

Professor Fraser goes on, quite correctly, to point out that this wise course was not followed in Nova Scotia before the British North America Act was enacted and that the consequences of that failure were felt for many years thereafter.

Assuming a "yes" vote on October 26, is there any understanding, written or oral, among the First Ministers as to when and by what process the provincial assemblies will deal definitively with any constitutional changes based on the Charlot-tetwon consensus?

Senator Murray: Honourable senators, the short answer is that I am not aware of any such agreement.

The honourable senator spoke about either "written or oral" understandings. I do not know what the honourable senator would define as an "oral understanding."

My impression is that there is a desire on the part of the various parties to the agreement, the federal government and the provinces being the parties to the amending formula, to proceed quite quickly with the process of legislative ratification so that we do not find ourselves in a similar situation to that which took place between 1987 and 1990 with the Meech Lake Accord.

Senator Stewart: Would proceeding quite quickly preclude the possibility of hearings being conducted, let us say, by the National Assembly in Quebec on the constitutional amendment texts, or by the Legislative Assembly of Nova Scotia on those constitutional texts?

Senator Murray: Absolutely not.

ENTITLEMENT OF ALL CANADIANS TO VOTE IN
REFERENDUM—GOVERNMENT POSITION

Hon. Gildas L. Molgat (Deputy Leader of the Opposition): Honourable senators, my question to the Leader of the Government in the Senate is with regard to the right of all Canadians to vote in the coming referendum. To put the matter clearly, I will read from a letter which outlines the problem. It is from Mr. Graham Haig and is addressed to Pierre F. Côté, Chief Electoral Officer, Province of Quebec. The letter states:

Dear Mr. Côté:

I have recently returned to Quebec after three years in Ontario. I have resided in Quebec since August 1, 1992. I have been informed by your office that I will not be eligible to vote in the Quebec referendum on the Constitution next month.

This gentleman has also written a letter to the Prime Minister wherein he gives a little more detail of his situation. He states:

I am a Canadian citizen. I live within sight of the Peace Tower, and when the cannon goes off at noon, my windows rattle. I value my vote quite highly. I have always exercised my vote, and I have taken time off of work in the past to contribute as a poll clerk and as a deputy returning officer.

[Senator Stewart.]

I returned to Quebec after three years in Ontario on August 1, 1992. I have been informed by the office of the Chief Electoral Officer in Quebec that I am not eligible to vote in the Quebec referendum because I have lived in Quebec for less than six months and I lived outside of Quebec for more than two years. I am not eligible to vote in the federal referendum because it is not being held in Quebec because Quebec is holding its own referendum.

This being a Canadian referendum, surely every Canadian, regardless of where he or she lives, should be entitled to vote. Could the minister give us an indication of what corrections might be made to ensure that this does in fact take effect?

Hon. Lowell Murray (Leader of the Government): No, honourable senators, I cannot do that off the cuff. I can only confirm that, indeed, the referendum in Quebec will be held according to the Quebec referendum laws; there is a six-month residency requirement for people living in Quebec to be eligible to vote in the referendum in that province; however, the legislation does indeed provide that a former resident of Quebec who has left Quebec for less than two years and who intends to return to Quebec is eligible to vote.

Senator Molgat: Would it not be reasonable, this being a Canadian referendum, that every Canadian be entitled to vote?

Senator Murray: Honourable senators, the arrangement was made not only with Quebec; it was offered to those other provinces which had legislation requiring referendums on any constitutional agreement. We, the federal government, offered to those provinces either to conduct their referendums under the aegis of the Chief Elections Officer of Canada or to do so according to their own legislation. In the case of Quebec, it will do so in conformity with its own legislation. I believe that Alberta and British Columbia will do so under the aegis of the Chief Elections Officer of Canada.

Senator Molgat: Would the government be prepared to make representations to the Government of Quebec to attempt to see to it that any Canadian wishing to vote be entitled to vote?

Senator Murray: Honourable senators, we recognize that there are some anomalies caused by the operation of the two levels at the same time. Elections Canada, which as honourable senators are aware operates independently of the government, is examining the administrative details in order to resolve as many of these anomalies as possible.

Senator Molgat: The minister has not replied to my question. Is the Government of Canada prepared to make recommendations to the Province of Quebec to try to see to it that every Canadian who wishes to vote is entitled to vote?

Senator Murray: Honourable senators, I do not think I can add much to what I have already said. An effort will be made, I am told by the Chief Elections Officer, to try to iron out the anomalies that exist. That is something that will have to be done at his level with his counterpart in Quebec.