

For the first time in Canadian history, the Constitution recognizes the equality of women. As such, women's groups can now challenge laws that discriminate against women. Because the scope of the equality clauses is so extensive and will affect so many laws, they will only go into effect three years after the return of the Constitution to Canada.

Language rights expanded

The Charter also expands the existing language rights in Canada. The equal status of English and French as the nation's official languages in all institutions of Parliament and the federal government are entrenched in the Constitution, as is the right to the use of both languages in the legislature and government of New Brunswick. The rights previously set out in the Constitution to use either English or French in the legislatures and courts of Quebec and Manitoba will continue. Furthermore the Charter adds new guarantees of minority language education rights. Canadians who have to move around the country, or English- or French-speaking minorities living in a province of another language group, will be able to have their children educated in their own language.

In addition, the Charter will have to be interpreted so as not to deny any of the existing aboriginal and treaty rights of the native peoples of Canada — Inuit, Indian, Métis, which are officially affirmed and recognized in the Constitution Act 1982.

Finally, the Charter protects the principle of the mobility of labour, declaring that every Canadian is free to move and work anywhere in Canada. Provinces however retain the right to take "affirmative action" for their residents if their provincial employment rate is below the national average.

One feature of the Charter that is considered unique is what is called the "notwithstanding" or override clause. Both Parliament and the provincial legislatures retain a limited power to pass laws that may conflict with the fundamental freedoms, legal rights and certain equality rights of the Charter on condition the Parliament or legislature inserts a clause declaring specifically that it is passing the law "notwithstanding" the Charter. This clause expires at the end of five years, unless it is re-enacted. In other words, when governments propose laws that limit the rights and freedoms set out in the Charter, they must say clearly that is what they are doing and accept full

responsibility for the political consequences. Many constitutional experts see the arrangements as "an ingenious marriage of a bill of rights and a parliamentary democracy".

Benefits to provinces

Although the Constitution Act 1982 is not primarily concerned with the allocation of powers in the federal system, there are two constitutional provisions that will benefit directly the provinces and their ability to exercise their constitutional responsibilities. The well-accepted practice of using federal revenues to help the less wealthy provinces, the principle of equalization, is now enshrined in the Constitution. This means the federal and provincial governments are constitutionally committed to promoting equal opportunities for the well-being of all Canadians, to furthering economic development to reduce disparity in opportunities and to providing essential public services of reasonable quality to all Canadians. The other provision of interest to provincial governments in the Constitution Act 1982 is the one that confirms the exclusive provincial authority over natural resources and gives the provinces new powers respecting the interprovincial sale of resources and the indirect taxation of non-renewable resources.

Amending procedure set out

Finally, the Constitution Act 1982 provides Canadians with the framework within which changing needs and circumstances can be adapted. The amending procedure spells out for the first time how Canadians through their national and provincial governments can make changes to their Constitution.

Future changes will require the consent of the Canadian Parliament and seven provincial legislatures representing at least 50 per cent of the population of all the provinces. No single province can veto constitutional amendments under this general amending formula. However, if there is an amendment that transfers provincial powers, privileges or rights to the federal government, a province can "opt out" of that change (i.e. refuse to accept the transfer for itself) and can receive fiscal compensation if that amendment concerns education or cultural matters. In certain matters such as the monarchy, specific language rights and the composition of the Supreme Court, the consent of Parliament and all of the provincial legislatures will be required.

Bulau finishes third in World Cup ski jumping

The World Cup ski-jumping championships ended recently in Planica, Yugoslavia, with Horst Bulau of Ottawa, Ontario, placing third in the over-all standings with a total of 150 points.

Bulau, 19, had his best jump in the final competition since returning after breaking his right collarbone during a World Cup event at St. Moritz, Switzerland in January. His first jump measured 115 metres while his second on a windy course measured 91 metres.

Bulau had returned to the World Cup ski-jumping circuit only three weeks after his fall and Canadian coach Bill Bakke was pleased with Bulau's efforts.

"Considering his injury it is a very real accomplishment, but we feel maybe he is still a bit better skier than that. It does, however, reinforce that he is a world-class skier. We just hope that next year he will be able to ski through the season uninjured," said Bakke.

Chinese garden to be built in Vancouver Park

A Suzhou (Soochow) Garden will be built this spring in the Dr. Sun Yat Sen Park in Vancouver.

The classical garden will be modelled after the world-renowned Suzhou arbours in China and is expected to be the most authentic Chinese garden in North America.

Fifty Suzhou bower buildings specialists will come to Vancouver to build the garden, beginning in May. In addition to their skills, the artists will bring prefabricated pavilions to be assembled in Canada, as well as rare and valuable rocks from Lake Tai.

Features of the garden

When completed the Suzhou Garden will have false mountains, man-made ponds stocked with golden carp, terraces, bridges, and a profusion of natural materials and trees. An authentic classical garden of the Ming Dynasty vintage will be included in the park development.

As a gesture to Canada, the Chinese province of Kiangsu is providing about \$500 000 worth of labour and materials to Vancouver for the project. The City of Vancouver however, will pay for the craftsmen's wages, medical, hotel and meal expenses.