

SECRET

September 31, 1960

RESOURCE OWNERSHIP AND INTERPROVINCIAL TRADE

<u>Province</u>	<u>On Ownership and Assignment. Indirect Taxation and the Definition of Primary Production: Accept the essence of the Federal position</u>	<u>On Federal offer an interprovincial trade with full Federal recognition and "a solution on best-of-both-worlds" position</u>
Newfoundland	X	X
New Scotia	X	X
P.E.I.	X	X
New Brunswick	X	X
Quebec	X	X
Ontario	X	X
Manitoba	X	X
Saskatchewan	X	X
Alberta	X	X
British Columbia	X	X
	10	9

NOTES

FOR

CHECKLIST

Note: Agreement of several provinces in second column is conditional upon acceptance of Declaration of Intent as a subject for "second round" discussion. Alberta wants a limit on federal interprovincial power, but may still become part of a consensus.

CONFIDENTIAL

September 11, 1980

RESOURCE OWNERSHIP AND INTERPROVINCIAL TRADE

<u>Province</u>	<u>On Ownership and Management, Indirect Taxation and the definition of Primary Production: Accept the essence of the federal position</u>	<u>On federal offer re interprovincial trade with full federal paramountcy and "a solution to Saskatchewan's problem"</u>
Newfoundland	X	X
Nova Scotia	X	X
P.E.I.	X	X
New Brunswick	X	X
Quebec	X	X
Ontario	X	X
Manitoba	X	X
Saskatchewan	X	X
Alberta	X	-
British Columbia	X	X
	<u>10</u>	<u>9</u>

Note: Agreement of several provinces in second column is conditioned upon acceptance of declaratory power as a subject for "second round" discussion. Alberta wants a limit on federal interprovincial power, but may still become part of a consensus.

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COMMUNICATIONS

	<u>Federal Draft</u>	<u>Provincial Draft</u>	<u>Particular concerns expressed September 8</u>
Federal Government	yes	no	
Newfoundland	no	yes	
P.E.I.	no*	yes*	
Nova Scotia	no	yes	- wants control over all aspects of provincial telecommunications carriers
New Brunswick	no	yes	- particular concern over interprovincial rates
Quebec	no	yes	- consensus provincial représente un minimum acceptable
Ontario	no	yes	- doesn't want control over Bell Canada - main interest "cable"
Manitoba	no	yes	- wants control over all aspects of provincial telecommunications carriers - wants a role in broadcasting
Saskatchewan	no	yes	- wants provincial role in broadcasting - wants interprovincial aspects of provincial cable companies

*No intervention was made by P.E.I. on this subject, but it had previously agreed to accept the provincial draft.

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	Federal Draft	Provincial Draft	Particular concerns expressed September 8
Alberta	no	yes	- wants control over interprovincial rates, non-broadcast services, and educational broadcasting
British Columbia	no	yes	- wants control over all aspects of B.C. Tel, cable, and educational TV

UPPER HOUSE POSITIONS - SEPT. 11

Code: Y: Yes
N: No
?: Unstated
M: Maybe
Q: Qualified

SUBJECT	CANADA	B.C.	Alta	Sask.	Man.	Ont.	Que.	N.B.	N.S.	P.E.I.	Nfld
Support CCMC proposal as immediate first step	N	Y	YQ	YQ	Y?	YQ	N	Y	Y?	Y	Y
Adding to CCMC Proposal or Finance Ministers Conference function of approving derogations from S.121*	M?	?	M?	M?	M?	M	?	M?	M?	M?	M?
No action until later stage -- i.e., needs further study	Y	N	N	N	N	N	Y	N	N	N	N

NOTES:

Alberta position shifted from Sept. 8 to Sept. 11 from opposition to CCMC proposal to support of CCMC proposal with modifications.

Saskatchewan and Ontario supported CCMC proposal subject to possible modifications which were unspecified (perhaps addition of approval of s. 121 derogations).

New Brunswick position shifted from qualified support on Sept. 8 to full support Sept. 11 of CCMC proposal.

Manitoba and Nova Scotia did not state positions on either Sept. 8 or Sept. 11, but supported CCMC proposal at Vancouver.

* These indicators are based on discussions on powers over the economy, as well as on the upper house.

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SUPREME COURT

	Entrenchment	Equal Reference Power for Federal and Provincial Governments	Enactment of Certain Federal Laws only after Consultation with Provinces	Appointment of Judges on Consent of Federal and Provincial Attorneys General	Entrenchment of Alternative Chief Justices	Deadlock- Breaking Mechanism per CCMC draft	Number of Civil Law Judges - size of the Court
Quebec	agrees	agrees	agrees	agrees	agrees	none required	6 - 5
Nfld.	agrees	agrees	agrees	agrees	agrees	agrees(?)	6 - 5
P.E.I.	agrees	agrees	agrees	agrees	agrees	none required	6 - 5
N.B.	agrees	agrees	agrees	consultation - consent only for Quebec	agrees(?)	none required(?)	6 - 5(?)
B.C.	agrees	agrees	agrees	by a council of the 11 Attorneys General	?	council of 11 Attorneys General	7 - 4 (with regional appointments); will accept 6 - 3
N.S.	agrees	agrees	agrees	agrees	?	agrees(?)	7 - 4
Ont.	agrees	agrees	agrees	agrees	agrees(?)	none required	6 - 3 (will accept 7 - 4)
Sask.	agrees	agrees	agrees	agrees	?	council of 11 A.G.s (?)	6 - 3 (will accept 7 - 4; or court as per Alta.)
Man.	agrees	agrees	agrees	agrees	no	agrees(?)	6 - 3
Alta.	agrees	agrees	agrees	proposes a special constitutional court of 40-50 members of the provincial superior courts across the country selected by the federal government from among names submitted by the provincial governments; the court would sit in panels of 7.			?
Federal	agrees	agrees	agrees	agrees	agrees	agrees	?

? - indicates the Premier did not address the question and the position at the officials' level has not been consistent enough to attribute it with confidence to the provincial governments.

agrees(?) indicates a firm expression of opinion at either CCMC or officials' level.

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FAMILY LAW

	Concurrent Jurisdiction, with Provincial Paramountcy over Divorce Grounds	Federal Jurisdiction over Recognition of Divorce and Nullity Decrees	Canada-Wide Enforcement of Maintenance and Custody Orders*	Amend Section 96 to give full Family Law Jurisdiction to Provincially Appointed Judges
Nfld.	Yes	Yes	Yes	Yes
N.S.	Yes	Yes	Yes	Yes
P.E.I.	No	Yes	Yes	Yes
N.B.	Yes	Yes	Yes	Yes
Quebec	Yes	Yes	Yes	Yes
Ont.	Yes	Yes	Yes	Yes
Man.	No	Yes	No*	Yes
Sask.	Yes	Yes	Yes	Yes
Alta.	Yes	Yes	Yes	Yes
B.C.	Yes	Yes	Yes	Yes
Federal	Yes	Yes	Yes	Yes

* Manitoba agrees with the enforcement provisions that: (1) give Canada-wide legal effect to maintenance and custody orders and (2) provide for a system of registration of these orders in other provinces. It does not agree with that part of the present draft that gives provinces power to legislate re non-enforcement on grounds of public policy or lack of due process. It would agree with a revised provision that deals with variation of orders only on the basis of change in circumstances. In the Sub-Committee of Officials, other provinces all said they would agree to this revision if Manitoba would agree to provincial jurisdiction over divorce grounds.

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September 11, 1980

FISHERIES

<u>Province</u>	<u>On Inland Fisheries, Marine and aquatic plants, sedentary species</u>	<u>On Marine and Coastal Fisheries and Anadromous species</u>
	<u>Accept (with some adjustments) the essence of the federal position</u>	<u>Accept concept of concurrent jurisdiction (with varying degrees of federal paramountcy) and reject federal position</u>
Newfoundland	X	X
Nova Scotia	X	-
P.E.I.	X	- doubtful
New Brunswick	X	- doubtful
Quebec	X	X
Ontario	X	X
Manitoba	X	X
Saskatchewan	X	X
Alberta	X	X
British Columbia	X	X
	<u>10</u>	<u>7</u> /

Note: New Brunswick and P.E.I. seek a middle position somewhere between the majority view on the one hand, and the federal and Nova Scotian view on the other.

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September 11, 1980

OFFSHORE RESOURCES

	<u>Federal Proposal</u>	<u>Provincial Ownership</u>
Newfoundland		X
Nova Scotia	Negotiations on Statement of Principles going on	
Quebec		
New Brunswick	Would support a federal- Nova Scotia statement	
Manitoba		
P.E.I.	Maybe	
Alberta		
Quebec		X
N.C.		
Ontario	X	
Manitoba		X
Saskatchewan		X
Alberta		X
British Columbia		X

¹ Expressed reservations about sub-section (II) (concerning periodic review), which is made to all three versions. It is deleted in the suggested consensus draft being circulated among delegations by Mr. Veilleux.

² Consensus text = Jan/80H. proposed with sub-section (II) deleted.

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EQUALIZATION

<u>Province</u>	<u>On Proposals at FMC Discussion September 9.¹</u>			<u>On Suggested Consensus Text²</u>
	<u>Quebec</u>	<u>Man/Sask</u>	<u>B.C.</u>	
Newfoundland		X		no (wants section (3))
Nova Scotia		X		yes
P.E.I.		X		yes
New Brunswick		X		
Quebec		X		yes
Ontario		X		yes
Manitoba		X		yes
Saskatchewan		X		yes
Alberta	X			no (wants Quebec)
B.C.			X	
<u>Canada</u>			X	yes

¹ Several provinces expressed reservations about sub-section (3) (concerning periodic review), which is common to all three versions. It is deleted in the suggested consensus draft being circulated among delegations by Mr. Veilleux.

² Consensus text = Man/Sask. proposal with sub-section (3) deleted.

PATRIATION	NFLD	NS	NB	PEI	QUE	ONT	MAN	SASK	ALTA	BC
Favour early action?	Conditional	Yes	Yes	not stated	Conditional	Yes	Yes	Conditional	Yes	Conditional
Only with a "package" (large or small)?	Yes	Not Stated	Yes (Language Rights)	not stated	Yes	No	not Stated	Yes (package to include to language rights)	No	Yes
Acceptable Formula?	Vancouver*	Vancouver	Vancouver	not stated	not stated	consensus (Toronto or Vancouver)	Vancouver	a flexible consensus formula	Vancouver or unanimity (safeguards)	Vancouver
Preferred Formula?	Vancouver	Vancouver (with modest changes)	Victoria	not stated	not stated	Victoria	Vancouver (with refinements as per CCMC Report)	Victoria	Vancouver	Victoria (with 5 regions)
Opposed to unilateral action?	not stated	without consensus risk of confrontation and non-cooperation	no	not stated	opposed to action without inclusion of agreed changes of substance	no	not stated	yes	Yes	would be "bad"
Questions on legality of unilateral action?	not stated	not stated	not stated	not stated	not stated	not stated	not stated	raised questions	not stated	not stated

*Vancouver = Alberta Amending Formula

SUMMARY OF FIRST MINISTERS POSITIONS
ON CHARTER OF RIGHTS

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September 11, 1980

SUBJECT	CANADA	ONT	QUE	NS	NE	MAN	B.C.	PEI	SASK	ALTA	NFLD
A Entrenchment of Charter Rights in Principle	Yes	Yes, but not all the rights	No	No	Yes	No	No	No	No	No	Yes, but limited rights
B If entrenchment what rights											
1. Fundamental Freedoms	Yes	Yes	No	No	Yes	No	No	No	No	No	Yes
2. Democratic* Rights	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes
3. Legal Rights	Yes	Yes, subject to language modifications	No	No	Yes, subject to language modifications	No	No	No	No	No	No
4. Non-discrimination rights	Yes	Yes, subject to language modifications	No	No	Yes, subject to language modifications	No	No	No	No	No	No
5. Mobility Rights	Yes	Yes	No	No	Yes, but clarify	No	No	No, on property rights	No	Reserves	Yes, if affirmative job programs allowed
6. Language Rights -Federal	Yes	Yes	Possibly	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
7. Language Rights -Provincial Debates Statutes Courts	Yes	No No Yes, (criminal only)	No No No	No ? No ? No ?	Yes Yes Yes	No No No but recognize already bound by 133	No No No	No ? No ? No ?	Possibly Possibly Possibly	No No No	No? No? No?
8. Minority Education Rights	Yes	Yes	No	No	Yes, without "numbers" qualifications	No	No	No ?	Possibly	No	No ?

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Chapter 10

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stitutions rather than i

Three provinces, Ontario,

go under

ers did not express
on general comments

cratic Rights should

New Housewife and District supported
the initiative suggesting that several of the
language remained modifications to the language.
The committee did not offer support but suggested that
it should not include the clause regarding
"misconduct" (see clause 25) and should include a "misconduct"
clause. The committee stated that it was prepared to
accept legal rights and all other categories
of rights were not supporting at this time.

es the Premier "business" based on the fact that Denmark has a reputation for being a business-friendly country. These rights were suggested by the Danish and New Zealand governments but both provisions fell due to the fact that they were not understood in the Charter required modification. It is noted that it is applied only to governments and not to individuals.

In a number of cases, however, the provinces in various respects a "best practice" model.

Note: In a number of cases the Premiers did not expressly state their positions. Hence the foregoing summary is in certain respects a "best guess" based on general comments.

*Some provinces feel that Democratic Rights should go under government institutions rather than in Charter.

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September 11, 1980

Summary of Provincial Positions
on Charter of Rights

First Ministers discussed the principle of entrenchment initially and then examined each of the categories of rights. In a number of cases the Premiers did not expressly state their positions on each category of rights. Hence the following summary is in certain respects a "best guess" based on general comments.

A. Entrenchment of Charter of Rights:

Only Ontario, New Brunswick and Newfoundland supported entrenching a Charter of Rights. Ontario supported all but some provincial language rights and Newfoundland limited their support to Fundamental Freedoms and Democratic Rights. Of the provinces opposing entrenchment, Saskatchewan felt entrenchment would lead to an adversarial system; Alberta felt that there was no need to entrench as the Alberta Bill of Rights had been in existence for nine years and had not been diminished by the legislature; Quebec felt it was premature to entrench such a wide scope of rights and British Columbia felt that rights could not be entrenched until clear precise definitions were developed.

B.

1. Fundamental Freedoms: Three provinces, Ontario, New Brunswick and Newfoundland supported these rights.
2. Democratic Rights: All provinces but Manitoba supported entrenchment of these rights. Some provinces felt that these rights should be included under government institutions rather than in the Charter.
3. Legal Rights: New Brunswick and Ontario supported these rights. Ontario suggested that several of the legal rights required modifications to the language. Saskatchewan did not offer support but suggested that a new draft should not include the clause respecting evidence (clause 25) and should include a "notwithstanding" clause. Newfoundland stated that it was prepared to further discuss legal rights and all other categories of rights they were not supporting at this time.
4. Non-discrimination Rights: These rights were supported by Ontario and New Brunswick but both provinces felt the provision included in the Charter required modification to ensure that it is applied only to government versus citizen situations.
5. Mobility Rights: Ontario and New Brunswick supported these rights although New Brunswick suggested that the provisions required re-drafting to ensure that legislation relating to professions would not be struck down. P.E.I. agreed to the first two provisions but would only agree to the acquisition of property rights if a "notwithstanding" clause was added. Newfoundland stated it would agree to these rights if "affirmative employment programs were

allowed". Alberta reserved its position preferring to deal with the issue in the Powers over the Economy. Other provinces opposed the rights.

6. Federal Language Rights: In most cases provinces did not expressly state their position on this category. However, it would seem that only Quebec may oppose these rights.
7. Provincial Language Rights: New Brunswick supported these rights, Ontario would support only the language rights in criminal courts and Saskatchewan stated it would support some language rights but did not specify which rights. Manitoba did not agree with the rights but recognized the province was bound by section 23 of the Manitoba Act.
8. Minority Education Rights: Ontario offered support for these rights (possibly could go so far as to delete the "where numbers warrant, phrase). New Brunswick also supported the rights but insisted that the phrase "where numbers warrant" would have to be deleted. Saskatchewan may offer support. Other provinces were opposed.

Province	Section 133			Constitution
	Enforcement	Non-Enforcement	Nothing	
British Columbia	X			
Alberta				
Saskatchewan				
Manitoba				
Ontario				
Quebec				
New Brunswick				
P.E.I.				
Canada				

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ECONOMIC POWERS

Province	Section 121			Section 91		
	Enforcement*	Non-Enforcement	Nothing	Competition	Product Standards	Services and Capital (91(2))
Newfoundland	X					
Nova Scotia	X(?)					
P.E.I.	X(?)					
New Brunswick		X				
Quebec			X	X		
Ontario	X			X	X	
Manitoba		X				
Saskatchewan		X(?)		X	X	
Alberta		X				
B.C.			X			
Canada	X			X	X	X
	5	4	2	4	3	1

* All provinces want the principle of non-discrimination to be enforced through a "political mechanism".

If "enforced" is accepted by Quebec and if the Quebec version of the meaning of "enforced" is acceptable to the other provinces, there would appear to be agreement on that part of the principle as well. Canadians are indicated as being the source of the provinces' desire to remain freely united in the federation.

No other provinces indicate that the "enforced" principle was suggested by any province, though Ontario has indicated that it was not.

<u>Preamble</u>	<u>Newfoundland</u>	<u>Nova Scotia</u>	<u>New Brunswick</u>	<u>P.E.I.</u>	<u>Quebec</u>	<u>Ontario</u>	<u>Manitoba</u>	<u>Saskatchewan, Alberta and British Columbia</u>
1. Lines 1 to 5								
Provinces freely united	X	did not speak	X		X		did not speak	did not speak
People freely united		"				X	"	"
Both people and provinces freely united		"		X			"	"

2. Lines 18 to 21

Quebec draft changed	No province objected to the Prime Minister's suggested change: "Société" instead of "peuple".							
Quebec draft unchanged					X			

3. Best Efforts Draft

X	"	X	X	X	"	X
---	---	---	---	---	---	---

On the basis of the Prime Minister's suggestion, that the word "société" replace "peuple" in line 18 of Quebec's draft, agreement can virtually be said to be present on that part of the preamble. There was no objection to it from any province. ("Société" was the word used by Quebec in its immediately preceeding draft.)

If "société" is accepted to Quebec and if the Quebec version of the opening segment is acceptable to the PM, there would appear to be agreement on that part of the preamble as well. Canadians are indicated as being the source of the provinces' desire to remain freely united in the federation.

No other specific problems with the "best efforts" draft were mentioned by any province, though Ontario has a lingering attachment to its own draft.

CODE: Y - Yes
N - No
? - Unstated
M - Maybe
Q - Qualified
(See Attached Notes)

SECRET

CHECKLIST

SUBJECT	CANADA	B.C.	Alta	Sask.	Man.	Ont.	Que.	N.B.	N.S.	P.E.I.	Mid
1. Resource Ownership and Interprovincial Trade											
a) On Ownership and Management, Indirect Taxation and the definition of Primary Production: Accept the essence of the federal position	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
b) On federal offer re interprovincial trade with full paramountcy and "a solution to Saskatchewan's problem"	Y	Y	YQ	Y	Y	Y	Y	Y	Y	Y	Y
2. Communications											
a) Federal Draft	Y	N	N	N	N	N	N	N	N	NQ	N
b) Provincial Draft	N	Y	Y	Y	Y	YQ	YQ	Y	Y	YQ	Y
3. Senate											
a) Support CCMC Proposal as Immediate First Step	N	Y	YQ	YQ	Y?	YQ	N	Y	Y?	Y	Y
b) Adding to to CCMC Proposal, or to Finance Ministers Conference, Function of approving S.121 derogations	M?	?	M?	M?	M?	M	?	M?	M?	M?	M?
c) No Action without further study	Y	N	N	N	N	N	Y	N	N	N	N
4. Supreme Court											
a) Entrenchment, Equal Reference Power for Federal and Provincial Governments, Enactment of Certain Federal Laws only after Consultation with Provinces	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
b) Appointment of Judges on Consent of Federal and Provincial Attorneys General	Y	NQ	NQ	Y	Y	Y	Y	NQ	Y	Y	Y
c) Entrenchment of Alternating Chief Justices	Y	?	N?	?	N	?	Y	Y?	?	Y	Y
d) Deadlock-Breaking Mechanism per CCMC Draft	Y	N	N?	N?	Y?	N	N	N?	Y?	N	Y?
e) Number of Civil Law Judges - size of the Court: 1) Preference 2) Fall-back	1) 6-3? 2) 7-4?	1) 7-4Q 2) 6-3	1) 50, in panels of 7	1) 6-3 2) 7-4 3) 50, in panels of 7	6-3	1) 6-3 2) 7-4	6-5	6-5?	7-4	6-5	6-5

Code: Y - Yes
N - No
? - Unstated

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Code: Y - Yes
N - No
? - Unstated
M - Maybe
Q - Qualified
(See Attached Notes)

SECRET

SUBJECT	CANADA	B.C.	Alta	Sask.	Man.	Ont.	Que.	N.B.	N.S.	P.E.I.	Nfld
<u>5. Family Law</u>											
a) Concurrent Jurisdiction, with Provincial Paramountcy over Divorce Grounds	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y
b) Federal Jurisdiction over Recognition of Divorce and Nullity Decrees	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
c) Canada-Wide Enforcement of Maintenance and Custody Orders (see attached note)	Y	Y	Y	Y	NQ	Y	Y	Y	Y	Y	Y
d) Amend Sec. 96 to Give Full Family Law Jurisdiction to Provincially Appointed Judges	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
<u>6. Fisheries</u>											
a) On Inland Fisheries, Marine and aquatic plants, sedentary species: Accept (with adjustments) the essence of the federal position	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
b) On Marine and Coastal Fisheries and Anadromous species: Accept concept of concurrent jurisdiction (with varying degrees of federal paramountcy) and reject federal position	N	Y	Y	Y	Y	Y	Y	MQ	N	MQ	Y
<u>7. Offshore Resources</u>											
a) Federal Proposal	Y	N	N	N	N	Y	N	YQ?	YQ?	M	N
b) Provincial Ownership and Control	N	Y	Y	Y	Y	N	Y	N	N	N	Y
<u>8. Equalization</u>											
a) Preferred Proposal at FMC Discussion, but with reservations about subsection (3)	B.C.	B.C.	Que.	Man/Sask	Man/Sask	Man/Sask	Man/Sask	Man/Sask	Man/Sask	Man/Sask	Man/Sask
b) Suggested Consensus	Y	?	N	Y	Y	Y	Y	?	Y	Y	NQ

Code: Y - Yes
 N - No
 ? - Unstated
 M - Maybe
 Q - Qualified
 (See Attached Notes)

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	CANADA	B.C.	Alta	Sask.	Man.	Ont.	Que.	N.B.	N.S.	P.E.I.	MFJd
<u>Variation with Amending Formula</u>											
a) Early Action	Y	YQ	Y	YQ	Y	Y	MO	Y	Y	?	YQ
b) Opposed to Unilateral Action	N	M	Y	Y	?	N	YQ	N	M	?	?
c) Action, only with a package (large and small)	YQ	Y	N	YQ	?	N	Y	YQ	?	?	Y
d) Formula 1) Preferred 2) Fall-back	1) Victoria 2) Vancouver Q	1) Victoria (5 Regions) 2) Vancouver	1) Vancouver 2) Unanimity	1) Victoria 2) Flexible Consensus	1) Vancouver Q 2) ?	1) Victoria 2) Toronto or Vancouver	?	1) Victoria 2) Vancouver	1) Vancouver Q 2) ?	?	1) Vancouver 2) ?
<u>10. Charter of Rights</u>											
a) Principle of Entrenchment	Y	N	N	N	N	YQ	N	Y	N	N	YQ
b) Fundamental Freedoms	Y	N	N	N	N	Y	N	Y	N	N	Y
c) Democratic Rights	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y
d) Legal and Non-Discrimination Rights	Y	N	N	N	N	YQ	N	YQ	N	N	N
e) Mobility Rights	Y	N	Q?	N	N	Y	N	YQ	N	Q	YQ
f) Language Rights											
- Federal	Y	Y	Y	Y	Y	Y	M	Y	Y	Y	Y
- Provincial	Y	N	N	M	N	N	N	Y	N	N	N
- Statutes	Y	N	N	M	N	N	N	Y	N	N	N
- Courts	Y	N	N	M	NO	YQ	N	Y	N	N	N
- Minority Education	Y	N	N	M	N	Y	N	YQ	N	N	N
<u>11. Powers Over the Economy</u>											
a) Section 121	Y	N	YQ	YQ	YQ	Y	N	YQ	YQ	YQ	Y
- Non-Enforcement	N	-	Y	Y	Y	N	-	Y	N	N	N
- With Political Mechanism	Y	-	Y	Y?	Y	Y	-	Y?	Y	Y	Y
b) Section 91											
- Competition	Y	?	?	YQ	?	Y	Y	?	?	?	?
- Product Standards	Y	?	?	YQ	?	Y	?	?	?	?	?
- Services and Capital 91(2)	Y	?	?	N	?	N	YQ	?	?	?	?
<u>12. Preamble/ Principle</u>											
a) Provinces Freely united		?	?	?	?	N	Y	Y	?	N	Y
b) People Freely united		?	?	?	?	Y	N	N	?	N	N
c) Both people and provinces Freely united		?	?	?	?	N	N	N	?	Y	N
d) Lines 18-21 - Quebec draft		?	?	?	?	?	Y	?	?	?	?
- Quebec draft with "Société" instead of "peuple"		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
e) Agreement in principle to "best effort" draft		Y	Y	Y	?	N	Y	Y	?	Y	Y