

AMENDMENTS

NDP

Clause 6

That clause 6 of the proposed Constitution Act 1980, be amended by:

a) striking out line 19 on page 4 and substituting the following:

"present or previous residence;

b) striking our line 23 on page 4 and substituting the following:

"services; and

c) adding a new paragraph 6(3)(c) after line 23 on page 4:

"(c) any laws or practices as are reasonably justifiable to mitigate adverse environmental and social impacts on a community, culture, economy or society of the aboriginal peoples of Canada."

*Edlin put this in
page.*

d) adding a new subsection 6(4):

"(4) Canadian citizenship once legally acquired shall be inalienable."

Proposed Section 30

- 30 (1) The manifestation or exercise of the freedoms declared by Sub-sections 2 (b)-(c) may be made subject only to such limitations as are demonstrably justifiable in a free and democratic society.
- (2) In time of public emergency, which threatens the life of the nation or a part thereof and the existence of which is officially proclaimed by the federal government and confirmed by the House of Commons at the earliest possible time, not more than one-third of the members present and voting opposed, the rights set out in those sections, may be derogated from to the extent strictly required by the exigencies of the situation providing that any measures taken pursuant to this Section may not involve distinction on the grounds outlined in Section 15(1).

Moved by

That the proposed *Constitution Act, 1980* be amended by

(a) adding thereto immediately after line 3 on page 7
the following:

Extention of
application of
certain
language
rights

" 21. (1) The legislative assembly of
each province to which subsection 16(2), 17(2),
18(2), 19(2) or 20(2) does not expressly apply
may, by resolution, authorize the issuance by
the Governor General of a proclamation under the
Great Seal of Canada declaring that any of those
provisions

- (a) has application in the province; or
- (b) has application in the province
to the extent and under the conditions
stated in the resolution.

Effect of
proclamation

(2) Where the legislative assembly of a
province authorizes the issuance of a proclamation
declaring that a subsection referred to in
subsection (1) has application in the province, the
proclamation may be issued notwithstanding any
other provision of this Act respecting the
procedures for amending the Constitution of
Canada and shall

- (a) if the subsection is to apply in the
province without any limitations or conditions,
amend the subsection to include the province as
a province named in the subsection; or
- (b) if the subsection is to apply in the
province to the extent or under conditions
stated in the resolution authorizing the issue
of the proclamation, subject to section 22 so
apply in the province and, for purposes of
amendment, be deemed to be a provision of
the Constitution of Canada that applies to one
or more but not all provinces. "

; and

(b) renumbering the subsequent clauses accordingly.

Moved by

Moved by

That the proposed *Constitution Act, 1980* be amended by

(a) adding thereto immediately after line 3 on page 7
the following:

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application of
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- (a) if the subsection is to apply in the
province without any limitations or conditions,
amend the subsection to include the province as
a province named in the subsection; or
- (b) if the subsection is to apply in the
province to the extent or under conditions
stated in the resolution authorizing the issue
of the proclamation, subject to section 22 so
apply in the province and, for purposes of
amendment, be deemed to be a provision of
the Constitution of Canada that applies to one
or more but not all provinces. "

; and

(b) renumbering the subsequent clauses accordingly.

Moved by

Moved by

That the proposed *Constitution Act, 1980* be amended by

(a) adding thereto immediately after line 3 on page 7 the following:

Extention of application of certain language rights

" 21. (1) The legislative assembly of each province to which subsection 16(2), 17(2), 18(2), 19(2) or 20(2) does not expressly apply may, by resolution, authorize the issuance by the Governor General of a proclamation under the Great Seal of Canada declaring that any of those provisions

- (a) has application in the province; or
- (b) has application in the province to the extent and under the conditions stated in the resolution.

Effect of proclamation

(2) Where the legislative assembly of a province authorizes the issuance of a proclamation declaring that a subsection referred to in subsection (1) has application in the province, the proclamation may be issued notwithstanding any other provision of this Act respecting the procedures for amending the Constitution of Canada and shall

- (a) if the subsection is to apply in the province without any limitations or conditions, amend the subsection to include the province as a province named in the subsection; or
- (b) if the subsection is to apply in the province to the extent or under conditions stated in the resolution authorizing the issue of the proclamation, subject to section 22 so apply in the province and, for purposes of amendment, be deemed to be a provision of the Constitution of Canada that applies to one or more but not all provinces. "

; and

(b) renumbering the subsequent clauses accordingly.

Il est proposé que le projet de modification de l'article 20 du projet de loi constitutionnelle 1980 soit modifié par :

a) insertion, après l'alinéa a), de ce qui suit :

(4b) ni des droits de liberté que peuvent avoir telle ou telle collectivité culturelle;

substitués, à l'alinéa a), par ce qui suit :

Moved by

Moved by

That the proposed *Constitution Act, 1980* be amended by

(a) adding thereto immediately after line 3 on page 7 the following:

Extention of application of certain language rights

" 21. (1) The legislative assembly of each province to which subsection 16(2), 17(2), 18(2), 19(2) or 20(2) does not expressly apply may, by resolution, authorize the issuance by the Governor General of a proclamation under the Great Seal of Canada declaring that any of those provisions

- (a) has application in the province; or
- (b) has application in the province to the extent and under the conditions stated in the resolution.

Effect of proclamation

(2) Where the legislative assembly of a province authorizes the issuance of a proclamation declaring that a subsection referred to in subsection (1) has application in the province, the proclamation may be issued notwithstanding any other provision of this Act respecting the procedures for amending the Constitution of Canada and shall

- (a) if the subsection is to apply in the province without any limitations or conditions, amend the subsection to include the province as a province named in the subsection; or
- (b) if the subsection is to apply in the province to the extent or under conditions stated in the resolution authorizing the issue of the proclamation, subject to section 22 so apply in the province and, for purposes of amendment, be deemed to be a provision of the Constitution of Canada that applies to one or more but not all provinces. "

Article
Page 8 ; and

(b) renumbering the subsequent clauses accordingly.

Il est proposé que le projet de modification de l'article 25 du projet de loi constitutionnelle de 1980 soit modifié par :

(a) insertion, après l'article 21, de ce qui suit :

(1) L'assemblée législative de chaque province à laquelle ne s'applique pas expressément le paragraphe 16(2), 17(2), 18(2), 19(2) ou 20(2) peut, par résolution, autoriser l'émission par le gouverneur général d'une proclamation sous le grand sceau du Canada déclarant que l'une de ces dispositions

(a) s'applique dans la province; ou

(b) s'applique dans la province

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PART II
LANGUAGE RIGHTS

Art. 10. English and French are the official languages of Canada having the status and protection set forth in this Part.

Art. 11. A person has the right to use English and French in the debates of the Parliament of Canada and of the Legislatures of Ontario, Quebec, Nova Scotia, New Brunswick, Manitoba, Prince Edward Island and Newfoundland.

Art. 12. The statutes and the records and journals of the Parliament of Canada shall be printed and published in English and French; and both versions of such statutes shall be authoritative.

Art. 13. The statutes of each Province shall be printed and published in English and French, and where the Government of a Province prints and publishes its statutes in one only of the official languages, the Government of Canada shall print and publish them in the other official language; the English and French versions of the statutes of the Provinces of Quebec, New Brunswick and Newfoundland shall be authoritative.

Art. 14. A person has the right to use English and French in giving evidence before, or in any pleading or process in the Supreme Court of Canada, any courts established by the Parliament of Canada or any court of the Provinces of Quebec, New Brunswick and Newfoundland, and to require that all documents and judgments issuing from such courts be in English or French, and when necessary a person is entitled to the services of an interpreter before the courts of the other Provinces.

Art. 15. An individual has the right to the use of the official language of his choice in communications between him and the head or central office of every department and agency of the Government of Canada and of the Governments of the Provinces of Ontario, Quebec, New Brunswick, Prince Edward Island and Newfoundland.

Art. 16. A Provincial Legislative Assembly may, by resolution, declare that any part of Articles 13, 14, and

15 that do not expressly apply to that Province shall apply to the Legislative Assembly, and to any of the provincial courts and offices of the provincial departments and agencies according to the terms of the resolution, and thereafter such parts shall apply to the Legislative Assembly, courts and offices specified according to the terms of the resolution; and any right conferred under this Article may be abrogated or diminished only in accordance with the procedure prescribed in Article 50.

Art. 17. A person has the right to the use of the official language of his choice in communications between him and every principal office of the departments and agencies of the Government of Canada that are located in an area where a substantial proportion of the population has the official language of his choice as its mother tongue, but the Parliament of Canada may define the limits of such areas and what constitutes a substantial proportion of the population for the purposes of this Article.

Art. 18. In addition to the rights provided by this Part, the Parliament of Canada and the Legislatures of the Provinces may, within their respective legislative jurisdictions, provide for more extensive use of English and French.

Art. 19. Nothing in this Part shall be construed as derogating from or diminishing any legal or customary right or privilege acquired or enjoyed either before or after the coming into force of this Part with respect to any language that is not English or French.

Vinturi

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Art. 14. A person has the right to use English and French in giving evidence before, or in any pleading or process in the Supreme Court of Canada, any courts established by the Parliament of Canada or any court of the Provinces of Quebec, New Brunswick and Newfoundland, and to require that all documents and judgments issuing from such courts be in English or French, and when necessary a person is entitled to the services of an interpreter before the courts of the other Provinces.

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AMENDMENTS: UNOFFICIAL STATUS REPORTS

1981

7-17

G - 5

Clause 1

Page 3

Moved by

That Clause 1 of the proposed Constitution Act, 1980 be amended by striking out lines 4 to 6 on page 3 and substituting the following:

"reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society."

E. Goldenburg

Moved by .

That clause 11 of the proposed *Constitution Act, 1980* be amended by striking out lines 7 to 30 on page 5 and substituting the following:

Proceedings
in criminal
and penal
matters

"11. Any person charged with an offence has the right

- (a) to be informed promptly of the specific offence;
- (b) to be tried within a reasonable time;
- (c) not to be compelled to be a witness in proceedings against that person in respect of the offence;
- (d) to be presumed innocent until proven guilty according to law in a fair and public hearing by an independent and impartial tribunal;
- (e) not to be denied reasonable bail without just cause;
- (f) except in the case of an offence under military law tried before a military tribunal, to the benefit of trial by jury where the maximum punishment for the offence is imprisonment for five years or a more severe punishment;
- (g) not to be found guilty on account of any act or omission that at the time of the act or omission did not constitute an offence under Canadian or international law;
- (h) if finally acquitted of the offence, not to be tried for it again and, if finally found guilty and punished for the offence, not to be tried or punished for it again; and
- (i) if found guilty of the offence and if the punishment for the offence has been varied between the time of commission and the time of sentencing, to the benefit of the lesser punishment."

Continuity of language instruction

Application where warrant

(b) includes, where the number of those children in an area of the province is sufficient to warrant the provision out of public funds of minority language education facilities in that area, the right to have those children receive that instruction in such facilities.

Moved by

That clause 23 of the proposed *Constitution Act, 1980* be amended by striking out lines 16 to 42 on page 7 and substituting the following:

Language of instruction

"23. (1) Citizens of Canada
(a) whose first language learned and still understood is that of the English or French linguistic minority population of the province in which they reside, or
(b) who have received their primary school instruction in Canada in English or French and reside in a province where the language in which they received that instruction is the language of the English or French linguistic minority population of the province,
have the right to have their children receive primary and secondary school instruction in that language in that province.

Continuity of language instruction

(2) Citizens of Canada of whom any child has received or is receiving primary or secondary school instruction in English or French in Canada, have the right to have all their children receive primary and secondary school instruction in the same language.

Application where numbers warrant

(3) The right of citizens of Canada under this section to have their children receive primary and secondary school instruction in the language of the English or French linguistic minority population of a province
(a) applies where they reside in an area of the province in which the number of children of citizens who have such a right is sufficient to warrant the provision to them out of public funds of minority language instruction; and
(b) includes, where the number of those children in an area of the province is sufficient to warrant the provision out of public funds of minority language education facilities in that area, the right to have those children receive that instruction in such facilities.

Moved by

That clause 32 of the proposed *Constitution Act, 1980* be amended by

(a) renumbering clause 32 on page 9 as subclause 32(1);

(b) striking out lines 28 to 30 on page 9 and substituting the following:

"year."

; and

(c) adding thereto immediately after the renumbered subclause 32(1) on page 9 the following subclause:

Discussions
respecting
aboriginal
peoples

"(2) A conference convened under subsection (1) shall have included in its agenda an item respecting constitutional **matters** that directly affect the aboriginal peoples and the Prime Minister of Canada shall invite representatives of those peoples to participate in the discussions on that item."

Section 15

Affirmative
action

(2) Subsection (1) does not preclude any law,
program or activity that has as its object the
amelioration of conditions of individuals or
groups that are disadvantaged because of
discrimination.

Moved by

That clause 6 of the proposed Constitution Act, 1980 be amended by

(a) striking out the word "and" at the end of paragraph 6(3)(a) on page 4; and

(b) striking out line 23 on page 4 and substituting the following:

"services; and

(c) any laws or practices that are reasonably justifiable for the purpose of mitigating any environmental or social impact of any activity on the community, culture, economy or society of any of the aboriginal peoples of Canada."

Motion de

Il est proposé que l'article 6 du projet de Loi constitutionnelle de 1980 soit modifié par substitution, aux lignes 22 à 24, de ce qui suit :

«c) aux lois et usages dont la raison d'être se justifie par le souci d'atténuer les conséquences écologiques ou sociales défavorables de toute activité susceptible de toucher les peuples autochtones du Canada sur les plans collectif, culturel, économique ou associatif.»

Moved by

That clause 7 of the proposed *Constitution Act, 1980* be amended by

(a) striking out line 25 on page 4 and substituting the following:

"security of the person and enjoyment of property and the right not"

; and

(b) striking out line 27 on page 4 and substituting the following:

"with the principles of natural justice."

Article 7

Page 4

Motion de

Il est proposé que l'article 7 du projet de Loi constitutionnelle de 1980 soit modifié par :

a) substitution, à la ligne 26, page 4, de ce qui suit :

«la sécurité de sa personne, et à la jouissance de ces biens; il ne peut être»;

b) substitution, à la ligne 28, page 4, de ce qui suit :

«avec les principes de justice naturelle.»

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N-10

Clause 7

Page 4

Moved by

That the amendment to clause 7 be amended by adding thereto immediately after the word "justice" the following:

" , including the principles of due process of law. "

N-10

Article 7

Page 4

Motion de

Il est proposé que la modification de l'article 7 soit modifiée par adjonction, après le mot « naturelle », de ce qui suit:

« y compris le principe de la légalité. »

Moved by

That clause 7 of the proposed Constitution Act, 1980 be amended by

(a) adding immediately after line 27 on page 4 the following:

Fair hearing | "8. Everyone has the right to a fair hearing in accordance with the principles of fundamental justice for the determination of rights and obligations." ;

(b) adding immediately after the proposed new clause (8) the following:

Privacy | "9. Everyone has the right to protection against arbitrary or unreasonable interference with privacy." ; and

(c) renumbering all subsequent clauses accordingly.

Motion de

Il est proposé que le projet de Loi constitutionnelle de 1980 soit modifié par

a) adjonction, après la ligne 28, page 4, de ce qui suit :

Audition impartiale | «8. Chacun a droit à une audition impartiale de sa cause en conformité avec les principes de justice fondamentales pour la détermination de ses droits et obligations.»

b) adjonction, après le projet du nouvel article 8 de ce qui suit :

Vie privée | «9. Chacun a droit à la protection contre toute intervention abusive ou arbitraire dans sa vie privée.»

G-9

Clause 8

Page 4

Moved by

That Clause 8 of the proposed Constitution Act, 1980 be amended by striking out lines 28 to 31 on page 4 and substituting the following:

Search or seizure "8. Everyone has the right to be secure against unreasonable search or seizure."

G-9

Article 8

Page 4

Motion de

Il est proposé que l'article 8 du projet de Loi constitutionnelle de 1980 soit modifié par substitution, aux lignes 30 et 31, de ce qui suit :

Fouilles, perquisitions ou saisies «les fouilles, les perquisitions ou les saisies abusives.»

N-12

Clause 8

Page 4

Moved by

That the proposed amendment to clause 8 of the proposed Constitution Act, 1980 be amended by striking out the amendment and substituting the following:

"Everyone has the right not to be subjected to unreasonable search or seizure of person or property."

N-12

Article 8

Page 4

Motion de

Il est proposé que le projet de modification de l'article 8 du projet de Loi constitutionnelle de 1980 soit modifié par substitution, à tout ce qui suit le mot «Chacun», de ce qui suit :

«Chacun a droit à la protection contre les fouilles, les perquisitions, les saisies ou les prises de corps abusives.»

G-10

Clause 9

Page 4

Moved by

That Clause 9 of the proposed Constitution Act, 1980 be amended by striking out lines 32 to 35 on page 4 and substituting the following:

Detention or imprisonment "9. Everyone has the right not to be arbitrarily detained or imprisoned."

G-10

Article 9

Page 4

Motion de

Il est proposé que l'article 9 du projet de Loi constitutionnelle de 1980 soit modifié par substitution, aux lignes 34 à 38, page 4, de ce qui suit :

Détention ou emprisonnement «9. Chacun a droit à la protection contre la détention ou l'emprisonnement arbitraires.»

C.P.-5

Clause 9

Page 4

Moved by

That the proposed amendment to clause 9 of the proposed Constitution Act, 1980 be amended by striking out the words "or imprisoned" and substituting therefor the following words:

"imprisoned or deported."

P.C.-5

Article 9

Page 4

Motion de

Il est proposé que le projet de modification de l'article 9 du projet de Loi constitutionnelle de 1980 soit modifié par substitution, à «contre la détention ou l'emprisonnement arbitraires», de ce qui suit :

«contre la détention, l'emprisonnement ou l'expulsion arbitraires».

G-11

Clause 10

Pages 4 and 5

Moved by

That Clause 10 of the proposed Constitution Act, 1980 be amended by striking out lines 38 and 39 on page 4 and lines 1 and 2 on page 5 and substituting the following:

"(a) to be informed promptly of the reasons therefor;

(b) to retain and instruct counsel without delay and to be informed of that right; and"

G-11

Article 10

Pages 4 et 5

Motion de

Il est proposé que l'article 10 du projet de Loi constitutionnelle de 1980 soit modifié par substitution, aux lignes 41 à 43, page 4, et aux lignes 1 et 2, page 5, de ce qui suit :

«a) d'être informé dans les plus brefs délais des motifs de son arrestation ou de sa détention;

b) d'avoir recours sans délai à l'assistance d'un avocat et d'être informé de ce droit;»

Moved by

That clause 10 be amended by

(a) striking out line 6 on page 5 and substituting the following:

"lawful;

(d) if without sufficient means to pay for counsel and if the interests of justice so require, to be provided with counsel;" ; and

(b) by adding after paragraph (d) the following:

"(e) to protection against self-crimination from the moment of arrest and the right to be informed of that right."

Motion de

Il est proposé que l'article 10 du projet de Loi constitutionnelle de 1980 soit modifié par

a) substitution, à la ligne 5, page 5, de ce qui suit :

«cas échéant, sa libération;

d) d'avoir l'assistance d'un avocat s'il n'a pas de moyens suffisants et si l'intérêt de la justice l'exige;»

b) par adjonction, après l'alinéa d), de ce qui suit :
«e) dès le moment de son arrestation, de ne pas s'incriminer et d'être informé de ce droit.»

Moved by

That clause 10 be amended by

(a) striking out line 6 on page 5 and substituting the following:

"lawful;

(d) if without sufficient means to pay for counsel and if the interests of justice so require, to be provided with counsel;" ; and

(b) by adding after paragraph (d) the following:

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b) par adjonction, après l'alinéa d), de ce qui suit :
«e) dès le moment de son arrestation, de ne pas s'incriminer et d'être informé de ce droit.»

Moved by

That clause 6 of the proposed Constitution Act, 1980 be amended by

(a) striking out the word "and" at the end of paragraph 6(3)(a) on page 4; and

(b) striking out line 23 on page 4 and substituting the following:

"services; and

(c) any laws or practices that are reasonably justifiable for the purpose of mitigating any environmental or social impact of any activity on the community, culture, economy or society of any of the aboriginal peoples of Canada."

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Il est proposé que l'article 6 du projet de Loi constitutionnelle de 1980 soit modifié par substitution, aux lignes 22 à 24, de ce qui suit :

«c) aux lois et usages dont la raison d'être se justifie par le souci d'atténuer les conséquences écologiques ou sociales défavorables de toute activité susceptible de toucher les peuples autochtones du Canada sur les plans collectif, culturel, économique ou associatif.»

Moved by

That clause 7 of the proposed *Constitution Act, 1980* be amended by

(a) striking out line 25 on page 4 and substituting the following:

"security of the person and enjoyment of property and the right not"

; and

(b) striking out line 27 on page 4 and substituting the following:

"with the principles of natural justice."

Article 7

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Il est proposé que l'article 7 du projet de Loi constitutionnelle de 1980 soit modifié par :

a) substitution, à la ligne 26, page 4, de ce qui suit :

«la sécurité de sa personne, et à la jouissance de ces biens; il ne peut être»;

b) substitution, à la ligne 28, page 4, de ce qui suit :

«avec les principes de justice naturelle.»

Moved by

. That the amendment to clause 7 be amended by adding thereto immediately after the word "justice" the following:

" , including the principle\$ of due process of law."

Motion de

Il est proposé que la modification de l'article 7 soit modifiée par adjonction, après le mot « naturelle », de ce qui suit:

« y compris le principe de la légalité. »

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That clause 7 of the proposed Constitution Act, 1980 be amended by

(a) adding immediately after line 27 on page 4 the following:

Fair hearing | "8. Everyone has the right to a fair hearing in accordance with the principles of fundamental justice for the determination of rights and obligations." ;

(b) adding immediately after the proposed new clause (8) the following:

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(c) renumbering all subsequent clauses accordingly.

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a) adjonction, après la ligne 28, page 4, de ce qui suit :

Audition impartiale | «8. Chacun a droit à une audition impartiale de sa cause en conformité avec les principes de justice fondamentales pour la détermination de ses droits et obligations.»

b) adjonction, après le projet du nouvel article 8 de ce qui suit :

Vie privée | «9. Chacun a droit à la protection contre toute intervention abusive ou arbitraire dans sa vie privée.»

N-12

Clause 8

Page 4

Moved by

That the proposed amendment to clause 8 of the proposed Constitution Act, 1980 be amended by striking out the amendment and substituting the following:

"Everyone has the right not to be subjected to unreasonable search or seizure of person or property."

N-12

Article 8

Page 4

Motion de

Il est proposé que le projet de modification de l'article 8 du projet de Loi constitutionnelle de 1980 soit modifié par substitution, à tout ce qui suit le mot «Chacun», de ce qui suit :

«Chacun a droit à la protection contre les fouilles, les perquisitions, les saisies ou les prises de corps abusives.»

G-10

Clause 9

Page 4

Moved by

That Clause 9 of the proposed Constitution Act, 1980 be amended by striking out lines 32 to 35 on page 4 and substituting the following:

Detention or imprisonment

"9. Everyone has the right not to be arbitrarily detained or imprisoned."

G-10

Article 9

Page 4

Motion de

Il est proposé que l'article 9 du projet de Loi constitutionnelle de 1980 soit modifié par substitution, aux lignes 34 à 38, page 4, de ce qui suit :

Détention ou emprisonnement

«9. Chacun a droit à la protection contre la détention ou l'emprisonnement arbitraires.»

C.P.-5

Clause 9

Page 4

Moved by

That the proposed amendment to clause 9 of the proposed Constitution Act, 1980 be amended by striking out the words "or imprisoned" and substituting therefor the following words:

"imprisoned or deported."

P.C.-5

Article 9

Page 4

Motion de

Il est proposé que le projet de modification de l'article 9 du projet de Loi constitutionnelle de 1980 soit modifié par substitution, à «contre la détention ou l'emprisonnement arbitraires», de ce qui suit :

«contre la détention, l'emprisonnement ou l'expulsion arbitraires».

G-11

Clause 10

Pages 4 and 5

Moved by

That Clause 10 of the proposed Constitution Act, 1980 be amended by striking out lines 38 and 39 on page 4 and lines 1 and 2 on page 5 and substituting the following:

"(a) to be informed promptly of the reasons therefor;

(b) to retain and instruct counsel without delay and to be informed of that right; and"

G-11

Article 10

Pages 4 et 5

Motion de

Il est proposé que l'article 10 du projet de Loi constitutionnelle de 1980 soit modifié par substitution, aux lignes 41 à 43, page 4, et aux lignes 1 et 2, page 5, de ce qui suit :

«a) d'être informé dans les plus brefs délais des motifs de son arrestation ou de sa détention;

b) d'avoir recours sans délai à l'assistance d'un avocat et d'être informé de ce droit;»

Moved by

That clause 10 be amended by

(a) striking out line 6 on page 5 and substituting the following:

"lawful;

(d) if without sufficient means to pay for counsel and if the interests of justice so require, to be provided with counsel;" ; and

(b) by adding after paragraph (d) the following:

"(e) to protection against self-crimination from the moment of arrest and the right to be informed of that right."

Motion de

Il est proposé que l'article 10 du projet de Loi constitutionnelle de 1980 soit modifié par

a) substitution, à la ligne 5, page 5, de ce qui suit :

«cas échéant, sa libération;

d) d'avoir l'assistance d'un avocat s'il n'a pas de moyens suffisants et si l'intérêt de la justice l'exige;»

b) par adjonction, après l'alinéa d), de ce qui suit :

«e) dès le moment de son arrestation, de ne pas s'incriminer et d'être informé de ce droit.»

L.

Clause 15

Page 6

Moved by

That the proposed amendment to clause 15 of the proposed *Constitution Act, 1980* be amended by striking out in subclause 15(1) the words "discrimination and, in particular, without discrimination" and substituting the following words:

"without distinction of any kind, such as"

- Mike should speak to Coline C.
- Prepare an answer as to why we are using our terminology. Suggest to her that she merely ask the questions.
- Have Minister explain to her that she shouldn't move amendments.

Jan 21 Yes

Jan 22 No

Jan 22 No

Not acted on

ed: Jan 22 Yes

Jan 22 No

Jan 22 No

Jan 22 Yes

No (Not necessary, given N-3(b))

d) Jan 22 Yes

Jan 22 No

Jan 22 No

ed: Jan 22 Yes

Jan 22 No

Jan 22 Yes

ed: Jan 22 Yes

Jan 22 Yes

Jan 22 No

Jan 22 No

Jan 22 No

ed: Jan 22 Yes

AMENDMENTS: UNOFFICIAL STATUS REPORTS

1981

7-17