

APPENDIX

(See p. 1042)

THE CONSTITUTION

SECOND REPORT OF SPECIAL JOINT COMMITTEE

WEDNESDAY, October 4, 1978.

The Special Joint Committee of the Senate and the House of Commons on the Constitution of Canada has the honour to present its

SECOND REPORT

On June 12, 1978, the Prime Minister tabled a document entitled "A Time for Action" which set out "principles for the renewal of the Canadian federation" and on June 20, Bill C-60 was given first reading. On June 27 the House of Commons and on June 29 the Senate passed resolutions establishing a Special Joint Committee of the Senate and the House of Commons to "examine and report upon proposals that have been and in the future are from time to time made public by the Government of Canada, on subjects related to the Constitution of Canada". On June 30, the Committee held its organizational meeting.

The first full meeting of the Committee was held on August 15 and 34 meetings have been held since then.

An Interim Report

When the Minister of State for Federal-Provincial Relations appeared before the Committee on August 15, he drew attention to the unusual manner of proceeding—the submission of a Bill rather than a White Paper, which was then referred to the Committee following only first reading. The Minister stressed that the approach was deliberate—a Bill to emphasize the urgency which the Government attached to constitutional reform; the reference of that Bill to committee before second reading to demonstrate that "the government is not only open to every constructive and helpful comment and suggestion, it very much wants them".

In this interim report we have sought to offer constructive comment. But we have also been very much aware that the subject is vast and complex. We have concluded that we should only offer our views where we have sufficient evidence to present balanced and responsible comments. Moreover, we know that a meeting of First Ministers on constitutional change, which is bound to have a major effect on the Government's future action in this field, will take place at the end of this month. Finally, the report of the Task Force on Canadian Unity will not be available until at least December. For all these reasons, we are not now in a position to submit a final report.

Work Schedule

The decision to begin hearings in mid-summer complicated the Committee's work. Some witnesses were unavailable; others could not find time to prepare submissions which would take proper account of the detailed nature of the Government's proposals. Nevertheless, the Committee received much useful testimony. To everyone who responded to the Committee's request for written submissions or agreed to appear as witnesses, we express our appreciation.

In addition to meeting with federal ministers and officials, the Committee has already heard from representatives of some Provincial and Territorial Governments, several national organizations and many other experts and knowledgeable witnesses. A list of those who have appeared as witnesses is attached as Appendix "A".

In response to its letters of invitation and advertisements in newspapers across the country the Committee has received some four hundred replies from concerned citizens. Further communications continue to be received daily. A list of all who have submitted briefs or letters to date to the Committee is attached as Appendix "B".

Future Work

The meetings already held have provided a national public forum for discussion of constitutional questions and specific commentary on the Government's proposals. Meetings with federal ministers and officials elaborated and clarified the Government's proposals. The Committee has also offered an opportunity to present their views to Provincial and Territorial Governments. Representatives of the Government of the Province of British Columbia have appeared. A scheduled meeting with the Premier of New Brunswick had to be postponed because of the impending provincial election. Representatives of the governments of the Yukon and Northwest Territories have also met the Committee and we have received written reactions from Premier Moores of Newfoundland. Other premiers have indicated they wish to comment on the federal proposals first at the First Ministers' meeting at the end of October. After that date, however, it might be desirable and possible to arrange meetings with representatives of other provincial governments. Our meetings with representatives of national organizations and other experts have also provided an important sounding board for public opinion.

We believe the Committee's work should be continued in the new session. However, the Committee is dealing with a large