the several members of the British Commonwealth of Nations. The Conference came finally to the conclusion that the general question of merchant shipping legislation should be remitted to a special Sub-Conference, which it was thought might most appropriately meet at the same time as the Committee already mentioned.

13. On further examination of the problems involved, it appeared more convenient that the Committee and the special Sub-Conference should be organized as a single Conference. After consultation between the respective Governments this view received general acceptance, and the terms of reference to the present Conference accordingly include, in addition to those set out above, a reference—

“ to consider and report on the principles which should govern, in the general interest, the practice and legislation relating to merchant shipping in the various parts of the Empire, having regard to the change in constitutional status and general relations which has occurred since existing laws were enacted.”

POSITION OF INDIA.

14. The Imperial Conference of 1926 recommended that arrangements should be made for the representation of India at the Sub-Conference on merchant shipping questions ; but did not suggest that India should be represented on the proposed Committee. As a result, however, of preliminary examination of the matters falling within the scope of the terms of reference to the proposed Committee, it appeared that while the position of India was a special one, some of the matters likely to come up for detailed discussion at the present Conference might be of interest to that country. It was consequently agreed that arrangements should be made for the representation of India at the present Conference for the discussion of the subject of merchant shipping and of such other particular subjects arising at the Conference as might be of direct interest to India.

THE QUESTIONS BEFORE THE CONFERENCE.

15. In approaching the inquiry into the subjects referred to them, the present Conference have not considered it within the terms of their appointment to re-examine the principles upon which the relations of the members of the Commonwealth are now established. These principles of freedom, equality, and co-operation have