

Notwithstanding clause of the charter

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Description: -

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Prerogative, Royal -- Great Britain

Hales, Edward, -- Sir, -- d. 1695

Herbert, Edward, -- Sir, -- 1648?-1698.

Canada -- Constitutional law.

Canada -- Constitutional history.

Civil rights -- Canada. notwithstanding clause of the charter

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Background paper notwithstanding clause of the charter

Notes: 6

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What is the notwithstanding clause? An explainer on the rarely used provision

In this last case, it might be argued that a government claiming to be in agreement with a court ruling enacted a legislative measure said to be consistent with the spirit of that court ruling but, for greater certainty and to avoid future litigation, included a section 33 override clause. Moreover, minority language rights have long been an emotional issue in Canada; there are few subjects where the use of the override would invite more controversy.

What exactly is the rarely used 'notwithstanding clause' that Doug Ford says he will invoke?

Opponents claim this law breaches equality and freedoms of conscience and religion.

What is the notwithstanding clause?

In this last case it might be argued that a government claiming to be in agreement with a court ruling passed a legislative measure said to be consistent with the spirit of that court ruling but, for greater certainty and to avoid future litigation, included a section 33 override clause. What constitutes the legitimate use of the notwithstanding clause? But that lack of success in no way suggests that these rights did not or do not exist, or that a Canada acceptable to Canadians could long survive without them.

The thorny issue of mandatory vaccinations under discussion

The three civil libertarians cited by Mr. The following briefly discusses key usages of the clause in Canada's history.

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