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December 18, 1980

PROPOSED RESOLUTION: MATTERS OUTSTANDING

1. Section 1 - Limitation Chance
 - Wording of clause in terms of impact on emergency measures to be discussed with Robertson (Gibson).
2. Sections 11 and 13 - Protection Against Self Crimination

Inclusion to be cleared with Prime Minister.
Memorandum sent to Kirby December 17.
3. Section 24 - Native Rights

Inclusion of possible reference to "historic, treaty and other rights" to be floated informally with Indian leaders. Letter sent to Tellier December 17.
4. Section 31 - Equalization

Kirby to speak to Hatfield re wording after Blakeney appears before Committee. Prefer to go with Manitoba/Saskatchewan draft but may adopt Quebec draft if pressed.
5. Sections 40/46 - Referenda Rules Commissions

Require clarification of time period within which Parliament can modify or let stand rules proposed by Commission. Memorandum sent to Kirby December 18.
6. Sections 52/53 - Resources Jurisdiction

Lalonde to talk to Broadbent in early January re wording of draft. Strayer has prepared memorandum on points for discussion.
7. Modifications to Legal Rights, etc. - Ontario

Kirby to arrange for meeting with Davis in early January to apprise Minister of proposed changes that will concern Ontario.

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8. Technical Amendments

There are none that have to be cleared with Prime Minister.

9. Issues Before Cabinet

- (a) Non-Discrimination Rights - keep "age" in.
- (b) Provincial Language Rights - Ontario
- (c) Minority Language Education - "where numbers warrant" - Govt in
- (d) Provision on Multiculturalism - approval.
- (e) Section 47 - Newfoundland Amendment - no dec. Note to PM, he may decide
- (f) Section 50/51 - Senate Amendments - no outcome, serious proposal will be approved.

10. Who Proposes Certain Amendments

- (a) Resources - NDP ✓
- (b) Section 38 - Reduction from 8 to 7 provinces (Govt)
- (c) Section 2 - Separating assembly and association (Govt)
- (d) Section 10 - Informing of right to counsel (Govt)
- (e) Section X - Property rights (Let proposal come from opposition)