



PRESS RELEASE

For Immediate Release

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No constitutional experts can be found to defend the constitutionality of anti-union bill C-377

Committee hearings on bill C-377, An Act to amend the Income Tax Act (requirements for labour organizations) started this week at the Senate Standing Committee on Banking, Trade, and Commerce. The committee has heard from the bill's sponsor, MP Russ Hiebert, and a number of constitutional experts and, thus far, there has been no sign of any constitutional expert who will publically defend the bill.

Last December, Mr. Heibert, along with Senator Nancy Eaton and Minister of State Maxime Bernier held a press conference, to praise the bill after it passed 3rd reading.

During this press conference, Mr. Hiebert was asked about expert opinions he received regarding the constitutionality of the bill; "In drafting the bill, we brought it to a variety of constitutional experts in Canada."

When asked to name some these 'experts', he replied; "I don't have their consent to disclose their names"

It has been over 5 months since that press conference, and he has still not been able to find any constitutional expert who is willing come forward and publically support this bill, meanwhile there have been numerous who have come forward to say the opposite.

At last week's meetings several constitutional experts expressed strong concerns about the bill, including Alain Barré of Université Laval and Bruce Ryder of Osgoode Hall Law School.

In addition, Senator Pierrette Ringuette asked Mr. Hiebert to table any expert opinions he received in writing. Mr. Hiebert said he had no such documents to table.

Senator Ringuette has released the following statement regarding this week's testimony;

“The Senate of Canada has an obligation to thoroughly explore the constitutionality of any bill that we vote on; it would be against the very purpose of the chamber of sober second thought to pass a bill that we know to be unconstitutional.

Mr. Hiebert’s personal assurances of constitutionality aside, where are the constitutional experts, who can stand up in public and say this bill is constitutional? We have heard many say it’s not, but not one that says it is.”

The transcripts of the committee meetings can be found at;
http://www.parl.gc.ca/sencommitteebusiness/CommitteeMeetingSchedule.aspx?parl=41&ses=1&Language=E&comm_id=3

For more information:

Tim Rosenburgh
Office of Senator Pierrette Ringuette
rosent@sen.parl.gc.ca
(613) 943-2248