

NEWS RELEASE

April 16, 1981

Ottawa - Premiers from eight Canadian provinces today signed a new and historic Canadian patriation plan including an amending formula for the constitution.

Alberta, British Columbia, Manitoba, Newfoundland, Nova Scotia, Prince Edward Island, Quebec and Saskatchewan were signatories to the "Constitutional Accord: Canadian Patriation Plan".

It calls for patriation of the constitution and, as part of the patriation plan, acceptance of an amending formula that would ensure all future amendments are made in Canada.

In the constitutional accord the signing provinces agree to:

- * patriate rapidly the Constitution of Canada;
- * adopt a new amending formula for the Canadian Constitution;
- * enter into intensive constitutional negotiations during a three-year period based on the new amending formula; and
- * discontinue all court action on this matter.

The Canadian patriation plan is conditional upon the Government of Canada withdrawing the proposed joint address on the constitution.

Under the Canadian patriation plan the United Kingdom parliament would end its trusteeship over the British North America Act without damaging its historically fine relationship with Canada.

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The new amending formula combines flexibility and stability; this is a principal feature of the accord.

Under the formula, all amendments to the constitution must have approval of the Canadian parliament, except those related to the internal constitution of a province.

Most amendments would require legislative approval of two-thirds of the provinces (seven) representing at least 50 per cent of the population of the ten provinces. This establishes legal equality amongst all provinces.

When an amendment diminishes a province's rights, privileges, or powers, an individual province may choose to retain these rights, privileges and powers by obtaining the approval of a majority vote of the total number of members of its legislature; and such a province would then receive adequate financial compensation.

For a limited number of important matters including those relating to the Crown, parliamentary representation, language and the composition of the Supreme Court, the consent of all provincial legislatures would be required.

This amending formula is demonstrably preferable for all Canadians to that proposed by the federal government because it:

- * recognizes the equality of provinces within Canada.
- * avoids the need for a referendum to choose an amending formula or as a method of amending the constitution.
- * removes the absolute veto power that the federal government proposes to give the senate over constitutional reform, including senate reform.

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The premiers agreed that together with the federal government an agenda for constitutional change could be immediately drawn up. This would include all the subjects that were discussed during last summer's constitutional conferences.

The eight premiers pointed out that their agreement on the Canadian constitution shows clearly and positively that significant constitutional progress is possible when all parties approach the issue with sincerity and goodwill.

The premiers are prepared to go forward with this plan before their respective Legislatures upon acceptance by the Prime Minister of Canada.

By working together, the federal and provincial governments now have an opportunity to make a modern, made-in-Canada constitution, the premiers said.

Details of the accord and amending formula are being sent simultaneously to the prime minister and the premiers of Ontario and New Brunswick for their active consideration.

The eight premiers are now waiting for the prime minister to call a constitutional conference.