January 14, 1981

Joint Clerks
Special Joint Committee
on the Constitution of Canada
Postal Box 1044
South Block
Parliament Buildings
OTTAWA, Ontario
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Members of the Joint Committee
on the Constitution of Canada

The London & Middlesex County Roman Catholic Separate School Board
wishes to present the following recommendations for your consideration.

We speak for the citizens, electors, ratepayers, parents, trustees
and teachers identified with Catholic schools in London, educating 25% of all
elementary pupils.

We recommend two safeguards for our Catholic schools:

(a) that any amendment of Section 93 require a privileged
procedure, that is, the unanimous consent of the Federal
Parliament and of the provincial legislatures. This
would follow the pattern adopted in 1949 when Parliament
was given the right to amend, except regarding rights and
privileges of a class of persons with respect to schools....
These were still reserved to the Imperial Parliament. As
a parallel authority today, we recommend the principle of
"unanimity".

(b) That with regard to any possible conflict between Section
93 and any new rights or provisions introduced into the
Constitution, the text include a clause along the following
lines:

"The provisions of this Act (the new Constitution) shall not
be construed as to prejudicially affect the rights and
privileges with respect to denominational schools enjoyed by
a class of people, being Roman Catholic or Protestant, under
Section 93 of the B.N.A. Act, 1867."

Respectfully submitted,

K. J. Regan,
Director of Education.