



THE SWEARING-IN OF A NEW MINISTRY

The ministry is the executive arm of government that formulates and supervises the carrying out of all government policies. It is composed of members of the Privy Council, who are invited by the prime minister to oversee the administration of government departments or ministries of State, and ministers without portfolio.

When the office of the prime minister becomes vacant, it is the constitutional role of the governor general to take the initiative to find a successor who would have the confidence of the House of Commons and to commission him or her to form a government.

When a prime minister is defeated or decides to resign from office, he or she indicates his or her intention to resign to the governor general. In the case of a prime minister informing the governor general of his or her wish to retire and to resign from office, the governor general, in accepting the resignation, may seek the prime minister's advice as to a successor. The governor general then decides who is in the best position to command the confidence of the House of Commons, and invites that person, during a meeting at Rideau Hall, to form a government. If the governor general's invitation to form a government is accepted, a time and a date are agreed upon for the swearing in of the new ministry. The formal resignation of the outgoing prime minister, which also covers that of his or her ministers, is submitted to the governor general very shortly before the swearing-in of the new prime minister. Her Majesty The Queen is informed by the governor general of the acceptance of the resignation of a prime minister and of the swearing in of a new prime minister and members of the ministry.

The Oath of Office is administered to the prime minister-designate by the clerk of the Privy Council, at the commencement of the swearing-in ceremony of the new ministry. The governor general, the prime minister and the clerk of the Privy Council then sign the *Privy Council Oath Book*. If the prime minister-designate is not a privy councillor (member of the Privy Council), he or she will first take the oaths of Allegiance and of the Member of the Privy Council before the Oath of Office is administered.

The instrument of advice recommending the appointment of members of the ministry is signed by the prime minister and presented to the governor general. The governor general indicates his or her acceptance of the recommendation by countersigning the instrument of advice.

In the case that any ministers retain the portfolio held under the previous administration, they do not need to be re-sworn. They are presented to the governor general by the prime minister.

Ministers-designate who are privy councillors and who are changing portfolios subscribe to their respective oaths of office in front of the clerk of the Privy Council before being presented to the governor general by the prime minister.

Each minister-designate who is not already a privy councillor is called in order of precedence (determined by the Prime Minister usually on the basis of the date of their first election to the House of Commons or appointment to the Senate) to subscribe to the Oath of Allegiance, the Oath of the Members of the Privy Council, and the Oath of Office, before being presented to the governor general by the prime minister.

If applicable, the same order is followed for ministers of State-designate. Ministers of State, also known as secretaries of State, are ministers appointed to assist other ministers. They are part of the ministry but not of Cabinet; however, the Prime Minister may decide that they will attend Cabinet Committee meetings.

For additional information, please consult:

House of Commons Procedure and Practice, Second Edition, 2009.

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