



*Charlie Angus*

*Member of Parliament, Timmins - James Bay  
Député, Timmins - Baie James*



May 14, 2013

The Honourable Senator Marjory LeBreton, P.C.  
Leader of the Government in the Senate  
The Senate of Canada  
Ottawa, ON K1A 0A4

Dear Minister,

I listened with interest to your interview with Evan Solomon on CBC Radio's "The House". During the interview you were asked about Senator Mike Duffy's eligibility to sit in the Senate of Canada and you replied "actually I have had a legal opinion on that" you went on to say "This was a legal opinion I got about the eligibility of any Senator".

Your view, as explained on the show, is that a Senator automatically becomes eligible once they sign a "declaration of qualification" saying that they own property in the province or territory they purport to represent.

This sounds awfully similar to the "honour system" for expenses that you have promised to end.

In contrast, your view with that of former Senator Lowell Murray who stated on February 9th 2013 "If Mike Duffy or anybody else being a senator from Prince Edward Island or Nova Scotia or Quebec files an income tax return stating that they're resident of Ontario, then they're finished."

This view seems to reflect the wording of s. 23 of the Constitution Act 1867:

5. He shall be resident in the Province for which he is appointed;
6. In the Case of Quebec he shall have his Real Property Qualification in the Electoral Division for which he is appointed, or shall be resident in that Division.

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If you have a legal opinion that speaks to the contrary I urge you to make this opinion public as soon as is practical. I am sure that you will agree that the Senate is facing an unprecedented legitimization crisis. It is incumbent upon the Conservative-dominated Senate to show accountability to the Canadian people.

I look forward to hearing from you.

Sincerely,

A handwritten signature in cursive script that reads "C Angus". The signature is written in black ink and is underlined with a single horizontal stroke.

Charlie Angus, MP  
Timmins-James Bay