

2. PURPOSE OF AGREEMENT

- 2.1 The purpose of this Agreement is to set out the terms and conditions governing the administration of the Program.
- 2.2 The Centre shall administer the Program in accordance with the objective described in Clause 1 and with the terms and conditions of this Agreement.
- 2.3 In addition, the Centre agrees to continue administering, in accordance with the terms and conditions of this Agreement, activities arising out of the Program before August 1st, 1990.

3. ELIGIBILITY CRITERIA FOR FINANCIAL ASSISTANCE

3.1 Test cases

The Centre may provide financial assistance for test cases that meet the objective of the Program as set out in Clause 1, and are in accordance with the following criteria:

a) For language cases:

The case shall directly test language rights based on section 93 or 133 of the Constitution Act, 1867, or on section 23 of the Manitoba Act, 1870, or on sections 16 to 23 of the Constitution Act, 1982, or parallel constitutional provisions;

b) For equality cases:

Financial assistance shall apply to federal legislation, policies and practices only and the case shall directly test equality rights based on sections 15 (equality) and 28 (equality of the sexes), or in which an argument based on section 27 (multiculturalism) is made in support of arguments based on section 15 of the Canadian Charter of Rights and Freedoms;

c) Duplication shall be avoided. Thus, when a legal issue is before the courts, another person espousing substantially the same legal issue in the same or another case shall not receive financial assistance under the Program;

d) The case must have legal merit and have consequences for a significant number of people;