

# The Elections Reform Act

## SCHEDULE D

### AN ACT TO ESTABLISH AN ALL-PARTY COMMITTEE TO MAKE RECOMMENDATIONS ON ELECTING SENATORS

(Assented to June 13, 2006)

AND WHEREAS democracy is a fundamental principle of the Constitution of Canada;

AND WHEREAS the Province of Manitoba abolished its upper house in 1876;

AND WHEREAS the preferred position of Manitoba is that the Senate of Canada be abolished;

AND WHEREAS if not abolished, the Senate should consist of democratically elected members rather than members appointed by a process involving patronage appointments;

AND WHEREAS if the Government of Canada decides that senators should be appointed only if they have been elected, Manitobans should be involved in deciding how their senators are to be elected, and their views should be considered by the federal government;

AND WHEREAS it is important that all regions of the province be represented in an elected Senate;

AND WHEREAS the election of senators should follow the fundamental principles of Manitoba's elections financing law which bans corporate and union donations in election campaigns;

THEREFORE HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Manitoba, enacts as follows:

#### **Purpose of this Act**

**1** The purpose of this Act is to establish a committee of the Assembly to make recommendations about how Manitoba's senators should be elected within the framework of the Constitution of Canada.

#### **Assembly must establish committee**

**2** Within three months after this Act comes into force, the Assembly must establish a committee of its members that

- (a) reflects the proportional representation of members by political party in the Assembly; and
- (b) includes at least one representative from every political party that is represented in the Assembly when the committee is established.

**Committee's mandate**

**3(1)** The mandate of the committee is to consider matters relating to the election of senators for Manitoba, including

(a) the manner in which an election of senators should be conducted, including whether senators should be elected using proportional representation, or by any other form of voting; and

(b) how to ensure that the election of senators will result in a better representation of all the regions of Manitoba.

**Public hearings**

**3(2)** The committee may hold hearings at locations throughout Manitoba to receive submissions from the public.

**Practices and procedure at public hearings**

**3(3)** The committee may adopt practices and procedures respecting the conduct of public hearings.

**Written submissions**

**3(4)** The committee must provide an opportunity for people to make written submissions to the committee.

**Report to Speaker**

**4(1)** The committee must make a report to the Speaker of the Assembly setting out any recommendations it considers appropriate. The report is due six months after the committee is established unless the Assembly changes the deadline.

**Tabling report in Assembly**

**4(2)** The Speaker must table a copy of the report in the Assembly without delay if the Assembly is sitting or, if it is not, within 15 days after the next sitting begins.

**Report to be distributed to members and the public**

**4(3)** If the Assembly is not sitting when the Speaker receives the report, the Speaker must direct that copies be sent to the members of the Assembly and then make the report available to the public.

**Resolution to Privy Council**

**5** If the Assembly, by resolution, approves the recommendations of the committee or approves them with alterations, the Speaker must send the Assembly resolution to the Queen's Privy Council for Canada.

**Coming into force**

**6** This Act comes into force on a day to be fixed by proclamation.

*(NOTE: Proclaimed in force on December 5, 2007)*