



HOUSE OF COMMONS
CANADA

**IMPACT OF THE PLAN TO STRENGTHEN MANAGEMENT
OF GOVERNMENT OF CANADA ADVERTISING ON THE
OFFICIAL-LANGUAGE MINORITY MEDIA**

**Report of the Standing Committee on
Official Languages**

**Hon. Don Boudria, P.C., M.P.
Chair**

May 2004

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THE STANDING COMMITTEE ON OFFICIAL LANGUAGES

has the honour to present its

THIRD REPORT

In accordance with Standing Order 108(3)(f), the Standing Committee on Official Languages has examined the matter of the impact of the suspension of federal government advertising activities on media operating in a minority environment in Canada, and has agreed on the following observations and recommendations:

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IMPACT OF THE PLAN TO STRENGTHEN MANAGEMENT OF GOVERNMENT OF CANADA ADVERTISING ON THE OFFICIAL-LANGUAGE MINORITY MEDIA

Introduction: Legislative and political obligations

Governments must communicate regularly with their citizens. What is known as “government advertising” encompasses the communications activities used by governments to inform citizens about the services, programs, and policies initiated for them, about their rights and responsibilities, or about dangers or risks to public health, safety, and the environment. In 2002-2003, the Government of Canada spent more than \$110 million on advertising activities, making it one of the largest advertisers in the country.¹

Responsibility for government advertising is shared among a number of institutions and agencies. Although individual departments identify their advertising needs based on their program priorities, advertising activities are coordinated by four central agencies. The Privy Council Office produces the government’s annual advertising plan and advises departments and agencies on government priorities to ensure they are reflected in their own advertising activities. The Treasury Board performs important duties involving monitoring and evaluating the *Communications Policy of the Government of Canada*. Public Works and Government Services Canada (PWGSC) manages the contracting process and issues contracts to advertising agencies. Finally, until very recently, Communication Canada provided communications services to ensure consistency with all government policies and priorities.

When the Government of Canada uses advertising to communicate with its citizens, it must comply with the policies and legislation on government advertising in Canada, including the *Official Languages Act* and the language provisions in Treasury Board’s communications policies. The main legislative provisions and other administrative requirements regarding official languages are described below.

Section 11 of the *Official Languages Act* states that a “notice, advertisement or other matter that is required or authorized by or pursuant to an Act of Parliament to be published by or under the authority of a federal institution primarily for the information of members of the public shall, (a) wherever possible,

¹ Office of the Auditor General, “Chapter 4: Advertising Activities,” November 2003, p. 3.

be printed in one of the official languages in at least one publication in general circulation within each region where the matter applies that appears wholly or mainly in that language and in the other official language in at least one publication in general circulation within each region where the matter applies that appears wholly or mainly in that other language; and (b) where there is no publication in general circulation within a region where the matter applies that appears wholly or mainly in English or no such publication that appears wholly or mainly in French, be printed in both official languages in at least one publication in general circulation within that region.”²

Section 30 in Part IV of the *Act* clarifies section 11 by requiring federal institutions to use “such media of communication as will reach members of the public in the official language of their choice in an effective and efficient manner that is consistent with the purposes of this Act.”³

Furthermore, the *Communications Policy of the Government of Canada* sets out the requirements that federal institutions must meet in terms of communications and government advertising. Policy Requirement No. 4 stipulates that “institutions must respect the equality of status of the two official languages as established by the *Canadian Charter of Rights and Freedoms* and given effect through the *Official Languages Act* and the *Official Languages (Communications with and Services to the Public) Regulations*.”⁴

Policy Requirement No. 23 of the *Communications Policy of the Government of Canada* states clearly that the government must use the media organs that are the most appropriate for reaching official-language minority communities:

... institutions must respect the Government of Canada’s commitment, stated in Part VII of the *Act*, to enhance the vitality of official-language minority communities. Advertising plans and campaigns must address the needs, concerns and language preferences of such communities. Media buys must include the purchase of advertising space and time in organs serving a community’s official-language minority, be it English or French.⁵

The reader is reminded that Part VII is a key element of the 1988 *Official Languages Act*, setting out the government’s commitment to “(a) enhancing the vitality of the English and French linguistic minority communities in Canada and

² *Official Languages Act*, RSC 1985 (4th Supp.), section 11.

³ *Official Languages Act*, RSC 1985 (4th Supp.), section 30.

⁴ Treasury Board, *Communications Policy of the Government of Canada*, (http://www.tbs-sct.gc.ca/pubs_pol/sipubs/comm/siglist_e.asp).

⁵ Treasury Board, *Communications Policy of the Government of Canada*, (http://www.tbs-sct.gc.ca/pubs_pol/sipubs/comm/siglist_e.asp).

supporting and assisting their development; and (b) fostering the full recognition and use of both English and French in Canadian society.”⁶ All institutions subject to the *Official Languages Act* must comply with Part VII.

Reaction of official-language minority media to the moratorium on government advertising

On 15 March 2004, the Honourable Stephen Owen, Minister of Public Works and Government Services, announced a moratorium on government advertising activities.⁷ The following measures were taken to strengthen management of government advertising:

- government-wide implementation of a mechanism for establishing priorities in order to ensure that resources are allocated mainly on the basis of government priorities;
- a moratorium on new advertising activities until June 1, 2004;
- a 15% reduction of media placement expenses relative to the 2002-2003 fiscal year (\$83 million), with such expenses to remain at that level (approximately \$70.55 million a year) until fiscal 2006-2007.

Four associations operating in the communications field expressed their concerns about the negative impact that the government advertising management review would have on their advertising revenues and on their very survival.

The Quebec Community Newspapers Association (QCNA) wrote to the Committee to share its concerns about the effect of the moratorium on the operations of 32 official-language minority newspapers in Quebec. Executive Director Greg Duncan anticipated that the moratorium on government advertising activity would lead to a shortfall of \$115,000 in the last three months of the 2003-2004 fiscal year. Moreover, the freeze on advertising spending would penalize 700,000 weekly readers, who expect the papers to carry vital messages from the Government of Canada.⁸

In terms of francophone minorities, the Association de la presse francophone (APF), the Alliance des radios communautaires du Canada (ARC du Canada) and the Fédération des communautés francophones et acadienne du Canada (FCFA du Canada) appeared before the Committee and expressed the same views as the QCNA.

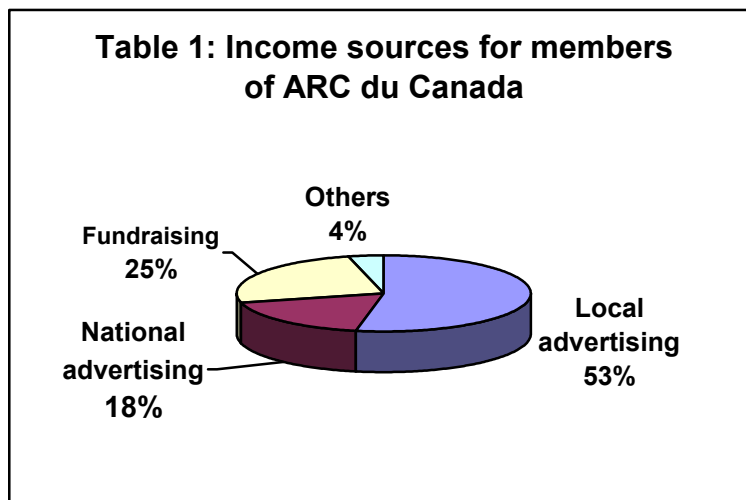
⁶ *Official Languages Act*, RSC 1985 (4th Supp.), section 41.

⁷ <http://www.pm.gc.ca/eng/news.asp?id=115>

⁸ Quebec Community Newspapers Association, (Letter to the House of Commons Standing Committee on Official Languages), 23 March 2004.

For the Association de la presse francophone, the moratorium announced by the Government of Canada would have a negative impact on the Association's 26 weekly and bimonthly French-language newspapers outside of Quebec. These print media derived annual incomes of about \$1 million from federal government advertising. In the short term, the 15% reduction would result in an advertising revenue shortfall of some \$150,000 dollars. In the long term, the very survival of some of these publications would be at stake.⁹

For their part, the Alliance des radios communautaires du Canada (ARC du Canada) believed that the moratorium would be detrimental to Francophone community radio stations outside Quebec. The 18 stations currently on the air and the others under construction would be facing major financial hurdles over the coming months. These radio stations received income from fundraising campaigns, grants and the sale of local and national advertising (see Table 1).



Source: ARC du Canada, brief submitted to the Standing Committee on Official Languages, 24 March 2004, p. 3.

ARC du Canada explained to Committee members that the moratorium had undermined an already difficult situation with the Government of Canada in regard to media placements. In the words of ARC du Canada, the network of Francophone minority community radio stations was “not receiving its fair share of the federal government’s advertising budget.”¹⁰ According to ARC du Canada, the Department of Public Works and Government Services Canada dealt with them according to the same criteria it uses for large private companies operating in the communications field. However, community radio stations belong to (or are themselves) non-profit organizations first and foremost that provide information

⁹ *Evidence*, Standing Committee on Official Languages, Meeting No. 5, 37th Parliament, 3rd Session, 24 March 2004, (1535).

¹⁰ ARC du Canada: A national united voice. Brief to the Standing Committee on Official Languages, 24 March 2004, p. 5.

services to francophone minority communities. According to ARC du Canada, the Department does not want to be perceived as favouring one linguistic group over another.¹¹

The FCFA du Canada expressed the same concerns as the APF and ARC du Canada, and said that francophone community media had become an important instrument for strengthening collective identity and that they were indispensable partners in any national initiative aimed at supporting the development of the francophone and Acadian minority communities.¹² They enabled francophone minority communities to become better known by all francophones and francophiles in Canada.

To remedy the situation, ARC du Canada, the APF and the FCFA du Canada put forward the following solutions for consideration:

- Reverse the moratorium on advertising or make an exception for official-language minority media;
- Reverse the decision to reduce media placements by 15% until 2006-2007;
- Earmark 3% of the federal government's advertising budget for the official-language minority media.

One month later, the Minister of Public Works and Government Services Canada, the Honourable Stephen Owen, appeared before the Standing Committee on Official Languages to give reasons for his department's decisions and to respond to the requests from the associations.¹³ First, he pointed out that, over the last two years, \$2.3 million were invested in the minority media, or 1.6% of the total advertising budget.¹⁴ The Minister also said that the 15% reduction applied only to media placement,¹⁵ i.e. to the purchase of advertising space and time for government advertisements. He also explained that the 15% cut applied to the 2002-2003 budget of \$83 million, not the 2003-2004 budget of \$57 million. Consequently, the total investment in government advertising will be \$70.55 million until 2006-2007, which according to Mr. Owen will have only a minimal impact on the advertising income received by minority media.

¹¹ *Evidence*, Standing Committee on Official Languages, Meeting No. 5, 37th Parliament, 3rd Session, 24 March 2004, (1605).

¹² *Evidence*, Standing Committee on Official Languages, Meeting No. 5, 37th Parliament, 3rd Session, 24 March 2004, (1550).

¹³ *Evidence*, Standing Committee on Official Languages, Meeting No. 10, 37th Parliament, 3rd Session, 28 April 2004, (1530).

¹⁴ The Minister maintains that buying advertising in minority media is less costly.

¹⁵ From a government perspective, advertising activities include: A) advertising planning and strategic advice, B) creative work, C) advertising-related research and D) media placement.

Table 2: Reduction in federal spending on advertising, 2002-2007

2002-2003	\$83 million
2003-2004	\$57 million
2004-2005	\$70.55 million
2005-2006	\$70.55 million
2006-2007	\$70.55 million

Furthermore, the Minister recognized that government support for official-language minority communities was certainly a commendable objective. However, he reminded members that the prime objective of government advertising was to provide information to Canadians. While making a commitment to raising awareness among federal institutions about the reality of official-language minority groups, the PWGSC Minister suggested that the minority press look to the Department of Canadian Heritage to find solutions to their problems.

Committee Observations and Recommendations

Community broadcasters and print media are important vehicles for community self-expression. Often they represent an alternative to the large broadcasting networks and mass media chains that occupy a large portion of the marketplace. These organs of communication perform a number of functions in minority communities:

- They deliver information to all members of the community;
- They can be agents of social change and they enable local community associations to publicize their activities;
- They endorse community participation, create employment and give young people an opportunity to work in the communications sector;
- They support the creation and presentation of locally produced programming that reflects local and regional realities;
- Community weeklies and radio stations have good market penetration and a stable readership and audience;
- The official-language minority media contribute to the creation of truly Canadian content, both on the airwaves and in the print media.

For all these reasons, the Committee cannot overemphasize the importance of these organs of communication and of identifying mechanisms to guarantee their survival. While government advertising is primarily a PWGSC issue, the Committee stressed the importance of the continuing involvement of the Department of Canadian Heritage. During her appearance on 30 March 2004, the Minister of Canadian Heritage, the Honourable H el ene Scherrer, said that she was aware the official-language minority media had been affected by the moratorium and the 15% reductions in government advertising, and that a possible avenue to be explored in order to alleviate the negative impact of those cuts in advertising might be financial assistance from one of her departmental programs.¹⁶

The members of the House of Commons Standing Committee on Official Languages are concerned about the negative impact of the government's advertising moratorium and the 15% reduction in the advertising budget on the official-language minority media. The Committee believes that these actions put their survival in jeopardy and that they should not be treated according to the same rules as conventional media. The in-depth review of the government advertising management structure should not be detrimental to official-language minority communities.

The Committee expects that, when purchasing advertising, PWGSC and all other federal institutions will comply with the provisions of the *Official Languages Act* and the administrative requirements set out in the *Communications Policy of the Government of Canada*.

It is clear to the members of the Committee that the objectives of Part VII had been misunderstood by PWGSC. This is strange to say the least, as PWGSC was one of the first designated institutions under the 1994 corporate accountability framework. A preliminary analysis of the 2002-2003 Annual Report on the implementation of section 41¹⁷ shows nine one-time activities, ranging from donations of computers to translation services. The Committee notes that these activities have been essentially the same since 1999. It is, therefore, justifiable to ask whether they will be at all beneficial to community development over the long term. In light of the fact that PWGSC administers contracts worth more than \$11.4 billion per year,¹⁸ there is no doubt that this department could play a more strategic role, particularly in connection with the economic development of official-language minority communities. PWGSC must provide support through its programs, and should not rely solely on ad-hoc initiatives.

¹⁶ *Evidence*, Standing Committee on Official Languages, Meeting No. 6, 37th Parliament, 3rd session, 30 March 2004, (0940).

¹⁷ Public Works and Government Services Canada, Annual Report 2002-2003: Implementation of section 41 of the *Official Languages Act*, 4 pages.

¹⁸ Public Works and Government Services Canada, Performance Report for the period ending 31 March, 2003.

In his intervention on 28 April 2004, the Minister in fact suggested that the official-language minority press should look to the Department of Canadian Heritage to find solutions to their problems. The Committee does not share this view. The Minister's suggestion is contrary to the goals of the 1994 corporate accountability framework, which was specifically intended to offset the reflex present in numerous federal departments and agencies to refer any matter involving the federal government commitment under section 41 automatically to the Department of Canadian Heritage.

This position also goes against the values and objectives set out in the accountability and coordination framework in the Action Plan for Official Languages announced by the Government of Canada in March 2003. In theory, sections 16 to 22 of the framework, the "cornerstone of the Action Plan,"¹⁹ are designed to ensure that all federal government departments and agencies take the needs of minority official-language communities into account in developing new policies and initiatives.

The Committee believes that the PWGSC, as a common service provider for advertising, must show leadership and assume its responsibilities in terms of official languages. The official-language minority media must receive a stable and equitable share of the total government advertising budget to ensure that official-language minority communities are adequately informed. In light of the evidence heard on the matter, the Committee makes the following recommendations:

RECOMMENDATION 1

The Standing Committee on Official Languages recommends that the Government of Canada immediately set aside a minimum of 5.4 % of its media buys for the official-language minority media, a figure which corresponds to the relative weight of the minority francophone and anglophone communities in Canada.²⁰

RECOMMENDATION 2

The Committee asks that PWGSC comply fully with the *Official Languages Act* and other requirements set out in the *Communications Policy of the Government of Canada*. Furthermore, the Committee asks PWGSC to account for its purchases of space and time in the official-language minority media. Annual reports produced by PWGSC as part of its obligations under section 41 of *Official Languages Act* must provide information on this issue.

¹⁹ Government of Canada, *The Next Act: New Momentum for Canada's Linguistic Duality — The Action Plan for Official Languages*, 2003, p. 11.

²⁰ See Appendix A for demolinguiistic data.

Moreover, the Committee is aware that it is not always easy to reach both language groups in all parts of the country in a perfectly equivalent way using the existing media. The Committee points out that the needs of anglophones in Quebec and francophones outside Quebec and the supply of English- and French-language media are asymmetrical. While there are a number of private, Canada-wide, English-language media serving most of the anglophone market in Quebec, the opposite is true for national French-language media, which are less accessible to francophones outside Quebec or even non-existent in a number of provinces with an anglophone majority. The anglophone community in Quebec thus has access to a range of information sources containing Government of Canada advertising, while francophone minority communities do not. This point was made a few years ago by the Office of the Commissioner of Official Languages in a study on the use of the print media by federal institutions:

... we wish to point out that, whereas a national official language majority newspaper may be appropriate for reaching the target audience in cases of country-wide advertising in English, there is no equivalent newspaper for doing so in French.²¹

Therefore, the Committee asks PWGSC to consider this asymmetry in needs and in supply when making arrangements for government advertising intended for all Canadians across the country.

²¹ Commissioner of Official Languages, *The Use of the Official Language Minority Press by Federal Institutions*, November 2002, p. 15.
(http://www.ocol-clo.gc.ca/archives/sst_es/2002/minority_minoritaire/minority_minoritaire_e.htm).

LIST OF RECOMMENDATIONS

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APPENDIX A

Minority-language populations in Canada, 2001

Territory/Province	Total Population	Mother tongue	
		Number	%
Newfoundland	508,080	2,360	0.5
Prince Edward Island	133,400	5,890	4.4
Nova Scotia	897,565	35,380	3.9
New Brunswick	713,755	236,665	33.3
Quebec (anglophones)	7,125,545	591,365	8.7
Ontario	11,285,540	509,265	4.5
Manitoba	1,103,690	45,920	4.2
Saskatchewan	963,160	18,645	1.9
Alberta	2,941,130	62,240	2.1
British Columbia	3,868,856	58,891	1.5
Yukon	28,550	945	3.3
NWT	37,110	1,000	2.8
Nunavut	26,645	400	1.6
TOTAL (official-language minority communities)	29,633,026	1,568,966	5.4
TOTAL (francophones excluding Quebec)	22,513,495	980,270	4.4

Source: Statistics Canada, 2001 Census: Analysis series. *Profile of Languages in Canada: English, French and Many Others*, December 2002, p. 26.

APPENDIX B LIST OF WITNESSES

Associations and Individuals	Date	Meeting
Alliance des radios communautaires du Canada Béatrice Lajoie, Chargee for National Development Serge Paquin, Secretary General	24/03/2004	5
Association de la presse francophone Francis Potié, Director General Annick Schulz, Director of Communications and Government Relations		
Fédération des communautés francophones et acadienne du Canada Robin Cantin, Communications Director		
Department of Public Works and Government Services Guy Bédard, Supporting Assistant Deputy Minister, Government Information Services Branch Nicole Bourget, Assistant Deputy Minister, Government Information Services Branch Stephen Owen, Minister	28/04/2004	10

REQUEST FOR GOVERNMENT RESPONSE

Pursuant to Standing Order 109, your Committee requests the government to table a comprehensive response to this report.

A copy of the relevant Minutes of Proceedings (*Meetings Nos. 5, 10 and 12 which includes this report*) is tabled.

Respectfully submitted

The Honourable Don Boudria, P.C., M.P.
Chair

IMPACT OF THE SUSPENSION OF FEDERAL GOVERNMENT ADVERTISING ACTIVITIES ON OFFICIAL-LANGUAGE MINORITY MEDIA IN CANADA: BLOC QUÉBÉCOIS COMPLEMENTARY OPINION

The issue of concern here arose primarily because of the scandal about the sponsorship program. If the Liberal government had been able to manage its budgets effectively, rather than watching "Liberal-friendly" firms getting generous commissions, official-language minority communities, particularly francophones, would not have been faced with the current instability. Nor would they have had to fear that some of their media would disappear for lack of adequate financing.

In February 2004, the Auditor General tabled a report that stated: "From 1997 until 31 March 2003, the Government of Canada spent about \$250 million to sponsor 1,987 events. Over \$100 million of that was paid to communication agencies as production fees and commissions." [Paragraph 3.7 of the Auditor General's Report on the federal government's sponsorship program]

The Auditor General has just confirmed the existence of a problem that the Bloc Québécois identified in 2000. The Bloc Québécois electoral platform for 2000 spoke out against cronyism in the sponsorship program. Back in 2000, the Bloc identified the main companies involved in the scandal - Groupe Everest, Groupaction, Lafleur Communication, Polygone, and others.

Instead of taking positive measures that were in line with what Quebecers wanted (such as finding a solution to the tax imbalance), the federal Liberal government chose to conduct a ludicrous visibility-enhancing exercise intended to mollify the people of Quebec.

The Bloc Québécois believes that the sponsorship program had just two objectives: 1) to dictate a sense of belonging to Canada by means of an ongoing visibility campaign; and 2) to give money to friends of the party, who then made donations to the Liberal Party fund.

Although the whole story behind the sponsorship scandal has not yet come out, the Bloc Québécois is convinced that the people have lost all confidence in a Liberal government that promotes propaganda to the detriment of ethics.

Finally, minority community broadcasts and print media are clearly an important vehicle for self-expression. The Bloc Québécois is very concerned about the negative impact that the temporary moratorium on government advertising will have. This troubling development was however caused by the Liberals' inability to manage the government

responsibly. The Bloc Québécois hopes that the government will be able to manage the budgets earmarked for its minority community support programs with much greater rigour by implementing the recommendations made in the report of the Standing Committee on Official Languages, and that it will demonstrate transparency by imposing the democratic principle of accountability. This will ensure that minority communities, that are primarily French-speaking, will benefit from ongoing, adequate and predictable funding.

Finally, we must point out once again that the anglophone community in Quebec has access to a wide range of information sources containing government of Canada advertising, but this is not necessarily the case for francophone minority communities. It is important that the government consider this vital fact in its allocation of resources.

MINUTES OF PROCEEDINGS

Wednesday, May 5, 2004
(Meeting No. 12)

The Standing Committee on Official Languages met *in camera* at 3:45 p.m. this day, in Room 371 West Block, the Chair, the Hon. Don Boudria, presiding.

Members of the Committee present: Eugène Bellemare, Hon. Don Boudria, Claude Drouin, Yvon Godin, Christian Jobin, Marcel Proulx, Benoît Sauvageau, Raymond Simard and Yolande Thibeault.

Acting Members present: Mark Eyking for Marcel Proulx.

In attendance: Library of Parliament: Marion Ménard, Analyst.

Pursuant to Standing Order 108(3)(f), the Committee resumed its study on the impact of the suspension of federal government advertising activities on media operating in a minority environment in Canada.

The Committee resumed consideration of a draft report.

It was agreed, — That the draft report, as amended, be adopted as the Third Report of the Committee.

It was agreed, — That the report be entitled: Impact of the Plan to Strengthen Management of Government of Canada Advertising on the Official Language Minority Media.

It was agreed, — That the Committee append to its report dissenting or supplementary opinions from the opposition parties provided that they are no more than two pages in length and submitted electronically to the Clerk of the Committee, no later than 4:00 p.m., on Thursday, May 6, 2004.

It was agreed, — That the Chair, Clerk and researchers be authorized to make such grammatical and editorial changes as may be necessary without changing the substance of the report.

It was agreed, — That, pursuant to Standing Order 109, the Committee request that the Government table a comprehensive response to the report.

It was agreed, — That, the Committee print 550 copies of this Report in tumble bilingual format with a standard cover.

It was agreed, — That the Chair present the report to the House.

At 4:03 p.m., the Committee adjourned to the call of the Chair.

Marc-Olivier Girard
Clerk of the Committee