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# Standing Committee on Official Languages

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Chair: Mr. René Arseneault





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• (1535)

[Translation]

**The Chair (Mr. René Arseneault (Madawaska—Restigouche, Lib.)):** I call the meeting to order.

Welcome to meeting No. 50 of the House of Commons Standing Committee on Official Languages.

Pursuant to the order of reference of Monday, May 30, 2022, the committee resumed its study of Bill C-13, An Act to amend the Official Languages Act, to enact the Use of French in Federally Regulated Private Businesses Act and to make related amendments to other Acts.

Pursuant to our routine motion, I am informing the committee that all members have carried out the connection tests required prior to the meeting.

I would once again like to thank the officials who have come to support the committee by answering technical questions. Their presence is extremely helpful to us. I therefore welcome Ms. Julie Boyer, Mr. Marcel Fallu and Ms. Chantal Terrien, from the Department of Canadian Heritage, as well as Mr. Warren Newman, from the Department of Justice and Mr. Carsten Quell, from the Treasury Board Secretariat.

We are today resuming our clause-by-clause study of Bill C-13. We had begun debate on amendment CPC-15. At the end of the last meeting I noted that Mr. Beaulieu and Mr. Serré had asked to speak.

Mr. Beaulieu, you have the floor. Do you have anything to add?

**Mr. Mario Beaulieu (La Pointe-de-l'Île, BQ):** No.

**The Chair:** Mr. Drouin, do you have anything to add?

**Mr. Joël Godin (Portneuf—Jacques-Cartier, CPC):** I'd like to speak, Mr. Chair.

**The Chair:** Go ahead, Mr. Godin.

**Mr. Joël Godin:** I understood from Ms. Boyer's clarification that my amendment was not necessary, because there is already protection in the preamble. I am therefore requesting unanimous consent to withdraw my amendment.

**The Chair:** Is there unanimous consent for Mr. Godin to withdraw amendment CPC-15?

Since no one has opposed it, there is unanimous consent.

(The amendment is withdrawn.)

**The Chair:** Do you all remember the comment I made before Mr. Godin introduced his amendment at the last meeting, to the effect that if amendment CPC-15 were adopted, amendment BQ-14 could not be put forward because of a line conflict. Now that amendment CPC-15 has been withdrawn, amendment BQ-14 may now be presented.

Mr. Beaulieu, would you like to present amendment BQ-14, on page 45 of the package of amendments?

**Mr. Mario Beaulieu:** Instead of presenting amendment BQ-14 as it stands in the package, we are going to amend it and send you the revised version immediately.

**The Chair:** I am accordingly suspending the meeting for a few minutes so that everyone can familiarize themselves with it.

• (1535)

(Pause)

• (1540)

**The Chair:** The meeting resumed.

Everyone has had the opportunity to look at amendment BQ-14, at the end of which is added that the proposed section in the Official Languages Act would not limit services already available in anglophone and francophone communities.

Mr. Beaulieu, you have the floor.

**Mr. Mario Beaulieu:** Let's do a brief recap of what we've done so far. We have studied 13 of the 71 clauses in Bill C-13. We have debated and voted on 32 amendments. We have got to page 44 out of the 229 pages of the package of amendments. Other amendments and sub-amendments might well be added if we want to do the work properly.

There are only four meetings left on the schedule for a clause-by-clause study. I would therefore like to point out that we may need to add some meetings if we are to be able to study all the amendments.

• (1545)

**The Chair:** Are you going to present your amendment?

**Mr. Mario Beaulieu:** Yes, I'm going to do that.

That Bill C-13, in Clause 13, be amended by adding after line 26 on page 8 the following:

(2) Section 33 of the Act is renumbered as subsection 33(1) and is amended by adding the following:

(2) In making regulations under subsection (1), the Governor in Council shall take into consideration the minority status of the French language in Canada due to the predominant use of English and the linguistic specificity of Quebec.

This section would not restrict services already available to the anglophone and francophone communities.

**The Chair:** Thank you.

Ms. Lattanzio, you have the floor.

[*English*]

**Ms. Patricia Lattanzio (Saint-Léonard—Saint-Michel, Lib.):** Thank you, Mr. Chair.

Regarding my colleague's subamendment, I want to ask officials.... In terms of this new statement being made, my first question would be, do you not see a contradiction with regard to the spirit of the previous amendment? BQ-14 resembles almost word for word, in its first part, CPC-15, which has been withdrawn. The language used in the first part is almost identical.

We heard the testimony last week. I paid particular attention to both of your responses, Ms. Boyer's, as well as Mr. Quell's.

First, do you not see a contradiction with regard to this subamendment? Does this not open the door to constitutional challenges?

**Ms. Julie Boyer (Assistant Deputy Minister, Official Languages, Heritage and Regions, Department of Canadian Heritage):** Thank you for your question.

On the first, I think.... I don't have the text in front of me, but I took note when you read it, Mr. Beaulieu. It still seems to maintain an obligation with "shall take into consideration". That is an obligation to demonstrate this was taken into consideration. I don't think that obligation disappears with an additional sentence saying it should not affect services already offered to anglophones.

There I would pause, because I wonder whether "already offered to anglophones" suggests it could impact new services, or the offer of new services, to anglophones in Quebec.

[*Translation*]

**The Chair:** Ms. Lattanzio, you have the floor.

[*English*]

**Ms. Patricia Lattanzio:** My next question is probably directed to Mr. Newman.

Do you not see this opening the door to constitutional challenges?

**Mr. Warren Newman (Senior General Counsel, Constitutional, Administrative and International Law Section, Public Law and Legislative Services Sector, Department of Justice):** The courts are always open for business, and there are constitutional challenges to many provisions of many statutes.

Here, this is a provision that would take into account a factual situation that French is in a minority situation in Canada, and it also would take into account predominant use of English linguistic specificity in Quebec.

It's all in the context of making regulations. I do not think it's necessary to add such a provision. There are already plenty of earlier provisions in the act that guide the interpretation of the act, the spirit of the act and the way these implementing provisions are to be carried out.

We're in a part of the act, as I said last time, that really deals with implementing a constitutional guarantee, section 20 of the charter. We don't want to stray too far from the principle of section 20, which is really to provide services in both English and French at an operational level and to ensure communications in both languages with the public. This is really *à côté*—to the side of that—and I don't think it is relevant to the implementation of the section 20 charter guarantees in part IV, which part IV was designed to deal with.

• (1550)

[*Translation*]

**The Chair:** Thank you, Mr. Newman.

Mr. Godin, you have the floor.

**Mr. Joël Godin:** Thank you, Mr. Chair.

I think that my colleague's intent is to ensure that there is no attack on the rights of the two minority language groups, anglophones in Quebec and francophones outside Quebec, or that their rights are infringed. I think it would be appropriate to leave it there to ensure that francophones and anglophones are not placed in opposition. It's important to work towards that, so that the country's two official languages are not in confrontation with one another.

I personally think that it's important to support this new amendment, which I presume illustrates the Bloc québécois' desire not to work against anglophones, but rather on behalf of both official languages. I can confirm that this is also what the Conservative Party of Canada wants.

Since we began discussing this bill, three key issues have come up: stopping the decline of French, protecting the two official languages, and promoting those languages. I believe it's important to draw attention to this. The whole philosophy underpinning it should apply to all future interventions.

You know what the Conservative Party of Canada's position is.

**The Chair:** Thank you, Mr. Godin.

Mr. Housefather, you have the floor.

**Mr. Anthony Housefather (Mount Royal, Lib.):** Thank you, Mr. Chair.

I'll be brief.

[*English*]

I have two questions for Ms. Boyer.

I appreciate the addition from my colleague Mr. Beaulieu to try to fix the overall problem, which is that this is directing you to do something that is contrary to the overall intention of the act.

[*Translation*]

The proposal is to add that the clause proposed in the amendment, "not restrict services already available to the anglophone and francophone communities."

[English]

It would not, for example, if there was a new service being offered, stop you from having to do exactly what you mentioned before would be the consequence of this amendment, which is to consider how to limit that service in English in Quebec, taking into consideration that French services are to be offered more predominantly. Would that be correct?

**Ms. Julie Boyer:** That is my understanding, yes.

**Mr. Anthony Housefather:** Second, for example, with signage, which is not a service, you would then have to take into consideration—as opposed to federal signage in Quebec being French-English equal, as it is in the rest of the country—this and perhaps make the signage predominantly or almost entirely in French. Is that correct?

**Ms. Julie Boyer:** This is one of the measures that my colleague Carsten Quell mentioned could be taken to meet this obligation, yes.

**Mr. Anthony Housefather:** I could come up with 50 or 60 of these other kinds of things to explain why this doesn't work, but thank you so much. I appreciate it.

[Translation]

**The Chair:** Over to you, Mr. Beaulieu.

**Mr. Mario Beaulieu:** Its purpose is to continue to take into account the fact that French is threatened in a context where English predominates in Canada and North America. The intent of Bill 101 was never to take away any services from anglophones. However, what's wanted is for newcomers to see that French is the official and common language. It's the only way to ensure that newcomers can be integrated into their host society within the same framework of rights and duties.

The act will nevertheless apply to new services, I feel, and this might have been stated. In any event, it's very important to always factor in the minority context of French in Canada and America because French is in decline. For the first time in 52 years, meaning since the introduction of the Official Languages Act, the federal government believes that it needs to protect French, not only outside Quebec, but even within Quebec. I therefore believe that steps have to be taken to do that, and one way of doing so is to always interpret things from that standpoint.

**The Chair:** Thank you, Mr. Beaulieu.

On behalf of of the committee members, I'd like to clarify the fact that when Ms. Lattanzio asked the officials some questions earlier, she incorrectly and accidentally referred to a subamendment. However it was not a subamendment, but the new version of amendment BQ-14. The former version no longer exists. I just want to make sure that we're talking about an amendment and not a subamendment.

• (1555)

**Mr. Joël Godin:** I have a point of order, Mr. Chair.

I don't believe that it's necessary for the chair to say that amendment BQ-14 was amended. As you know, an amendment is not public until it has been introduced. It's therefore important not to talk about the process ahead of time.

**The Chair:** Mr. Godin, I was careful not to talk about the content of the previous version of amendment BQ-14.

I simply wanted to rectify something, because an earlier question implied that we were proposing a subamendment, which was not the case because it was an amendment, BQ-14, the one that Mr. Beaulieu proposed. I wanted to make sure everyone was on the same page.

Mr. Garneau, you have the floor.

**Hon. Marc Garneau (Notre-Dame-de-Grâce—Westmount, Lib.):** I have a comment, Mr. Chair.

Amendments BQ-14 and CPC-15 say essentially the same thing, except for the second part of amendment BQ-14. According to the legal opinion...

**Mr. Joël Godin:** I have a point of order, Mr. Chair.

Amendment CPC-15 no longer exists. It was unanimously withdrawn by the official committee members.

**Hon. Marc Garneau:** Right. In that case, I withdraw my comment.

**The Chair:** Okay.

Over to you, Ms. Lattanzio.

**Ms. Patricia Lattanzio:** I'll be very brief, Mr. Chair.

On the basis of the comments made this afternoon, the consensus is to protect and promote French. The way I see it, adding this wording to Bill-C-13 would not contribute to strengthening French in Quebec. I don't see the point of including it.

In a way, it strikes me as contradictory. If my colleagues want to strengthen French in Quebec, then this section would not contribute to that at all. That's why I'm going to vote against it, Mr. Chair.

**The Chair:** Go ahead, Mr. Godin.

**Mr. Joël Godin:** I'd like to follow up on my colleague's comments.

This amendment was probably put forward in response to current events and to the confrontations being stirred up between anglophones and francophones. That being the case, I think it was useful for my colleague to propose it.

I nevertheless value your comment, Ms. Lattanzio.

**The Chair:** All right.

Let's vote on amendment BQ-14.

(The amendment is defeated: nays 6; yeas 5)

**The Chair:** As there are no more amendments to study in connection with clause 13 of the bill, we will put it to the vote.

(Clause 13 is adopted.)

(Clause 14)

**The Chair:** That brings us to clause 14 of the bill and to amendment CPC-16, which is on page 46 of the package of amendments.

Go ahead, Mr. Godin.

**Mr. Joël Godin:** Mr. Chair, I think that it's important for the incumbents of certain positions within the public service to understand both official languages. We determined in the past that there were problems with access to promotions for those who spoke only one of the two official languages. I believe that amendment CPC-16 will provide an additional way for these people to work in the language of their choice.

We are therefore proposing that Bill C-13, in clause 14, be amended by adding after line 32 on page 8 the following:

“(2) Persons appointed by the Governor in Council to the following positions in federal institutions must, on their appointment, follow the necessary language training to be able to speak and understand clearly both official languages:

(a) deputy minister, associate deputy minister and positions of equivalent ranks.

I would add that the Language Skills Act adopted in 2013 by Stephen Harper's Conservative government addresses language skills in the public service and uses exactly the same wording. I simply want to remind people that the Conservatives have always defended the French language.

• (1600)

**The Chair:** Thank you, Mr. Godin.

Since there are no further questions, we're going to vote on this amendment.

(The amendment is carried: yeas 6; nays 5)

**The Chair:** That leads us to amendment BQ-15.

**Mr. Mario Beaulieu:** I'm not going to propose it, Mr. Chair.

**The Chair:** Thank you Mr. Beaulieu.

That brings us to amendment BQ-16, on page 48 of the package of amendments.

Go ahead, Mr. Beaulieu.

**Mr. Mario Beaulieu:** This amendment is along the same lines as the previous one, from our Conservative colleague Mr. Godin. We propose that Bill C-13, in Clause 14, be amended by adding after line 32 on page 8 the following:

(2) The deputy head or other administrative head of any federal institution and the chief executive officer of any corporation subject to the Act must, at the time of their appointment, be able to speak and understand French clearly.

The purpose of this is to prevent situations like the one that occurred at CN, which did not have any francophone senior administrators.

**The Chair:** You have the floor, Ms. Lattanzio.

[English]

**Ms. Patricia Lattanzio:** The question is for you, Ms. Boyer.

With regard to the amendment, when we speak of the chief executive officers of corporations, is it not shareholders who vote and appoint them—not the government?

**Ms. Julie Boyer:** I would think that, yes, it would be a board that would decide, but this would become an obligation that would limit their choices in terms of appointing a bilingual candidate. They would be legislated to do that, to be clear.

**Ms. Patricia Lattanzio:** Can I follow up, Mr. Chair?

Therefore, you're saying that, from this point on, with the adoption of this amendment, shareholders would no longer be able to appoint their own CEOs. Appointments would be at the discretion of the government.

Is that what we're getting in terms of the language of the amendment?

**Ms. Julie Boyer:** My team is anxiously saying, no, no, no. We wouldn't appoint the candidate, but if this amendment is retained and Bill C-13 passes, those private entities that have official language obligations from this legislation—including, for example, Air Canada—would have to name a bilingual CEO. At the time of hire, this person would have to be fluently bilingual.

That's what this amendment says.

[Translation]

**The Chair:** Over to you, Ms. Ashton.

**Ms. Niki Ashton (Churchill—Keewatinook Aski, NDP):** Thank you, Mr. Chair.

The NDP unreservedly supports this amendment. We believe that the heads of large corporations ought to be subject to the Official Languages Act. I'd like to give you a few of my thoughts in this regard.

Apart from the fact that it's scandalous for the CEOs of Air Canada and Canadian national not to understand or speak French, I believe that it's really a question of accountability to Canadians and Quebecers.

There is a reason why such corporations are subject to the act, and that's because they are the outcome of the dogmatic privatization of the neoliberal years. Canadians and Quebecers are paying the price not only in terms of cuts and job losses and a decline in level of service, but they are also losing their language rights.

Ask any francophone public servant in the national capital region whether it's easy to work in French and whether their boss speaks French: all important meetings will of course be held in English, and if a francophone wants to argue a specific point of view, it will have to be in English.

The CEOs of these corporations are the CEOs of private corporations because the government privatized them. One of their few remaining obligations is compliance with the Official Languages Act. By appointing CEOs who could express themselves in only one official language, the corporations have repeatedly shown that they are not interested in respecting their social contract with us, including those working in Quebec, and whose CEOs can't even speak the official language of Quebecer.

I therefore support the Bloc Québécois amendment. It was a mistake to privatize these corporations, and at the very least, their CEOs should also be able to express themselves in French.

• (1605)

**The Chair:** Thank you, Ms. Ashton.

Mr. Beaulieu, you have the floor.

**Mr. Mario Beaulieu:** I'd like to remind people that this amendment was requested by the Government of Quebec, as was amendment BQ-14. I think it's an important one. If we want to make sure that there are indeed CEOs capable of speaking French in Quebec, and even perhaps outside Quebec, then this proposal needs to be supported.

**The Chair:** Thank you, Mr. Beaulieu.

Mr. Housefather, you have the floor.

**Mr. Anthony Housefather:** Thank you, Mr. Chair.

I'd like to start by saying that I believe the amendment should specify that the person should have the capacity to speak and understand "both official languages", as in the other amendment. Otherwise, it will be asymmetrical, and the current amendment would allow a unilingual francophone who does not speak a word of English.

This may appear to be of minor importance, but I nevertheless hope that someone will propose a subamendment to rectify it.

[English]

I have two questions.

First, it says, "any corporation subject to the Act". In the old version of this bill, every corporation under federal jurisdiction that was privately held was subject to this act. Is there any claim in the new version, where there are two parallel acts, that we're now trying to make every CEO of every privately regulated federal business need to speak both languages, including small businesses that have a family-run CEO? I think that in itself would be an absurdity.

Second, let's say I am the CEO right now of a business that is subject to this act and I do not speak one of the two official languages—or, in this case, I don't speak French, if this is not modified. Is the corporation then not already in breach by virtue of the fact that they have a CEO currently in place who doesn't speak the other official language? Would that person need to be terminated as a result, because they're not in compliance with the act? Who will cover the severance from terminating that person?

I believe all of these things arrive by having the word "CEO" in there and making it so. I'm interested in hearing those answers.

**Ms. Julie Boyer:** Chair, I will do my best to answer this two-part question.

On the first part, I think the amendment applies only to corporations.

**Mr. Anthony Housefather:** "Corporations" are most of the privately registered federal businesses.

**Ms. Chantal Terrien (Manager, Modernization of the Official Languages Act, Department of Canadian Heritage):** If I may, the way the amendment text is formulated, it says, "the chief executive officer of any corporation subject to the Act", with the act being the Official Languages Act.

**Mr. Anthony Housefather:** Remember in the old version.... In that act, we regulated all federally regulated private businesses. I want to understand clearly that there are no leftover provisions in this act that somehow regulate everybody.

**Ms. Chantal Terrien:** Yes. What Bill C-13 sets out to do is modify the Official Languages Act. It creates a new different act for federally regulated private businesses.

• (1610)

**Ms. Julie Boyer:** Therefore, those companies would not be subject.... We're really talking about the Air Canadas and other federal institutions that have Official Languages Act obligations.

[Translation]

**The Chair:** Mr. Quell, would you like to add anything?

[English]

**Mr. Carsten Quell (Executive Director, Official Languages Centre of Excellence, People and Culture, Office of the Chief Human Resources Officer, Treasury Board Secretariat):** Maybe I can add that some of the entities that will be touched by this amendment are port authorities. This could be a port authority in western Canada. It would also be the airport authorities, which have an obligation to serve the public in both official languages.

However, so far, those airport authorities and port authorities do not have to have CEOs who are bilingual upon appointment. That's just a clarification.

**The Chair:** Thanks, Mr. Quell.

[Translation]

You have the floor, Mr. Godin.

**Mr. Joël Godin:** Thank you, Mr. Chair.

These are very appropriate comments. Over the past few years we've all become aware of instances of French being ignored by some corporations, including Air Canada. Nevertheless, I find that this amendment is too general and that it will prevent unilingual people from being appointed to these sorts of senior administrative positions.

It's important to develop a bilingual culture in companies, corporations, and the public service, and I think something is said about that elsewhere in the bill. It's important to require these people to learn the other language. It's not always easy, but I think that's the philosophy that should underpin all of this. There is no bilingual culture at the moment. That's why it ought to be included in the bill.

However, this amendment appears to be too general and it skirts the issue.

**The Chair:** Mr. Garneau, you have the floor.

**Hon. Marc Garneau:** I'd like clarification on Mr. Quell's comment.

Would this mean, for example, that the CEOs of port authorities in Port Alberni, Nanaimo and Halifax, and airport authorities in Calgary and Vancouver, among others, would have to be bilingual?

**Mr. Carsten Quell:** Yes, that's right.

**Hon. Marc Garneau:** Okay.

**The Chair:** Since no one else appears to have any comments, we'll vote on this amendment.

(The amendment is defeated: nays 9; yeas 2)

**The Chair:** Are we adopting clause 14 as amended?

(Clause 14 as amended is adopted)

(Clause 15)

**The Chair:** That brings us to clause 15 and amendment BQ-17.

Go ahead, Mr. Beaulieu.

**Mr. Mario Beaulieu:** This amendment was also proposed by the Quebec government. It would amend clause 15, by replacing line 40 on page 8 with the following:

language by its employees, taking into account the minority situation of French in Canada due to the predominant use of English and the linguistic specificity of Quebec;

It's important. It effectively introduces a form of asymmetry, but without an asymmetrical system, French in Quebec cannot be protected. The purpose of this amendment is to do just that. One of the consequences of being in a minority is that in Quebec, it's very important for people to have the opportunity, and even the right, to work in French.

• (1615)

**The Chair:** Thank you, Mr. Beaulieu.

Mr. Serré, you have the floor now.

**Mr. Marc Serré (Nickel Belt, Lib.):** I'd like someone to explain the repercussions of the amendment, because we're also concerned about official language minority communities across the country. I don't know whether I should be asking the Treasury Board or the Department of Justice to explain.

**Mr. Carsten Quell:** Bilingual teams are normally treated the same way, whether they involve official language minority speakers outside Quebec or in Quebec. That is to say that if we compare a 10-person team in Sherbrooke consisting of eight francophones and two anglophones, and a 10-person team in eastern Ontario with eight anglophones and two francophones, the rights of official language minority speakers should be the same. This amendment would lead us to alter this approach, meaning that the anglophones on the Sherbrooke team would be treated differently.

**The Chair:** The floor is yours, Mr. Godin.

**Mr. Joël Godin:** Thank you, Mr. Chair.

I have a question for Mr. Fallu. We've seen him regularly, but we haven't asked him many questions so far.

Mr. Fallu, I believe you were involved in drafting Bill C-13. What's the meaning of paragraph 35(1)(a), on lines 35 to 40 on page 8? Does it concern Quebec?

**Mr. Marcel Fallu (Manager, Modernization of the Official Languages Act, Department of Canadian Heritage):** Could you repeat your question please, Mr. Godin?

**Mr. Joël Godin:** In paragraph 35(1)(a), beginning on line 35...

**The Chair:** It's on page 8 of Bill C-13.

**Mr. Joël Godin:** ...it says the following:

(a) within the national capital region and in any part or region of Canada, or in any place outside Canada, that is prescribed, work environments of the institu-

tion are conducive to the effective use of both official languages and accommodate the use of either official language by its employees;

During the drafting process, did you assume Quebec was covered by this section?

**Mr. Marcel Fallu:** I would point out that this clause in Bill C-13 was correcting technical discrepancies in the wording of many of the provisions in Part V of the act adopted in 1988. For the time being, I'll stick to that.

**Mr. Joël Godin:** Yes, but after all, we have on the table an amendment that would add at the end of the paragraph I just read, the words "language by its employees, taking into account the minority situation of French in Canada due to the predominant use of English and the linguistic specificity of Quebec".

When you drafted this section, did you believe that Quebec was covered by the modus operandi described?

**Mr. Marcel Fallu:** It's a part of the act that is currently under the authority of the Treasury Board.

I'm going to give the floor to Mr. Quell so that he can give you further details.

**Mr. Joël Godin:** Excuse me, Mr. Fallu, it wasn't the Treasury Board that drafted the act. Wasn't it the Department of Canadian Heritage?

**Mr. Marcel Fallu:** It was an interdepartmental effort.

**Mr. Joël Godin:** All right.

**The Chair:** Excuse me, I didn't understand the answer.

**Mr. Marcel Fallu:** It was an interdepartmental effort.

• (1620)

**Mr. Joël Godin:** Were you the person who wrote it?

**Mr. Marcel Fallu:** It wasn't me personally, but I was involved in the process.

**Mr. Joël Godin:** Okay. Thank you.

**Mr. Carsten Quell:** The Treasury Board is responsible for Part V of the act. We were definitely involved in drafting this provision.

I can confirm that we were aware of the impact of this provision on Quebec, because when "prescribed" regions are mentioned, that's a reference to prescribed bilingual areas in Ontario and Quebec, and they cover the entire province of New Brunswick. So yes, it also includes Quebec.

**The Chair:** Thank you, Mr. Quell.

Do you have any other questions, Mr. Godin?

**Mr. Joël Godin:** In fact this situation is rather sensitive. In my view, Quebec is not a region. Quebec is a province. I think we need to pay attention to the wording of this provision.

I understand that you are talking about Canada's national capital region, which is Ottawa. You mentioned other regions and other parts of Canada, but I think that if the intent was to include Quebec in that paragraph, it should perhaps have referred to the province of Quebec, which has special status. I know that the province of New Brunswick has bilingual status, but Quebec, in my view, has unilingual francophone status because the common language is French.



**Mr. Carsten Quell:** If I may, I'd like to be more specific. I didn't want to refer to the province of Quebec as a bilingual region. I was talking about bilingual regions like northern Ontario, eastern Ontario, the Montreal metropolitan area and most of the Eastern Townships.

Apart from those regions in Quebec, and I should point out in passing that Quebec City is a unilingual French region, the language of work in federal institutions apart from the bilingual regions of Quebec is always French.

For example, you do not have a right to be supervised in English or to write your briefing notes in English in Quebec City, because the language of work in federal institutions in Quebec City is French, just as it is English in places like Toronto and Vancouver.

**Mr. Joël Godin:** Mr. Quell, could you answer the following question?

In Montreal or in the Eastern Townships, are we entitled to write English-only briefing notes in Canada's public service offices?

**Mr. Carsten Quell:** In the bilingual regions, if you are in a bilingual position, you have the right to choose your preferred language. You could therefore demand the right to draft your documents in the language of your choice, whether English or French.

**Mr. Joël Godin:** What would you say makes a position bilingual?

**Mr. Carsten Quell:** Bilingual positions are established under section 91 of the act. During each staffing period, the manager must look at the profile of the position and the responsibilities attached, and determine whether the position ought to be bilingual.

**Mr. Joël Godin:** I have another question.

Should a manager be bilingual?

**Mr. Carsten Quell:** If a manager is supervising an employee who has a right to be supervised in both languages, the manager has to be bilingual, just as a manager who supervises a team of people with different linguistic profiles has to be bilingual.

**The Chair:** Is that all right, Mr. Godin?

**Mr. Joël Godin:** No, but I'll stop there.

**The Chair:** I don't see anyone on screen or around the table with a hand up.

So I will call for the vote on amendment BQ-17.

(The amendment is defeated: nays 10; yeas 1)

**The Chair:** We are now moving on to amendment BQ-18, on page 51.

**Mr. Mario Beaulieu:** Mr. Chair, I will not be proposing amendments BQ-18, BQ-19 or BQ-20, in order to speed things up a bit.

**The Chair:** Thank you for that information, Mr. Beaulieu.

Is clause 15 adopted?

(Clause 15 is adopted)

(Clause 16)

• (1625)

**The Chair:** As amendments BQ-19 and BQ-20 are not being proposed, we will now move on to amendment CPC-18.

If amendment CPC-18 is adopted, amendment BQ-21 may not be proposed because of a line conflict.

Mr. Godin, you have the floor to speak to amendment CPC-18.

**Mr. Joël Godin:** Mr. Chair, our schedule was upset and our speaking time was shortened, but at least we heard the Commissioner of Official Languages' testimony. As it happens, the amendment I am proposing today was suggested by him.

The amendment follows up on what I was saying earlier were about the importance of bilingualism for senior management. The following message needs to be sent: bilingual is important, and it must be reflected in the corporate culture of institutions. I am therefore pleased to propose that Bill C-13, in clause 16, be amended:

(a) by replacing, in the English version, line 15 on page 9 with the following:

"(3) Paragraph 36(1)(c) of the Act is replaced

(b) by replacing lines 17 to 23 on page 9 with the following:

(c) ensure that

(i) every employee is supervised by their managers and supervisors in the official language of their choice, regardless of the linguistic identification of their position, and

(ii) any management group that is responsible for the general direction of the institution as a whole has the capacity to function in both official languages."

As legislators, we have to make sure that we can develop a bilingual culture in our institutions. It mustn't be imposed.

I believe that this amendment is appropriate and would make it possible to partly achieve this objective.

**The Chair:** Thank you, Mr. Godin.

Mr. Drouin, you have the floor now.

**Mr. Francis Drouin (Glengarry—Prescott—Russell, Lib.):** I'd like to thank my colleague for having proposed this amendment.

I would nonetheless like to suggest a subamendment, but will wait until it's been distributed before reading it.

**The Chair:** Okay.

**Mr. Francis Drouin:** I propose that amendment CPC-18, to amend clause 16 of Bill C-13, be amended by replacing, in the English version, at line 15 on page 9, and by replacing at lines 12 to 19 on page 9 as follows:

(a) Adding after the reference to "ensure that" in paragraph (b) of that Motion the following text " , if it is appropriate in order to create a work environment that is conducive to the effective use of both official languages: "

(b) Replacing the text proposed in (i) of paragraph (b) of that Motion by the following text "managers and supervisors are able to communicate in both official languages with employees of the institution in carrying out their managerial or supervisory responsibilities"

(c) Replacing the text proposed in (ii) of paragraph (b) of that Motion by the following text "every employee is supervised by their managers and supervisors in the official language of their choice, regardless of the linguistic identification of their position; and"

(d) Adding after the text proposed in (ii) of paragraph (b) of that Motion a new paragraph d) with the following text "d) ensure that any management group that is responsible for the general direction of the institution as a whole has the capacity to function in both official languages." so that the text reads:

(c) ensure that, if it is appropriate in order to create a work environment that is conducive to the effective use of both official languages:

(i) managers and supervisors are able to communicate in both official languages with employees of the institution in carrying out their managerial or supervisory responsibilities, and

(ii) every employee is supervised by their managers and supervisors in the official language of their choice, regardless of the linguistic identification of their position; and

(d) ensure that any management group that is responsible for the general direction of the institution as a whole has the capacity to function in both official languages.

We simply want to underscore the principle according to which employees must be able to communicate with their supervisor in French or English, and at the same time, supervisors must be able to communicate in French or English with their employees.

That's what the new amendment is proposing to amend. That's all.

• (1630)

**The Chair:** Thank you, Mr. Drouin.

Please note that the French and English versions are attached. We will suspend for a few moments to look at this new amendment, and then resume the discussion.

• (1630)

(Pause)

• (1635)

**The Chair:** The committee resumed.

We are continuing the discussion on the subamendment to amendment CPC-18 proposed by Mr. Drouin.

Mr. Drouin read it. He even explained it.

Would you like to add anything Mr. Drouin ?

**Mr. Francis Drouin:** Without wishing to add anything, I'd like to ask the witnesses with us to explain what amendment CPC-18 is amending.

• (1640)

**The Chair:** All right.

Would a representative from the departments like to answer this question?

**Mr. Francis Drouin:** I'm simply asking a witness to explain more specifically what amendment CPC-18 changes in the act.

[English]

**The Chair:** Go ahead, Mr. Quell.

[Translation]

**Mr. Carsten Quell:** Thank you for that question.

As I explained, at present, it only affects designated bilingual regions, where the right to work in the language of their choice exists. In bilingual regions, there are bilingual teams and unilingual teams.

Take the example of Quebec. In Montreal, which is considered to be a bilingual region, we have a team made up exclusively of francophones with a francophone supervisor. At present, the supervisor

does not need to be bilingual because they are supervising a team of francophones.

Under this amendment, even though the employees are in unilingual French positions, they would be entitled to choose to be supervised in English. In that case, the supervisor would have to be bilingual.

**The Chair:** Is that clear?

Mr. Godin, the floor is yours.

**Mr. Joël Godin:** Thank you, Mr. Chair.

Mr. Quell, you say the supervisor doesn't have to be bilingual if a francophone employee wants to communicate with them in French. However, if the supervisor wants to communicate with their unilingual English superior, there is a communication breakdown in the hierarchy of the institution.

How does that work in reality?

**Mr. Carsten Quell:** The higher you go in the federal hierarchy, the more designated bilingual positions there are, precisely because the person has to be able to convey messages in both languages and supervise a bigger team. However, in this case, the teams are smaller, are lower down in the hierarchy, and consist of employees whose positions are designated in the same language: French, for example. These employees have agreed to work in a unilingual French position.

Should the supervisor of a group of employees who hold unilingual positions be bilingual? We think the answer is no, because the supervisor is supervising only employees who hold unilingual positions.

Proposed amendment CPC-18 would require that the supervisor be bilingual in the event that an employee who held a unilingual French position chose to be supervised in English. That is a very rare case, but it is a possibility in a bilingual region. A person could get up one day and decide that even though they are in a unilingual French position, they would like to be supervised in English. That is the kind of case in issue here, and it's for that kind of case that we would require supervisors to take language training and to spend money.

It is very unlikely that a supervisor would have to supervise a team in another language, given that the people are in unilingual French positions.

**Mr. Joël Godin:** I want to comment on the word you used. In a bilingual country like Canada, it would not be spending money, but rather investing in the two official languages.

I have another question for you, Mr. Quell.

I understand that you don't have the figures in front of you, but can you give us a picture of the current language situation in the federal public service? What proportions of people are bilingual, unilingual English and unilingual French?

• (1645)

**Mr. Carsten Quell:** Obviously, I do not have the figures in front of me, but I can tell you that 42 per cent of positions in the federal public service are bilingual. In the national capital region and other designated bilingual regions, of course, there is a higher percentage of bilingual positions.

The reason why a majority of positions in the federal public service are unilingual is that those positions are in western, northern and eastern Canada or in unilingual francophone regions of Quebec.

**Mr. Joël Godin:** I have another question to ask, Mr. Chair.

**The Chair:** Go ahead, Mr. Godin.

**Mr. Joël Godin:** I have a question for my colleague Mr. Drouin, who is an excellent chair of the Canadian Branch of the Assemblée parlementaire de la Francophonie, and who sits with us on the Standing Committee on Official Languages and presented the sub-amendment under discussion.

In subparagraph 36(1)(c)(i) that you are proposing in your sub-amendment, Mr. Drouin, what do you mean by "*lorsqu'ils exercent leurs attributions à titre de gestionnaires ou de superviseurs*"?

**The Chair:** Of course, you are addressing the chair when you ask your question, Mr. Godin, as I understood it.

**Mr. Joël Godin:** Sorry, Mr. Chair.

**Mr. Francis Drouin:** After reading the text in both languages, I would say that what it means here is carry out their duties.

**Mr. Joël Godin:** In that case, Mr. Chair, should the wording not be clarified? If the word "*attributions*" is used, it seems to be lacking something.

**The Chair:** You are asking me the question, but I'm just chairing the meeting.

**Mr. Joël Godin:** Mr. Chair, you told me two second ago to address you.

**Some hon. members:** Ha, ha!

**The Chair:** Your first instinct was perfect; that is, you should address me, but I am not the one who will be commenting in reply to your question. That is not my role.

Mr. Drouin, the floor is yours.

**Mr. Francis Drouin:** I am going to ask the officials the same question, because they are the ones who are going to be responsible for administering the Official Languages Act.

How do you interpret the word "*attributions*"?

**Mr. Carsten Quell:** A manager is a manager until they are working with their superior manager, in which case they become an employee.

Here, we simply want to be sure that when a manager is managing a team, they supervise the team in the official language chosen by the team. However, when a manager is addressing their superior, they are no longer a manager; they are an employee, and as such, they are entirely entitled to work in the language of their choice.

**Mr. Francis Drouin:** So it applies if the manager is addressing their director, if the director is addressing their director general, if

the director general is addressing their assistant deputy minister, if the assistant deputy minister is addressing their...

**Mr. Joël Godin:** "There's a hole in the bucket"...

**Mr. Francis Drouin:** That's really what that means, isn't it?

**Mr. Carsten Quell:** It's exactly that.

**The Chair:** Mr. Beaulieu, the floor is yours.

**Mr. Mario Beaulieu:** I want to be sure I have properly understood what you are saying.

Basically, if the proposed subamendment were adopted, it would mean that in Quebec, for example, all managers in question would have to know English. They would be required to be bilingual, so if they already know French, it means they would all have to know English as well.

**Mr. Carsten Quell:** In bilingual regions, like Montreal and Sherbrooke, all supervisors have to be bilingual, even if their employees hold unilingual French positions, for example.

• (1650)

**Mr. Mario Beaulieu:** Are you talking about the bilingual regions of Quebec?

**Mr. Carsten Quell:** I'm talking about the designated bilingual regions of Quebec, which essentially includes the Eastern Townships and Montreal.

**Mr. Mario Beaulieu:** You are saying that in designated bilingual regions, there are places where there are only unilingual francophone employees. Is that it?

**Mr. Carsten Quell:** That's right. A designated bilingual region does not mean that all employees are bilingual. It means that the ones who are bilingual have the right to choose the language they would like to use. That being said, there are unilingual positions in bilingual regions, so there are unilingual supervisors who supervise unilingual teams.

That is what amendment CPC-18 would change: a supervisor who supervises a unilingual team would be required to be bilingual.

**The Chair:** Thank you, Mr. Quell.

The floor is yours, Mr. Godin.

**Mr. Joël Godin:** Mr. Chair, it bothers me when Mr. Quell says that the Eastern Townships and Montreal are designated bilingual in a province like Quebec, but I will accept his answer. Those are the facts; he is telling us the facts.

How are designated bilingual regions defined?

**Mr. Carsten Quell:** The designated bilingual regions are listed in a Treasury Board circular dating from 1977, so these regions were determined quite a long time ago.

The term "designated bilingual regions" may be a bit startling. We have to understand that they are defined as such for the purposes of the language of work. So this is only about work within the institutions. It is not talking about the language for services offered to the public. It is talking about the employee's right to require that they work in their preferred language.

As I said, designated bilingual regions are found more or less all over Canada for the purposes of the language of work. The entire province of New Brunswick is one, but also certain regions of Quebec and in eastern and northern Ontario, and of course the national capital region.

**Mr. Joël Godin:** What I understand is that there are no designated bilingual regions anywhere other than in Ontario, Quebec and New Brunswick.

That was my first question. I have a second one.

You said that the determination of the designated bilingual regions was put into effect in 1977. What is the mechanism for updating the list of regions? What are the criteria by which a region can change status?

**Mr. Carsten Quell:** The list of designated bilingual regions set out in the 1977 circular is incorporated into the Official Languages Act. As a result, if you wanted to make changes to it, the act would have to be amended.

**Mr. Joël Godin:** Am I to understand that there is no mechanism at present to update the list of designated bilingual regions?

**Mr. Carsten Quell:** The list of designated bilingual regions has not been updated since the Official Languages Act was enacted in 1988.

**The Chair:** Mr. Quell, I don't want to interfere in Mr. Godin's questions, but there seemed to be two questions, and I'm not sure you have answered the first one: whether there are designated bilingual regions only in Ontario, Quebec and New Brunswick.

**Mr. Carsten Quell:** That's right. The entire province of New Brunswick, some regions of Quebec, and some regions of Ontario are designated bilingual.

**The Chair:** Does that work for you, Mr. Godin?

**Mr. Joël Godin:** I would like to verify one thing with you, Mr. Quell. You said that the entire province of New Brunswick is designated bilingual, along with regions in Quebec. However, Quebec is a francophone province; the common language is French.

So there are designated bilingual regions in Quebec, but not everywhere in the province. For New Brunswick, the entire province is designated as being bilingual.

Is that what you're saying?

**Mr. Carsten Quell:** Once again, this is for the purposes of the language of work within the public service. It is not about the language for services offered to the public.

The regions where there was a high concentration of a minority language group at the time were designated bilingual. In the case of the national capital region, that is obvious. This means that in those regions, federal public servants who hold bilingual positions have the opportunity to choose the language they would like to work in.

• (1655)

**Mr. Joël Godin:** Thank you, Mr. Quell.

Thank you, Mr. Chair. I think that could be the subject of the committee's next report.

I have another question for Mr. Quell.

**The Chair:** I'm actually going to give an opportunity to other people who might have questions to ask.

**Mr. Joël Godin:** Right, I will come back to it after that.

**The Chair:** I would remind everyone that we are now debating Mr. Drouin's subamendment.

Mr. Beaulieu, the floor is yours.

**Mr. Mario Beaulieu:** Given what you have just told us, I am going to have to vote against Mr. Drouin's subamendment, because it is not structured in such a way as not to apply to Quebec and it would require that certain supervisors work in English or know English.

**The Chair:** Thank you, Mr. Beaulieu.

Ms. Lattanzio, the floor is yours.

**Ms. Patricia Lattanzio:** I'm sorry, I didn't hear what my colleague Mr. Beaulieu said very well. Could he repeat his comments?

**Mr. Mario Beaulieu:** This amendment means, for example, that some people working only with francophone employees are going to have to learn English or know English. I think that is an undesirable effect, in Quebec. We have to find a way to avoid that.

**The Chair:** Mr. Godin, the floor is yours.

**Mr. Joël Godin:** It came back around to me quickly, Mr. Chair.

I would like to hear the opinions of Mr. Quell, Ms. Boyer, Ms. Terrien, Mr. Fallu or Mr. Newman regarding the word "*attributions*". Would they have different wording to suggest?

In my opinion, that term is not clear. When amendments are made to an act, we try to make it so there are as few interpretations as possible, so we are less often faced with...

**The Chair:** Just a moment. Mr. Godin. An amendment can't be suggested to a subamendment.

We are now debating Mr. Drouin's subamendment. I understand what you wanted to do, but amendments to the wording can't be proposed at this stage.

**Mr. Joël Godin:** It's in the interests of the language.

**The Chair:** I understand your wishful thinking, but we have to stay on Mr. Drouin's subamendment.

Do you have something else to add?

**Mr. Joël Godin:** In fact, Mr. Chair, it's a procedural issue. Could Mr. Drouin correct his subamendment?

How should we proceed in order to correct his subamendment?

**The Chair:** It requires the unanimous consent of the committee.

Mr. Drouin, the floor is yours.

**Mr. Francis Drouin:** The word "*attributions*" seems to be causing a problem for Mr. Godin, so I would like to know what that word means to him.

We asked the officials the question and they confirmed what the word meant. However, we can ask them to read the definition of the word "*attributions*" officially, for clarity.

**The Chair:** Mr. Godin, the floor is yours.

**Mr. Joël Godin:** I am going to answer my colleague's question.

In my opinion, the word "*attributions*" is restrictive. It does not include governance instructions and instructions from superiors that guide day-to-day activities. It sounds as if it is referring only to the tasks assigned every morning, and that's all. That's how I would explain my understanding.

Otherwise, your subamendment is fine with me. I do think it would strengthen amendment CPC-18. However, I would like to try to find some formulation other than the word "*attributions*".

**The Chair:** If I may, Mr. Godin, while you are looking for a solution, I would like to tell you that this text was prepared by law clerks—professionals in the field. I understand your concern. I don't use the word "*attributions*" ordinarily, either. However, the answers we have been given may persuade you that in this context, we are on the right track. I don't want to make you do anything, I just want to tell you that the drafting was actually done by law clerks.

**Mr. Joël Godin:** I'm going to start questioning the decision to elect you chair.

**The Chair:** You assigned me the position of chair. I would even say it was voted on.

Did you want to look for a synonym, Mr. Godin?

**Mr. Joël Godin:** With all the respect I have for our friends the law clerks, I have to say that the fact that they wrote this wording does not mean it is perfect.

The goal is not to criticize anyone; the goal is to strengthen the act so it is even more effective.

I have stated my views regarding the word "*attributions*". However, if we can't consult the experts further and we don't have a way of making a correction, I am going to suggest to Mr. Drouin, who proposed the subamendment, that he go ahead.

**The Chair:** Is there any further debate?

There being none, we will proceed to the vote on Mr. Drouin's subamendment to amendment CPC-18.

(Amendment agreed to: yeas 10; nays 1)

• (1700)

**The Chair:** We will now come back to amendment CPC-18 as amended.

Is there any further debate?

There being none, we will proceed to the vote.

(Amendment agreed to: yeas 10; nays 1)

**The Chair:** Since amendment BQ-21 is a line conflict, it cannot be moved.

Do you have something to add, Mr. Beaulieu?

**Mr. Mario Beaulieu:** Basically, there is a line conflict in the English version only. In the French version, the amendment is an addition, while in the English it is a replacement. I don't understand. Our intention was to add language, not to replace the existing language.

**The Chair:** On that point, I would draw committee members' attention to the fact that the drafting discrepancies in the English and French versions of amendment BQ-21 are consistent with the rules of legislative drafting. The law clerk has already confirmed with the Office of the Law Clerk and Parliamentary Counsel, who drafted the amendment, that the French and English versions are correct and equivalent. If the amendment is adopted, the final result will be the same in both languages.

In the English version, it says it's an addition. In fact, it replaces lines 15 to 23, and that is what conflicts with amendment CPC-18.

It has been confirmed to me that in legislative drafting, that is exactly what had to be done. The proposed amendment to the French version required that the English version be amended that way. So there is a line conflict.

Does that answer your question?

**Mr. Mario Beaulieu:** Was there no way to do it by adding, rather than replacing?

In any event, we can always revisit it later.

**The Chair:** I would just note that I am only the messenger.

**Mr. Mario Beaulieu:** Yes, I know.

It's a bit beyond me.

**The Chair:** Mr. Godin, the floor is yours.

**Mr. Joël Godin:** Mr. Chair, my colleague says that we can revisit it later, but we will not be able to. The amendment has to be debated now.

**The Chair:** We can't debate it.

**Mr. Joël Godin:** In fact, we can ask questions about the procedure.

**The Chair:** Yes, that's correct.

**Mr. Joël Godin:** If there is unanimous consent, we can probably...

**The Chair:** No, because amendment CPC-18 has already changed the lines referred to in amendment BQ-21.

The purpose of amendment BQ-21 is to replace lines 15 to 23 of the English version, but amendment CPC-18 has already changed those lines.

**Mr. Joël Godin:** Excuse me, Mr. Chair.

I am coming to the defence of the amendment without even knowing yet whether I am going to support it or not.

Take the French version. It says "*par adjonction, après la ligne 19*". Amendment CPC-18...

**The Chair:** Forgive me, Mr. Godin, but I am saying that the conflict doesn't come from the French version.

To reflect the change proposed in the French version, a replacement had to be made in the English version, not an addition. We checked this with the law clerks. To make the equivalent change in the English version, that is what had to be done, that is, replace lines. Those lines have already been affected by your amendment, as amended by the subamendment.

**Mr. Mario Beaulieu:** Could we put other lines in the English version.

**The Chair:** I can let committee staff talk to us about it.

• (1705)

**Ms. Émilie Thivierge (Legislative Clerk):** Thank you, Mr. Chair.

We are not legislative drafters. The legislative drafters wrote the amendment that way, based on the instructions received, so I couldn't tell you whether they could have done it differently.

**Mr. Joël Godin:** Mr. Chair, thank you for giving us the information, but you understand that I work in French.

**The Chair:** We are all learning about this today.

**Mr. Marc Serré:** Mr. Godin, this isn't a question for the chair; it is a procedural question. It works the same way for all bills.

**Mr. Joël Godin:** Mr. Chair, my colleague should not address me directly; he should go through you.

**The Chair:** I would like to remind everyone that I did not make a decision on whether amendment BQ-21 is in order.

Earlier, we studied amendment CPC-18. It was clear that if it was adopted, amendment BQ-21 could not be moved. That is what the procedure is in the case of line conflicts. Hypothetically, if we decided that amendment BQ-21 was in order and we adopted it, there would be a line conflict in the drafting, since the same lines mean two different things. That is all I wanted to tell you: I did not have any decision to make.

**Mr. Mario Beaulieu:** We are preventing a debate about ideas because of a translation issue. The amendment would work in French, but not in English.

**The Chair:** I understand, Mr. Beaulieu, but it isn't a translation problem or a bad translation: it is procedural. That is how the English was drafted. That is all I can tell you. I am not saying you will like the answer.

(Clause 16 as amended agreed to)

**The Chair:** Is clause 17 agreed to?

(Clause 17 agreed to)

(Clause 18)

**The Chair:** We will now move on to clause 18 of the bill and amendment BQ-22, at page 57 of your bundle of amendments.

The floor is yours, Mr. Beaulieu.

**Mr. Mario Beaulieu:** The bill proposes the following paragraph 18(1)(b):

(b) prescribing any other measures that are to be taken, within the National Capital Region and in any part or region of Canada, or in any place outside Canada, that is prescribed for the purpose of paragraph 35(1)(a), to establish and maintain work environments of those institutions that are conducive to the effective

use of both official languages and accommodate the use of either official language by their employees;

Amendment BQ-22 would add the following words at the end of the paragraph: "taking into account the minority status of the French language in Canada due to the predominant use of English and the linguistic specificity of Quebec".

This is an amendment requested by the Government of Quebec. It adds another factor that the Governor in Council must take into account in making regulations concerning the language of work in federal institutions, in consideration of the specificity of Quebec.

**The Chair:** Thank you, Mr. Beaulieu.

The floor is yours, Mr. Serré.

**Mr. Marc Serré:** Thank you, Mr. Chair.

We recognize the intention of this amendment, which is proposed by the province of Quebec, but I would like to ask the officials what effects it would have on the language of work in offices under federal jurisdiction.

**Mr. Carsten Quell:** We are talking here about federal institutions, bilingual regions and workplaces that are conducive to the use of both languages. In concrete terms, a manager would have to allow their employees to speak in either of the two official languages at meetings, for example. The manager should also encourage them to choose the language in which they wish to work, in a workplace where they feel comfortable speaking with supervisors in either official language.

To date, Treasury Board Secretariat has always encouraged bilingual managers to operate that way, whether they are in Quebec or in bilingual regions outside Quebec. This amendment would make us wonder what a manager in a designated region in Quebec will have to do differently: will they have to favour the use of one of the two languages?

• (1710)

**The Chair:** Since there are no other comments, I will put amendment BQ-22 to the vote.

(Amendment negatived: nays 6; yeas 5)

**The Chair:** Shall clause 18 carry?

(Clause 18 agreed to)

(Clauses 19 and 20 agreed to)

(Clause 21)

**The Chair:** We will now move on to clause 21 and amendment LIB-12.

If this amendment is adopted, amendment LIB-13 may not be moved, because it is identical.

Mr. Drouin, the floor is yours.

**Mr. Joël Godin:** A point of order, Mr. Chair.

Could you explain how the same party can present identical amendments?

**The Chair:** Two members from the same party, acting independently, might ask the law clerk to draft something, and get the same text. That has happened in the past with the Bloc Québécois and the Conservatives.

**Mr. Joël Godin:** When you say the Bloc and the Conservatives, that's because we had heard the recommendations made by witnesses.

**The Chair:** Thank you for the question.

We will now move on to amendment LIB-12. I would point out that if it is adopted, amendment LIB-13 may not be moved, because it is identical, and amendment BQ-23 also may not be moved, this time due to a line conflict.

Mr. Beaulieu, the floor is yours.

**Mr. Mario Beaulieu:** We are going to amend amendment BQ-23 and send you the new version, in which there will be no line conflict.

**The Chair:** Perfect.

Mr. Drouin, the floor is yours on amendment LIB-12.

**Mr. Francis Drouin:** Thank you, Mr. Chair. I move that Bill C-13, clause 21, be amended by replacing lines 1 and 2 on page 11 with the following:

The heading of Part VII and sections 41 and 42 of the Act are replaced by the following:

Advancement of Equality of Status and Use of English and French

**The Chair:** Mr. Beaulieu, the floor is yours.

**Mr. Mario Beaulieu:** I am going to vote against the amendment, even though I prefer that heading to the one proposed in the bill, because we do not believe that anglophones constitute a minority. There is only one minority official language, and that is French. There is only one official language that is in jeopardy, and that is French.

**The Chair:** Thank you, Mr. Beaulieu.

Mr. Godin, the floor is yours.

**Mr. Joël Godin:** Mr. Chair, I want to recognize the work done by my colleague Mr. Drouin, and his amendment. I think we are all endeavouring to achieve equality of status for the two official languages.

• (1715)

**The Chair:** Thank you, Mr. Godin.

As there are no other questions, I will put this amendment to the vote.

(Amendment agreed to: yeas 10; nays 1)

**The Chair:** We will not be studying amendment LIB-13.

Mr. Beaulieu, before suspending the meeting, you wanted to speak to amendment BQ-23. The floor is yours.

**Mr. Mario Beaulieu:** I have sent a new version, excluding point (a), which dealt with the heading.

**The Chair:** Perfect. Have you circulated it?

**Mr. Mario Beaulieu:** We are going to circulate it.

**The Chair:** Right.

We will suspend the meeting to allow time to read the new version of amendment BQ-23.

• (1715)

(Pause)

• (1725)

**The Chair:** Resuming the meeting.

That took some time because the change to the amendment had repercussions on numerous other amendments that were going to be moved later. Before going any further, I want to say that numerous amendments could be affected.

Mr. Beaulieu, before we talk about your new amendment BQ-23, I have to tell the committee that if amendment BQ-23 is adopted, amendments CPC-21, BQ-27, BQ-31, CPC-26, LIB-14, LIB-15, BQ-32, CPC-28 and CPC-31 cannot be moved due to a line conflict. I would ask the parties concerned to take note of this.

We are well equipped here and we have the crème de la crème around us.

I see that it is 5:31, and we can extend the meeting by five or ten minutes at the most. Is there unanimous consent to finish the discussion on this amendment?

**Some hon. members:** Agreed.

**The Chair:** Perfect.

Mr. Beaulieu, the floor is yours.

• (1730)

**Mr. Mario Beaulieu:** I believe this is a very important amendment. For 52 years, positive measures under the Official Languages Act have served only to support the anglophone community and go against the Charter of the French Language, which seeks to make French the common and official language in Quebec in order to promote the inclusion of newcomers.

However, those positive measures support services in English in all sectors. Every time, it sends the message to newcomers that they have a choice between French and English and they don't need to learn French. We know, however, that in a context in which English is in the majority in Canada and in North America, it encourages newcomers to join the English side.

The right of the Quebec people to self-determination, the right to guarantee the future of the language of that people, is also in issue here. As we know, a language management method like the scheme imposed by the Official Languages Act, that is, undifferentiated institutional bilingualism, always ends up with assimilation of the minority languages in the world. The only countries where there is more than one national official language but the minority languages have not been assimilated are those countries where, in a particular geographic area, there is a common language. In Belgium and Switzerland, that doesn't prevent anyone from learning multiple other languages, but it guarantees the future of Flemish in Belgium or French in Wallonia.

So the purpose of the proposed amendment is to amend clause 21 of the bill.

In point (a), which refers to French and English, we propose to replace lines 13 and 14 on page 11 with the following:

due to the predominant use of English and that it is the official and common language of Quebec, is committed to protecting and promoting the French language while respecting the linguistic development of Quebec provided for in the *Charter of the French Language*.

We add that French is the official language, and that raises the question of whether it is possible to guarantee the future of French in Canada. Personally, I think that if there is no way to obtain arrangements that comply with the Charter of the French Language, that means there is no way to guarantee the future of French in Canada.

It would be progress to admit that French is in decline. It would be further progress to agree to a certain form of asymmetry by saying that French is in the minority in Canada and North America. Quebecers who speak French are part of that minority, while anglophones are part of the anglophone majority in Canada.

Historically, English has played a dominant role in Quebec. Anglophones have their overfunded institutions and the current positive measures are contributing to keeping them overfunded, and this operates to anglicize newcomers and francophones.

In point (b), which deals with positive measures, we propose to replace line 32 on page 11 with the following:

subsections (1) to (3) and to respect the linguistic development of Quebec provided for in the *Charter of the French Language*.

In point (c), which deals with the different needs of the anglophone and francophone communities, we are replacing lines 10 to 13 on page 12 with the following:

(ii) the necessity of considering the specific, different needs of each of the two official language communities of Canada, and

(iii) the necessity of protecting and promoting French in Quebec, taking into account that French is the official and common language of Quebec; and

Last, point (d) proposes to amend line 15 on page 13 to require that the Canadian government also consult the provincial and territorial governments before imposing measures.

That summarizes all of the points in amendment BQ-23 that I believe to be important. If there is a genuine desire to protect French

in Quebec, there has got to be some flexibility and adaptability in the positive measures, to respect the minority character of French in Canada and North America.

• (1735)

**The Chair:** Thank you, Mr. Beaulieu.

Mr. Godin, the floor is yours.

**Mr. Joël Godin:** I have a comment to add, Mr. Chair.

I understand and I hear what my colleague has said. However, amendment BQ-3, which has been adopted, inserted the Charter of the French Language into the preamble to the act. Because the preamble is the inspiration for the meaning to be given to the entire act, I think this amendment is unnecessary.

**The Chair:** Thank you, Mr. Godin.

No one else wishing to speak, we will put amendment BQ-23 to the vote.

(Amendment negated: nays 10; yeas 1)

**The Chair:** Before adjourning the meeting, I would like to thank the experts from the various departments and the clerks and analysts for the time they have give us.

Mr. Beaulieu, do you want to add something?

**Mr. Mario Beaulieu:** I want to quickly make a comment.

To continue my summary, I would note that so far we have studied 20 clauses out of 71. We have got to page 61 of 229 in the bundle of amendments. However, we have only two meetings and another hour of work left to finish everything.

I raise the question because I think it is important, whether for Quebec or for francophones outside Quebec, that we be able to study all the amendments to the bill.

**The Chair:** Thank you, Mr. Beaulieu.

Thanks to the whole team. Thanks to the committee members and to everyone.

The meeting is adjourned.









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