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Chair: Mr. René Arseneault



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• (0855)

[*Translation*]

The Chair (Mr. René Arseneault (Madawaska—Restigouche, Lib.)): This meeting is called to order.

Welcome to meeting number 47 of the House of Commons Standing Committee on Official Languages.

Pursuant to the order of reference of Monday, May 30, 2022, the committee is resuming its consideration 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 wish to inform the committee that all members completed the required login tests prior to the meeting.

Today, we are resuming the clause-by-clause consideration of Bill C-13.

I welcome the officials from the Department of Canadian Heritage, Citizenship, Refugees and Immigration Canada and the Treasury Board Secretariat, who are here to support the committee and answer technical questions.

From Canadian Heritage, we welcome Ms. Julie Boyer, assistant deputy minister, official languages, heritage and regions; Mr. Jean Marleau, director, modernization of the Official Languages Act; and Ms. Chantal Terrien, manager, modernization of the Official Languages Act.

From Citizenship and Immigration, we welcome Mr. Alain Desruisseaux, director general, francophone immigration policy and official languages division.

From Treasury Board Secretariat, we have Mr. Carsten Quell, executive director, official languages centre of excellence, people and culture, office of the chief human resources officer.

Thank you to all these experts for taking part in our work.

Let us pick up from where we left off with the clause-by-clause consideration on Tuesday. We were discussing amendment LIB-4.

Mr. Housefather, you have the floor.

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

Dear colleagues, I will repeat my arguments briefly, for the benefit of those who were not here.

We are starting to make decisions regarding Bill C-13. Today, the committee has to make a choice. It can choose to maintain the same vision of the official languages in Canada that has prevailed since the Official Languages Act was enacted in 1969, namely, that there is a francophone minority community outside Quebec and that French has to be supported right across the country, but that the anglophone minority community in Quebec also has to be supported.

The committee can also choose the vision presented by the Bloc Québécois. The Bloc maintains that the anglophone minority in Quebec is not truly a minority, because it is part of Canada's anglophone majority, and that the federal government has no obligation to support Quebec's anglophone community. Further, the Bloc maintains that the government should give in to Quebec's demands.

Proposed amendments to the bill are intended to eliminate the federal government's responsibility to support the development and vitality of Quebec's anglophone community and to implement the provisions of Bill 96, Quebec's Charter of the French Language.

That is a legitimate vision, but it is the Bloc Québécois's vision.

[*English*]

This has never been the vision of any other political party in Canada historically. The Conservative party has always supported the vitality and development of the English-speaking minority in Quebec; in fact, Brian Mulroney, in the Charlottetown Accord in 1992, proposed to make that part of the Constitution of Canada. We've always believed that all linguistic minority communities need to be supported.

Now we come to a reference in the bill that needs to be removed. It's a reference to Quebec's Charter of the French Language, which is now Bill 96, a law that was adopted using the notwithstanding clause pre-emptively to deprive Quebecers of their right to go to court if their charter rights are violated and to have the court order a remedy.

Remember, the notwithstanding clause is there to say that there's a right, and section 1 of the Charter of Rights and Freedoms says that all rights are limited to what's reasonable in a free and democratic society. Now that doesn't apply; people won't be able to check to see if their right was violated and if it was done in a way that was fair in a free and democratic society. It basically overrides these rights. Nobody ever, when the Constitution was being repatriated or the Charter of Rights and Freedoms was being added in 1982, saw the notwithstanding clause being used in this way.

Recently in Ontario with respect to labour rights and in Quebec with respect to Bill 21 and Bill 96, the notwithstanding clause was used pre-emptively. The New Democratic Party and the Liberal Party, at least, have come out four-square against the pre-emptive use of the notwithstanding clause. Here we would be incorporating the pre-emptive use of the notwithstanding clause federally by making an approving reference, because this sentence talks approvingly of this law. We would be essentially handicapping the Attorney General when the Attorney General goes to court, as he said he will do in the Bill 21 case, to argue that the pre-emptive use of the notwithstanding clause is not constitutional. The Attorney General of Canada has already stated that when the Supreme Court hears arguments on Bill 21, the Government of Canada will be arguing that the pre-emptive use of the notwithstanding clause is not constitutional. However, what we would be doing here is allowing any of those provinces that try to justify the use of the notwithstanding clause pre-emptively to say, "But Mr. Attorney General, in your own bill you referred approvingly to a law that uses the notwithstanding clause pre-emptively." That is not a good thing at all.

I would also point out that Bill 96 says that in order to receive services in English in Quebec, you need to have access to English schools, thus depriving close to half of the English-speaking community in Quebec of the right to get services in English.

• (0900)

[Translation]

The Official Languages Act has always provided that both communities should receive services in both languages.

Wherever you may be in Canada, as a francophone, you should be able to receive services in French from the federal government. The same applies for anglophones in Quebec, even in regions where they are in a very small minority, in ridings such as those represented by my colleagues here. Anglophones make up perhaps less than 1% of the population in Mr. Lehoux's riding but, federally, we should have access to services in both languages, right across the country. Yet that is not what the Charter of the French Language currently provides. That is not what Bill 96 says. Today, we have the opportunity to say the same thing.

The purpose of this sentence was to affirm that French is the official language of Quebec. It did not say anything more than that. There is a different way of saying it. We can say that Quebec's National Assembly has declared that French is the official language of Quebec, within its areas of jurisdiction, without mentioning that this is based on the operation of Bill 96. We can say the same thing, without mentioning a bill that does not enjoy a consensus in the minority community.

[English]

I want to point out that we would be referring to a bill, a law, that is probably supported by the majority of francophone Quebecers but, according to all of the polls I have seen, is not supported by almost the entire English-speaking community in Quebec, at well over 95%, nor by any English-speaking organizations.

Why would we be referring to a law that nobody in the minority community supports? We would never do this to francophones in Ontario if they didn't support an Ontario bill. We would never then

refer to it approvingly in a federal law. Why are we doing this when the English-speaking minority in Quebec, which is one of the communities we're supposed to be protecting under the Official Languages Act, doesn't agree at all? Not only is there no consensus; there's a complete disagreement with this law. There's no need to mention it.

Let me go to the final things.

One, there is no references to any other provincial law in this bill. We're not referring to Ontario's French Language Services Act. We're not referring to acts across this country to protect official languages, including in New Brunswick; we're referring to only one province's law. Why are we referring to only one province's law?

Also, the way we would be doing this, we would be approvingly referring to this law no matter what changes are ever made to it. As the federal Parliament, we would be surrendering our authority to a provincial legislature to change a law however it wanted at any time, as our officials said, without any control over what they would do. That is also not a good thing.

What message are you giving to the minority community in Quebec that disagrees with this law when the federal Parliament simply embraces it and includes it in a federal law and the minority community doesn't agree with it?

Also, I would again respectfully say that many of the amendments that are being proposed would cause real legal jeopardy to the English-speaking minority in Quebec. When you apply this bill and you apply it federally, when we're going to the courts to seek redress for our rights, the reference here, in my view, would cause real legal issues in terms of the rights of the English-speaking community in Quebec.

[Translation]

So I am making my case to my colleagues. Our discussions about the official languages are rare opportunities to truly put partisanship aside, because this is something we are passionate about. All Canadians are passionate about the official languages. The protection of their language is a hot topic for francophone minorities in the country, but also for anglophones in Quebec.

There are different ways of saying things: in a way that hurts others or in a way that does not hurt anyone. I am asking you, personally, as a colleague, to think about this when you vote on this amendment today. A number of Quebec MPs who are here today have very strong feelings on the topic. Please help us get our amendment through. It is very important, not only to us, but also to the community we come from. We want our voice to be heard.

[English]

As a member of Parliament, I would say that in the seven years I've been here, this is perhaps the most important argument I have ever made in Parliament, because I'm speaking about not only something I'm passionate about but also something my community is really frightened about. I've never had more calls or more emails on any issue than I've had on this one in my riding in Quebec. My constituents are scared about the effect it will have on them if a provincial bill and law that the English-speaking minority entirely disagrees with is put into federal law .

I plead with my colleagues. I hope you will support amendment LIB-4. I think this is the historical vision of all the federalist parties from 1968 until now.

I appreciate my colleagues' time. Thank you very much.

● (0905)

[Translation]

The Chair: Thank you, Mr. Housefather.

There are a lot of names on my list, but I have noted them all down, not to worry.

We will begin with Mr. Beaulieu, followed by Mr. Garneau, Ms. Lambropoulos and Ms. Ashton.

Mr. Beaulieu, you have the floor.

Mr. Mario Beaulieu (La Pointe-de-l'Île, BQ): I will try to be brief because there seems to be a strategy of obstruction to delay debate and prevent us from proposing that Bill 101 should apply to federally-regulated businesses.

In short, for 52 years, the federal government's Official Languages Act has served to promote English in Quebec, period. And yet it is French that is under threat, not English. This act has served to fund anglophone lobby groups, such as Alliance Québec, which Mr. Housefather headed up for a long time. He is arguing against adopting French as the common language of Quebec, and did so yesterday as well.

Making French the common language is necessary to integrate newcomers into Quebec society. Despite what Mr. Housefather said, and what Alliance Québec maintains with many anti-Quebec prejudices and so forth, this is still the situation today.

Unlike francophones outside Quebec, all anglophones in Quebec have the right to receive services in English. They receive those services in all regions, while francophones outside Quebec hardly receive any services in French. That is the reality.

So what anglophones want is not the right to receive services in English for themselves. They want newcomers, allophones, to receive services in English as well. Their goal is to anglicize those people, and that is what we see. A great many people switch to English, out of all proportion.

The federal government's impact in Quebec through the Official Languages Act has made anglophone organizations too large, while serving to anglicize allophones, the children of Bill 101, as well as francophones in Montreal.

So I think this is really crucial. For over 50 years, the federal government has denied the decline of French. But suddenly, two years ago, it admitted there is a decline. In its throne speech, the federal government admitted that it should be responsible for defending and protecting French.

We see that our colleague is trying to eliminate the Charter of the French Language. It has been dismantled. It has been weakened in all its areas of application as a result of pressure and groups funded by the Official Languages Act.

Right now, Quebecers are not just afraid; they are fighting for their survival. We are witnessing a fight for the survival of French in the only jurisdiction in Canada and North America where there is still a francophone majority. It is a fight for linguistic diversity internationally in North America.

There were some fine intentions in the Official Languages Act, which was supposed to respect the Charter of the French Language.

For the Quebec government, Bill 96, which Mr. Housefather is trying to demonize, simply restores a few sections of the Charter of the French Language. Its objective is merely integration, the francization of newcomers, so that Quebec society can be inclusive and cohesive. That requires knowledge of French.

Right now, we can see the true face of the Liberal Party of Canada, defending English in Quebec. This simply furthers and encourages a decline in the number of francophones. I will leave it there, but we will have the opportunity to return to this.

In my opinion, my colleagues in the official opposition will certainly reject this proposal. Quebecers must really pay attention. If we are unable to make significant gains right now, the federal government will continue to work entirely in favour of English in Quebec, but we cannot suffer any further decline.

● (0910)

The Chair: Thank you, Mr. Beaulieu.

We will now give the floor to Mr. Garneau.

Hon. Marc Garneau (Notre-Dame-de-Grâce—Westmount, Lib.): Thank you, Mr. Chair.

[English]

As an MP for the past 14 years, whenever I've looked at legislation, I have tried to look at it from the point of view of ensuring clarity and logic. Although I'm not a lawyer, I'm an engineer, and in engineering those two qualities of clarity and logic in anything that is written are particularly important.

The way I look at this bill, Bill C-13, the modernization of the Official Languages Act, is as follows.

It has two main purposes. Let's go back to fundamentals. First, it is to promote the two official languages that exist in this country across the country. Second, it is to protect the linguistic rights of minorities again across Canada, whether it's the anglophone rights of Quebecers who are a minority within Quebec or the francophone rights of minorities living outside of Quebec. That is its fundamental purpose.

If we look at the Quebec Charter of the French Language, we see that this is a provincial charter. It is based on, and essentially is, Bill 96 as adopted by the National Assembly. Its focus, of course, is to address language rights within Quebec. One is federal and one is provincial, and yet that provincial law is being incorporated into a federal law, Bill C-13. I think we owe it to those who will be interpreting Bill C-13 in the future to achieve clarity and logic in the content of this bill. This is fundamentally important.

Whether we agree with Bill 96 or not is one matter, and I suspect that much of it will be probably settled in the courts. Either way, it is a provincial law that is being put into a federal law. That to me is not logical, and it does not make for clarity. It should not be in a federal bill, so that in the future, when the Parliament of Canada does have to interpret Bill C-13, there will be greater clarity in its interpretation.

The proposed amendment, LIB-4, is an eloquent way to, yes, recognize that the National Assembly of Quebec has determined that French is the official language within its sphere of jurisdiction, which we fully recognize, but at the same time it achieves greater clarity by removing something that should not be in this bill.

I appeal to you as legislators who believe in clarity and I'm sure believe in logic to accept this amendment.

Thank you.

[*Translation*]

The Chair: Thank you, Mr. Garneau.

Over to you, Ms. Lambropoulos.

Ms. Emmanuella Lambropoulos (Saint-Laurent, Lib.): Thank you, Mr. Chair.

Thank you for giving me the opportunity to speak about this amendment today. It will allow me to tell you why it's important for my own community, in the riding of Saint-Laurent, and for the entire linguistic minority in Quebec.

[*English*]

I'll start by mentioning that everybody knows and is proud of the fact that Quebec is a French-speaking province and that the common language in Quebec is French. We all accept that. It's a known fact. Whether or not we include lines 5 and 6 as they are currently written in the bill, that is something that is just common knowledge in Quebec.

I think the way that Mr. Garneau suggested we do it is great, and I think it still mentions the fact that French is the official and common language in Quebec.

Now, I understand that when this bill was originally drafted, Bill 96 was not yet implemented, was not yet law in Quebec, so it made

sense originally to say the Charter of the French Language, but ever since Bill 96 has been implemented and included in the Charter of the French Language, it is no longer acceptable for us to use that language in this bill, and that is because Bill 96 uses the notwithstanding clause. It's a bill that literally goes against or ignores the Canadian Charter of Rights and Freedoms.

How can the federal government include in its bill on language something that includes a notwithstanding clause? For me, that in itself makes it unacceptable to include the language in lines 5 and 6.

I would like to further say that Bill 96, since its implementation, has had a very negative impact on the English-speaking or linguistic minority community in Quebec. Already people have called me at my office to complain, people who don't necessarily know jurisdiction and whom they should be calling for certain things. My hairdresser gave me a call and said, "Emmanuella, I live in your riding. I recently had to go to the doctor's office with my grandmother, because the last time she went to her appointment, they refused to serve her in English." This was somebody who was speaking to her in English before Bill 96 was implemented, but she no longer speaks to her in English, because now she's afraid that a complaint may be filed against her if she speaks any language other than French at her workplace.

This senior was lucky to have a granddaughter who understands French and can attend this doctor's appointments with her, but there are hundreds, if not thousands, of seniors living in my riding who may not be so lucky and who may not have access to the very basic health services that one would think one should have access to.

This has a really profound impact. Bill 96 has negatively impacted Canadians living in Quebec ever since its implementation. It's very real. It's only been implemented for several months, but already we see these negative impacts. If the federal government supports or includes this type of language in its bill, I don't see how I'd be able to support it.

Let me go back a little bit, because there are some new members on this committee, I believe, who were not here in the past when I was a member on this committee. Let me just explain a little bit further.

I come from the Greek community in Montreal. One of the major waves of immigration came in in the fifties and sixties. Back then, before the nineties, school boards were not based on language; they were religious. If you were not Catholic, you were automatically sent to an English school if you lived in certain parts of Montreal. When my grandmother arrived from Greece, her daughter was also from Greece, but her son, my father, was born here. He tried to enrol at the school closest to him, around the corner from his house, and it was a French school. He wasn't allowed to attend. They told him, "You're not Catholic. You're Orthodox. You have to go to an English school." They gave him the address and told him to go and register at the English school.

The seniors who are anglophone, English-speaking, in Montreal came around that time, in the fifties and sixties or even earlier. A lot of them, at least in the Jewish and Greek communities, didn't have access to sending their kids to a French school. They had to send them to an English school. When you're not working alongside your child learning the language with them at school, it's very difficult for you yourself to learn the language, so a lot of our seniors did not ever have the opportunity to learn French in Quebec. Even though they've been here for many years, they didn't have that opportunity.

The people who did go to English school, such as my father, were then denied learning French in the workplace.

● (0920)

[Translation]

It's because francization courses were not offered to immigrants. Some people born in Quebec were not entitled to them.

[English]

There were constant barriers to learning French for certain members of the Greek community. The seniors who never had any opportunities or the right to go to a French school are the ones who don't have any access to English services. They are at a stage in their lives when they need these services more than anybody, and more than they've ever needed them in their entire lives.

I feel it's unconscionable to include, in this bill, the fact that Quebec's Charter of the French Language provides that French is the official language. Absolutely, French is the official language in Quebec. We should say that in this bill, but we should not refer to the Charter of the French Language now that Bill 96 is part of the Charter of the French Language. It attacks way too many of the rights of the English-speaking minority community in Quebec.

[Translation]

Thank you.

The Chair: Thank you, Ms. Lambropoulos.

I'll now give the floor to Ms. Ashton.

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

I'll begin my comments in French, and then switch to English.

I'd like to begin by saying that we in the NDP believe that the decline of French is a very serious issue in Canada. We need to do everything possible to address it. That's what guides our work on this committee every day, particularly in the context of this bill. We feel that everything possible needs to be done to work with Quebec to ensure that we can do something about this decline. Of course we acknowledge that it needs to be done while protecting the rights of minority language communities.

[English]

I will now switch to English.

What I find extremely concerning is that we have before us a Liberal amendment to change a Liberal bill. We have the Liberal government putting forward a historic bill, supposedly to deal with

the decline of French and protect linguistic minorities, but for the last three meetings—because this is only our third—we have constantly heard how Liberals want to change this bill. My question is, how did we get to this point? How is it the Liberal government got to the point of putting forward a bill that clearly includes some very serious concerns, concerns that are being shared by Liberal members? I want to acknowledge that I respect those concerns, but how did we get to this point?

We have the minister on the record repeatedly over the last six months, since June, indicating that this is an excellent bill and saying for the longest time that no changes should be made to this bill—none. It was perfect as it was. That's something we have fundamentally disagreed with since the beginning.

I'm incredulous, frankly, about what the Liberals have done up to now on this bill. If this is such a serious concern, as we're hearing it is, how is it they put forward a bill that includes this language? Now we have Liberal members, whom I respect, using the tools we have in front of us to spend a third committee meeting talking about it and telling us how serious this is.

My question is, does the minister agree with you? We've heard for six months that this bill is perfect the way it is. Does the PMO agree with you?

We're now being asked to support an amendment to the government's own bill. To me, this speaks to a larger fundamental question. Again, I respect the challenges raised here in regard to what communities have faced, including communities like mine and the Greek community.

To me, the bigger question is about what the vision of the Liberal Party is when it comes to supporting French in Canada—not just in Quebec but also in Canada—and truly defending and protecting the rights of linguistic minorities. What I see here is no real vision or plan and a lot of political games. That, to me, is concerning in 2023, when, as we know, we have serious challenges ahead of us. This is what we are dealing with in this committee. I want to share my concern, particularly in regard to these political games in front of us, with the greatest respect to every member who has expressed serious concern vis-à-vis this amendment and other things in this bill.

I respect that, but my question is, more broadly, what is the Liberal plan here? More importantly, my concern is that there's no real vision or plan and a lot of reliance on political games.

Thank you.

● (0925)

[Translation]

The Chair: Thank you, Ms. Ashton.

Mr. El-Khoury, you have the floor.

Mr. Fayçal El-Khoury (Laval—Les Îles, Lib.): Thank you, Mr. Chair.

As a member of Parliament, I'm responsible for protecting the rights of all citizens, whether in Quebec or anywhere else in Canada. I was somewhat struck by my colleague's comments to the effect that he could see what the Liberal members really stood for. I would answer by saying that Liberal members are here to protect the rights of all Canadians, whether in Quebec or elsewhere. That's what Liberals really stand for. I personally made a declaration as a member in favour of protecting the language of Molière, and encouraged all my colleagues to do likewise.

Just because there has been an acknowledged decline in the French language in Quebec, that's not a reason to deprive other official language minority communities, like Quebec's anglophone community, of their rights.

I firmly believe that all Canadians, as true citizens, should protect the rights, whether linguistic or otherwise, of others.

Thank you, Mr. Chair.

The Chair: Thank you, Mr. El-Khoury.

You have the floor now, Mr. Beaulieu.

Mr. Mario Beaulieu: I'll be very brief, because it's clear that some others are trying to drag things out.

I find Ms. Lambropoulos's comments unacceptable. She said that her grandmother was afraid to speak French in Montreal...

The Chair: Hold on a minute, Mr. Beaulieu. I'm sorry, but I've just been informed that Ms. Lambropoulos is experiencing some technical problems.

Ms. Lambropoulos, can you hear us properly?

Ms. Emmanuella Lambropoulos: Yes, I can hear you. I'm sorry, I had a computer problem.

The Chair: Thank you.

Back to you, Mr. Beaulieu.

Mr. Mario Beaulieu: I just wanted to point out that comments like that are unacceptable. In my view, it amounts to "Quebec bashing". Implying that anglophones will be afraid to speak French because they think they'll be arrested by the Office québécois de la langue française is ridiculous.

There is some truth in what was said about access to francophone schools being prohibited at some point. I went to school with people of other religions and people who spoke other languages, but I know that some people older than me were told just that by neighbours from different backgrounds. However, these people afterwards went to see the principal of the francophone school, who told them that all students would be accepted. In the end, they did not send their children to a francophone school. That's simply because people tend to lean towards the majority, which is only to be expected. And the majority in Canada is made up of anglophones.

That's all I have to say, because I don't want to draw the debate out any longer.

● (0930)

The Chair: Thank you, Mr. Beaulieu.

Mr. Housefather, the floor is yours.

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

I have two things to say.

First, I heard what my colleague Mr. Beaulieu had to say, and I must say that we Quebecers are all Quebecers on an equal footing, whether our mother tongue is English, French or some other language. No political party or individual has the right to speak on behalf of Quebec as a whole. Quebec, like all societies, is made up of people who have different points of view, and we all have the right to express these points of view without being attacked as anti-Quebeckers. That's unacceptable.

[*English*]

Number two, I appreciate very much what my friend Ms. Ashton said. I just want to correct a couple of things.

The last three meetings... This amendment came up only at the end of the last meeting. For the first couple of meetings, the Liberals on the committee were concerned about amendments coming from other parties, Conservative and Bloc Québécois amendments, that would have reduced the rights of minority language communities. We weren't trying to change the bill.

There are two references in the Official Languages Act and the proposed Bill C-13 that include references to the Charter of the French Language. The bill was tabled before Bill 96 became law and changed the Charter of the French Language from what was first adopted in 1977 to what is there now. The pre-emptive use of the notwithstanding clause was deeply troubling to many people, and it caused a change in the position of many people about whether it was appropriate to reference that bill.

I'm not trying to hold up the committee. I'm only trying to say that this is, as you know, very important to the people I represent, and I think it's important to all who share our vision of Canada, because the pre-emptive use of the notwithstanding clause is not acceptable. Whether it was right or wrong, however we got here, in the end result right now we are where we are, and this reference shouldn't be in the bill. I just plead with my colleague, who I know is incredibly intelligent, to consider that.

Thank you.

[*Translation*]

The Chair: Thank you.

You have the floor, Ms. Lambropoulos.

Ms. Emmanuella Lambropoulos: I would simply like to say that my comments were not in any way critical of people who live in Quebec. On the contrary, the only people I represent are Quebecers, and I myself am a Quebecer. However, there are some aspects of Bill 96 that conflict with the rights of Quebecers. I felt obligated to draw attention to that.

Not only that, but Mr. Beaulieu's comments about how he knows someone who had a neighbour who, having heard that his children could not attend a French-language school, and went to see the principal, are really only hearsay. My grandparents were not entitled to enrol their children in a French-language school. I simply wanted to clarify that once again.

As my colleague Mr. Housefather said, we are all Quebeckers. We are fighting every day to defend the rights of Quebeckers.

The Chair: Thank you, Ms. Lambropoulos.

As there does not appear to be anyone else who wishes to comment, we will put the question on amendment LIB-4.

(Amendment negatived: nays 6; yeas 5 [*See Minutes of Proceedings*])

The Chair: The amendments we have been considering for three meetings now complete the study of Clause 2. I am therefore putting the question on Clause 2 as amended.

(Clause 2 as amended agreed to)

(Clause 3)

• (0935)

The Chair: For Clause 3, we will begin with amendment BQ-2.

You have the floor, Mr. Beaulieu.

Mr. Mario Beaulieu: We are not going to move amendment BQ-2, but rather replace it with a new amendment, which you have all received. It constitutes an addition to the paragraph in question.

Following the sentence ending with “in order to protect them”, in reference to francophone and anglophone minorities, we are adding a reference to the fact that their different needs have to be taken into consideration.

Quebec's anglophone community has needs that are very different from those of francophone communities outside Quebec and Acadian communities, which do not have access to basic services in French, do not have enough francophone schools and lack health care in French. In Quebec, on the other hand, anglophone institutions are overfunded and services in English are available everywhere. English does not need to be strengthened, because it is not threatened at all in Quebec. It's French that is threatened. There may be needs to be met in terms of French language instruction. That needs to be looked into.

In any event, it's clear that the anglophone community's needs are very different from those of francophone minorities outside Quebec. This amendment simply reflects that. I believe it's important for the Official Languages Act to take this into account.

The Chair: Thank you, Mr. Beaulieu.

So amendment BQ-2 as we had it in our amendment bundle was not introduced. Instead, Mr. Beaulieu moved what he just said.

You all received the wording replacing amendment BQ-2.

Do you have any questions? Would you like to say something about this?

Mrs. Romanado, you have the floor.

Mrs. Sherry Romanado (Longueuil—Charles-LeMoyne, Lib.): I just want to clarify something.

So this amendment replaces amendment BQ-2 that was introduced. Is that correct, Mr. Beaulieu?

Mr. Mario Beaulieu: Yes, that's right.

Mrs. Sherry Romanado: Perfect.

I just wanted to make that clear, because I had the two documents in front of me.

The Chair: Actually, the other amendment was never introduced in the end.

Mrs. Sherry Romanado: All right.

The Chair: Amendment BQ-2 sought to remove the word “English” from the bill.

Mrs. Sherry Romanado: Perfect.

The Chair: Now the amendment changes the proposed version of paragraph 2(b), on page 3 of Bill C-13, to take into account the fact that French and English linguistic minority communities have different needs.

Mrs. Sherry Romanado: Thank you very much for that clarification, Mr. Chair.

The Chair: Are there any other questions?

We will now go to a vote on the amendment.

(Amendment agreed to: yeas 10; nays 0 [*See Minutes of Proceedings*])

The Chair: We will now move on to amendment CPC-5.

Mr. Génèreux, you have the floor.

Mr. Bernard Génèreux (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, CPC): Mr. Chair, we will not be introducing amendment CPC-5.

The Chair: Amendment CPC-5 will therefore not be introduced.

We are now at amendment BQ-3, which is on page 15 of our amendment bundle.

Mr. Beaulieu, you have the floor.

Mr. Mario Beaulieu: In Bill C-13, this amendment simply adds...

I apologize, I'm looking for the spot.

• (0940)

The Chair: It's line 34 on page 3 of the bill. I have it in front of me. Would you like me to read it, Mr. Beaulieu?

Mr. Mario Beaulieu: That's all right, I found it.

Basically, after “of English” we would add “and that the goal of the *Charter of the French Language* is to protect, strengthen and promote that language”.

It's the purpose of the Charter of the French Language. I believe the charter plays a crucial role in protecting French. This just recognizes that in Clause 3 of the bill.

The Chair: Are there any questions?

We will now proceed with a vote on amendment BQ-3.

(Amendment agreed to: yeas 6; nays 5)

The Chair: Mr. Beaulieu, you have the floor.

Mr. Mario Beaulieu: Mr. Chair, I would like to introduce a second part of the amendment that affects the same provision. You should have received the wording. I don't know if it was sent out to everyone.

The Chair: We're preparing to send it out. It will take a moment.

Now that everyone has read the document, are there any questions on the proposed amendment?

• (0945)

Mr. Mario Beaulieu: Would you like me to read it, Mr. Chair?

The Chair: Okay, you start by introducing it, Mr. Beaulieu, then I will turn the floor over to Mr. Garneau.

Mr. Mario Beaulieu: We'd like to add paragraph 2(b.2) to the Official Languages Act, which seeks to ensure the existence of a majority-French society in a Quebec where the future of French is assured.

I feel it's crucial that the Official Languages Act respect that. If we don't maintain a Quebec where the future of French is assured, soon we will have no French in the rest of Canada or North America.

If we believe in linguistic duality in Canada, if we want two official languages, and if we want to move toward true equality between the official languages, Quebec must ensure that the demographic weight of francophones is maintained to secure the future of French.

The Chair: Thank you, Mr. Beaulieu.

Mr. Garneau, you have the floor.

Hon. Marc Garneau: Frankly, I find this provision absolutely unnecessary. It doesn't do anything other than maybe reassure the Bloc Québécois, who are adding little things here and there to this federal bill.

The Chair: Thank you.

Mr. Housefather, you have the floor.

[*English*]

Mr. Anthony Housefather: I have questions for the officials.

What are the legal consequences of the adoption of this amendment? How will this affect courts' interpretations of rights?

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

I would like to remind members of this committee that we are in clause 3, which is the object of the Official Languages Act and, therefore, its goal and intention.

We are looking at an additional paragraph that would state that we are guaranteeing the existence of a majority French society in Quebec where the future of French is assured. In this case, it could lead to confusion to really focus on one of the official languages in the object of the legislation for maintaining and promoting both official languages in Canada.

It's a bit asymmetrical, in this case, to say that the objective of this legislation is to guarantee a majority of French society in Quebec.

Mr. Anthony Housefather: Thank you very much. We'll be against it.

Thank you.

[*Translation*]

The Chair: Does anyone else wish to speak or have any questions?

Since there are none, we will go to a vote.

(Amendment agreed to: yeas 6; nays 5 [*See Minutes of Proceedings*])

(Clause 3 as amended agreed to)

(Clause 4)

The Chair: That brings us to Clause 4 of the bill and to amendment CPC-6, which is on page 16 of our amendment bundle.

Mr. Généreux, the floor is yours.

Mr. Bernard Généreux: Thank you, Mr. Chair.

We are getting to what I consider to be the heart of the bill. We want to make sure that we're able to represent all the linguistic minority community associations in this country. I'm talking about both anglophones in Quebec and francophones elsewhere in Canada. With this in mind, we will not introduce amendment CPC-6 and we will go directly to amendment CPC-7.

The Chair: Therefore, amendment CPC-6 will not be introduced.

That brings us to amendment CPC-7.

Mr. Généreux, I will recognize you again.

Mr. Bernard Généreux: Thank you, Mr. Chair.

I feel it's important that I read amendment CPC-7.

The amendment moves that Bill C-13, in Clause 4, be amended (a) by replacing line 2 on page 4, with the following:

2.1(1) The Treasury Board is responsible

Next, the amendment moves that the bill be amended by replacing lines 5 to 7 on page 4 with the following:

(2) The Treasury Board shall, in consultation with the other federal departments, coordinate the implementation of this Act, including the

Finally, the amendment moves to amend the bill by replacing line 9 on page 4 with the following:

tions 41(1) to (3), and ensure good governance of this Act.

In essence, amendment CPC-7 makes the Treasury Board responsible for coordinating the implementation of the Official Languages Act in Canada.

Here in Ottawa, for over 50 years, since the Official Languages Act has been in force, we have seen different interpretations as to who is responsible for implementing the act. We've had another good example of this recently with the ArriveCAN app. I challenge anyone to find out who in Ottawa is currently responsible for it.

Responsibility for coordinating the implementation of the Official Languages Act in Ottawa must begin with a department. The act must be implemented across departments, but coordination must be done in one place, not two places. In our view, that's fundamental.

The Treasury Board is able to ensure that the act is fully implemented across all federal departments, in Ottawa and across Canada.

I remind my Liberal colleagues that Mélanie Joly's white paper included a central promise to make the Treasury Board responsible for implementing the act.

Ms. Petitpas Taylor and Ms. Fortier don't want to eliminate the Department of Canadian Heritage's role in that regard, and nor do we. In terms of day-to-day implementation, nothing would change because it's mostly the Department of Canadian Heritage that administers programs. It makes absolutely no difference.

Amendment CPC-7 is more about accountability for coordination. This is fundamental, after 50 years of dithering, differing interpretations and problems experienced by all agencies, either here in Ottawa or elsewhere across the country.

I'd like to clarify that the amendment requested in CPC-7 doesn't come from the Conservative Party of Canada. It reflects the will of all the agencies based on all the testimony we've heard since this bill was introduced and we began to consider it. Essentially, the amendment reflects what Canada's francophone communities want and even what the anglophone community wants. They want someone at the wheel, a pilot in the cockpit, a captain at the helm. Use whatever expression you want, but someone in Ottawa has to be responsible for implementing the Official Languages Act.

I would add that the bill provides for a review of the act every 10 years. The current act does not provide for any review. It must be amended over time, but very few amendments have been made. Now it's going to be reviewed every 10 years. Someone even suggested that the review be done every five years. If necessary, it could be amended in five years. In my opinion, we must at least give the lead, in this case the Treasury Board, a chance to demonstrate that they are able to coordinate implementation of the Official Languages Act in Ottawa.

Many stakeholders, including the Fédération des communautés francophones et acadienne du Canada, which represents more than 200 organizations across country, have been extremely clear that the Treasury Board must take the lead in coordinating implementation of the act.

I will stop here. I look forward to hearing what my colleagues have to say about this. I can always take the floor again after that.

I'd like to ask Ms. Boyer, Ms. Terrien or the other witnesses a question. How do they interpret this?

All we've seen so far is trouble enforcing the current act. If, after all these years, we're still unable to really assign a guiding role to an agency or to appoint a lead within the federal system, the act needs to be amended.

● (0950)

I'd like to give the witnesses an opportunity to interpret what I said and tell me what they think.

● (0955)

Ms. Julie Boyer: Thank you very much, Mr. Gagné.

We're dealing here with the proposed clause about government-wide coordination, which seeks to specify who will coordinate implementation of the act. This clause attempts to formalize the role that the Minister of Canadian Heritage already plays in implementing and coordinating the federal Official Languages Act.

Your amendment proposes that this responsibility be assigned to a cabinet committee, the Treasury Board. A clarification is in order here: Anything having to do with the Official Languages Act should go through a cabinet committee. If the intent is to make a minister responsible for the act, it should be specified that that would be the president of the Treasury Board. It should be noted that the department that supports the president of the Treasury Board is the Treasury Board Secretariat.

For greater clarity in the implementation of this amendment, the text should be corrected, unless the intent is to give authority to a cabinet committee, which would include several individuals.

Mr. Bernard Gagné: Ms. Boyer, I'd like you to repeat what you just said.

As I understand it, we and all organizations across Canada want the President of the Treasury Board to be responsible for implementing the act, not a committee made up of 40 departments. I want to be very clear about that.

Ms. Julie Boyer: So that will need to be made clear. The way it's currently written, a cabinet committee would implement the act, not an individual in charge.

Mr. Bernard Gagné: So how should we word the text?

Ms. Julie Boyer: As I told you earlier, you should write "the president of the Treasury Board".

It should also be noted that the Department of Canadian Heritage and the Treasury Board Secretariat have different mandates. The Department of Canadian Heritage is responsible for working with communities, understanding their needs, administering funds and distributing them. The Treasury Board Secretariat implements policies for other departments. Its mandate is to monitor the departments. That's different.

I would ask my colleague Carsten Quell from the Treasury Board Secretariat to elaborate.

Mr. Carsten Quell (Executive Director, Official Languages Centre of Excellence, People and Culture, Office of the Chief Human Resources Officer, Treasury Board Secretariat): Yes, I can provide some clarifications.

The Treasury Board Secretariat has an internal role in the public service, which is to monitor departments. We have a role in the government's financial management and spending. We are the public service's employer. We also set the guidelines for staff, financial and organizational practices. That also includes official languages, but in an internal management context. Finally, we also play a key role in regulation.

We therefore play an internal role. We don't have a presence on the ground across the country like Canadian Heritage does. It has regional offices and is very close to the stakeholders in the linguistic minority communities. They have a partnership, of course. Bill C-13 has been amended to make the Treasury Board responsible for ensuring the implementation of positive measures. However, that's all part of its role to monitor federal institutions.

The Treasury Board Secretariat doesn't administer grant programs and contributions. As Ms. Boyer explained, the Secretariat is not suited to play an external role like that of the Department of Canadian Heritage.

• (1000)

The Chair: Ms. Boyer, you have the floor.

Ms. Julie Boyer: Thank you very much, Mr. Chair.

I'd like to address this in a practical way.

Later on, you will discuss subsections 41(1) to 41(3) of the act, which deal with taking positive measures in the communities to foster equal status and usage of English and French.

The Department of Canadian Heritage encourages the other federal departments to work with stakeholders and recommends solutions, practices, or positive measures to put in place based on their mandate and what the communities want. The Department of Canadian Heritage supports other federal departments in taking positive measures. That's why it says "promote and encourage".

The Treasury Board Secretariat then checks to see whether or not positive measures have been taken. That's all.

Mr. Bernard Généreux: Ms. Boyer, I'm going to try to express this with an image.

On a ship, there's a captain, a sub-captain, assistants and so on. The captain doesn't just ask the crew if this or that has been done, if they've done what they were told to do. The role goes much further than that.

My understanding of the machinery of government is that Treasury Board approves all spending in the country, for example. Unilaterally, it can give instructions to everyone, such as the official languages champions. All kinds of organizations could be involved, not only the Department of Canadian Heritage, but the government as a whole.

When we say that French is taking a beating, that's not an image, that's the reality. I've heard testimony to that effect from people

who have experienced it in Ottawa. For example, even if there is only one anglophone among the 10 people in a meeting room, they'll speak English. I won't even mention the appalling mistakes found everywhere on the websites of the various government departments. People say that efforts are being made, but these efforts must be implemented and measured. There are people somewhere who need to have their knuckles rapped.

I've been a member of the Official Languages Committee for eight years, and all we've heard since then is that the current system isn't working. I'm a francophone, and I live in Quebec City, which is probably the most francophone place in Canada. That's not where the problems are. The problems are in Montreal, where there's a large proportion of anglophones, and in all the other regions of the country where francophones live in minority communities.

There are organizations, such as the FCFA, that are begging us to ensure that someone will take the helm to ensure compliance with the Official Languages Act. The Treasury Board should have that role, not the Department of Canadian Heritage. We fully agree that the government should play a leading role in the application of the act and that its offices across Canada should provide all the services required. However, above the Department of Canadian Heritage, there must be someone who can slap them on the wrist if they don't do their job. The FCFA and all the stakeholders across the country aren't the only ones saying so, the Commissioner of Official Languages is also saying so. I'm not making this up.

For years we've been rebuffed in committee and Parliament. All the successive ministers of official languages over the years have been rebuffed because things haven't been going so well. I think there has to be a pilot on the plane, someone who is more officially in charge of the structure. We need to make a fundamental change to what we've been experiencing for the last 50 years. I repeat: in 10 years, or even in five years, we'll have the opportunity to review the act. If we see that it's a total mess, we can make the necessary changes. The bill provides for the possibility of making changes every 10 years, and it's even been suggested that it be every five years.

I'd like to take this opportunity to point out something else. The bill states that once it is passed, regulations will be made to determine what constitutes a region with a strong francophone presence. We're talking about places where services will have to be offered in French. This bothered me because I wondered what factors would be used to determine what constitutes a region with a strong francophone presence or a strong anglophone presence. The bill contains no criteria. There is only a very vague passage, which is open to dangerous interpretation, to some extent.

What we need to do through CPC-7 is to make the Treasury Board responsible for ensuring the application of the regulations that will be established. Therefore, the Department of Canadian Heritage, which will define these regions, won't be the judge and jury as to its decision and its implementation. There must be an organization above it that will be aware of its decision and that will truly ensure that the rules will be respected and that assessments will be made. The Department of Canadian Heritage cannot be judge and jury in everything it does, as it has been for 50 years. There needs to be a leader in the house. Frankly, I think we're at that point.

• (1005)

This isn't meant to put public servants at fault. I'm not passing judgment on the work they have done to date. What I'm saying is that we need to do better in terms of how we deal with official languages in Canada. We can be more proactive in implementing all of these measures. Again, this is at the request not of the Conservatives or the Liberals, but rather of all the organizations on the ground in Canada.

Let's give it a chance, let's try it, and we'll see. If it doesn't work, there will always be room for change in 10 years.

The Chair: Go ahead, Ms. Boyer.

Ms. Julie Boyer: I'll start, then I'll give the floor to my colleague.

Several elements have been raised.

First, it's clear that we're trying to strengthen governance. This is done in several ways in Bill C-13, including formally specifying the role played by the Minister of Canadian Heritage, and strengthening the powers of the Treasury Board, as well as those of the Commissioner of Official Languages, who determines when we're in error and who receives complaints. This is all part of governance.

I know that several stakeholders have called for the President of the Treasury Board to play a different role than the one the government has bestowed upon her. However, it doesn't work that way. There is no enabling legislation that allows the Treasury Board President to tell other departments that they are in error.

The Financial Administration Act specifies the role of the Treasury Board president. As you said earlier, when funds are submitted for approval to the cabinet committee, to the Treasury Board, the president can ask whether official languages have been taken into account. Treasury Board funding might be different. However, the Treasury Board president doesn't play the role you'd like her to play.

I'll ask my colleague Carsten Quell to specify the things that the Treasury Board president could do.

The Chair: Wait a moment, Mr. Quell. There's a point of order.

Mr. Mario Beaulieu: I do have a point of order.

I didn't hear Mr. G n reux ask any further questions. It sounds like there's a debate between the people from the Department of Canadian Heritage and us.

Aren't witnesses supposed to speak only when asked questions?

The Chair: Since I assumed that Mr. G n reux was waiting for a response from Ms. Boyer, I gave her the floor to speak to Mr. G n reux's last intervention. Then, I gave the floor to the people who raised their hands.

Mr. Quell, you have the floor.

Mr. Carsten Quell: Thank you, Mr. Chair.

The Treasury Board doesn't propose programs. It's an oversight body for government-run programs.

However, certain provisions of Bill C-13 relating to Part VIII of the Official Languages Act propose fairly significant changes to the role of the Treasury Board. In particular, the Treasury Board's oversight role would be strengthened. It would be required to audit departments, produce policies and inform public servants. As I mentioned, the Treasury Board's powers would also be expanded to include responsibility for auditing positive measures. All of this fits well with its role.

In short, Bill C-13 proposes a new architecture for the Official Languages Act, which also provides, as Ms. Boyer indicated, order-making powers for the Commissioner of Official Languages. I think it's important to understand this new architecture, as well as the respective roles of the Treasury Board, the Department of Canadian Heritage and the Commissioner of Official Languages.

• (1010)

The Chair: Thank you.

There were several hands raised.

I'll give the floor to Mr. Samson first.

Mr. Darrell Samson (Sackville—Preston—Chezzetcook, Lib.): Thank you, Mr. Chair.

Thank you for the information and presentations. It is always a pleasure. It is an historic moment to be here discussing a law that has not been changed since 1988. I often wonder what we have experienced since nearly 50 years ago, because there have been pretty obvious problems on the ground for quite a long time that have caused a lot of problems. Personally, I can tell you that I have had a lot of experiences on the ground in connection with the Official Languages Act.

I have always said that politicians have to make the right decisions, even if they are hard, to ensure the success of Canada's two official languages. I am here and I have the opportunity to play my role. I'm going to mention a few specific points to illustrate my support for this amendment, which I think is extremely important, since it would ensure Treasury Board's expertise in overseeing the departments.

It should come as no surprise, but a few days ago, I went to read the speech made by former Senator De Ban  during the 1988 debates on changes to the Official Languages Act. I found some of the things he said to be very interesting, particularly regarding section 42. We are very familiar with sections 42, 43 and 44.

I would like to read you an excerpt from his speech. He is replying to Mr. Bouchard, the minister at the time:

...Mr. Minister, I would like to go back to the section 42 that you alluded to. Let me tell you that, personally, I am very pessimistic about the impact that the Secretary of State will be able to have with a diluted section ...

This was in 1988, and he was taking stock of the situation. Continuing:

The Secretary of State of Canada, in consultation with other ministers of the Crown, shall encourage and promote a coordinated approach... As you know, only two or three organizations in the federal government truly have power of coordination: Treasury Board, the Department of Finance and the Privy Council.

This was in 1988, and he predicted what was going to happen. He predicted what a lot of Canadians, myself included, have experienced and continue to experience.

I predict, Minister, that section 42 will never give you the authority to tell recalcitrant ministers that, under section 42, they are required to take such and such an action in a certain part of the country in order to help you achieve the objectives of the act. As it stands now, Minister, all that provision will do is cause you frustration.

I have experienced that frustration very often as director general of the provincial Acadian school board. Was Mr. De Bané wrong? Absolutely not. Everyone we have heard on this issue for several years agrees that a single body, Treasury Board, has to be responsible for coordination. We should also note that our 2021 white paper said the same thing. I believe that amendment CPC-7 is an acceptable compromise.

• (1015)

Treasury Board is responsible for this matter in consultation with the Department of Canadian Heritage. We have simply made a modification. In reality, amendment LIB-6 proposes that Canadian Heritage work in consultation with Treasury Board, but all we need to do is reverse the roles and Treasury Board would be the expert. It has always had the expertise needed for enforcing the act to its full effect, and it would now do it in consultation with Canadian Heritage.

This is clear and obvious, to my mind. I am going to go even further. I think amendment CPC-7 would strengthen Treasury Board's oversight and coordination role while preserving an important role for the Department of Canadian Heritage with respect to a government-wide strategy. Here again, there is obviously significant collaboration between the two institutions. As I said, amendment CPC-7 is similar to LIB-6, but reverses the roles, assigning the matter to the expertise of Treasury Board.

In conclusion, I support adopting both amendments, CPC-7 and LIB-6 because, together, they would end the frustration expressed by Mr. De Bané that we have all felt since 1988. All of the organizations have given their support.

Today, we have the opportunity to review the bill and remedy the problem. As my colleague said earlier, we can revise this act every five years, if there are parts that create problems. However, I want to remind you that we have been living with this problem for 50 years, so let's solve the problem now while we have the opportunity. Otherwise, someone else will have to deal with it in five years. I am therefore asking you to support amendment CPC-7.

Mr. Chair, thank you for allowing me to speak on this subject.

The Chair: Thank you, Mr. Samson.

Mr. Serré, you have the floor.

Mr. Marc Serré (Nickel Belt, Lib.): Thank you, Mr. Chair.

I want to thank everyone who has spoken, and in particular Mr. Généreux.

We are in complete agreement with the comments made by numerous speakers concerning Treasury Board.

My colleague, Mr. Samson, spoke about amendment LIB-6, but I would like to present a subamendment in order to make a clarification, in response to Ms. Boyer's comments. This will contribute to the discussion begun by Mr. Généreux and Mr. Samson. I would ask the clerk to send this subamendment to all members of the committee. We could take a minute or two to read it. I could then continue the discussion on this subject.

We want to make sure that Treasury Board has more powers, that is one thing for sure. We are also looking at the common resources of Treasury Board and Canadian Heritage. As well, we are going to see how Treasury Board will ensure that the commitments are implemented, because we have to understand that Treasury Board is really not equipped to coordinate the entire process of implementing official language commitments everywhere in Canada.

The subamendment I have introduced, that you are going to receive shortly, would clarify that part to ensure that Treasury Board plays this important coordinating role. It would also allow for looking at the role of local actors.

Before continuing on the proposed change to the words on line 7 of page 4 of the bill, I want to make sure that all members have received the text of this subamendment.

Let me know, Mr. Chair.

The Chair: Before resuming the meeting, we will take the time to look carefully at Mr. Serré's subamendment, the text of which is now circulating.

I would also ask Ms. Ashton and the rest of the committee to forgive me: in introducing amendment CPC-7, I forgot to mention that if it is adopted, amendment NDP-2 could not be moved because of a line conflict.

We will now suspend the meeting briefly to read Mr. Serré's subamendment to amendment CPC-7.

• (1020)

Mr. Marc Serré: Are you going to give the floor back to me after that, Mr. Chair?

The Chair: Yes, absolutely.

Mr. Marc Serré: Thank you.

• (1020)

(Pause)

• (1020)

The Chair: We are resuming the meeting.

Has everyone been able to read the subamendment to amendment CPC-7 moved by Mr. Serré?

Mr. Serré, I invite you to introduce your subamendment.

Mr. Marc Serré: Thank you, Mr. Chair.

We are going to support amendment CPC-7, with this subamendment, which is intended simply to add a clarification. Amendment CPC-7 talks about federal departments, oversight and public funds. The subamendment is intended to correct the administrative element somewhat as it relates to the machinery of government. We all agree and we all want to grant more powers. So I want to make sure that the change we want to make is clear.

In new subsection 2.1(2) in the bill, on page 4, I propose to remove the words “promote and encourage coordination” on lines 6 and 7 and replace them with “coordinate, in consultation with the Treasury Board”. That would be important for Canadian Heritage. In the same paragraph, at lines 5 and 6, I propose to remove the words “coordination in”.

On page 4 of the bill, after line 10, I propose to add a new subsection 2.1(3), which would provide as follows:

For greater certainty, the Minister of Canadian Heritage shall perform the duty under subsection (1) in cooperation with the other ministers of the Crown.

Next, I propose to strike out point (c) in amendment CPC-7 to make sure it is clear. This amendment more or less eliminates any role for Canadian Heritage, but that department still has a role to play, even if the power lies with Treasury Board.

I think this subamendment helps to clarify everything and achieves the objectives referred to by Mr. Généreux, Mr. Samson and the others who spoke. I am going to stop here to give other committee members a chance to speak.

• (1025)

The Chair: Are there any comments on the subamendment presented by Mr. Serré?

Mr. Samson, you have the floor.

Mr. Darrell Samson: I think there is no doubt that this subamendment will improve the situation we have been in since 1988. However, amendment CPC-7 goes a bit further. The question is therefore how far we want to go today.

The Chair: Anyone else?

Mr. Beaulieu, you have the floor.

Mr. Mario Beaulieu: This proposal must not be diluted. For francophones outside Quebec, it is essential that Treasury Board be the central authority responsible for ensuring that the Official Languages Act is actually applied and that there actually are services in French elsewhere than in Quebec. We have seen that this doesn't work for 52 years now.

I therefore urge you to reject this subamendment and vote for amendment CPC-7.

The Chair: Mr. Serré, you have the floor.

Mr. Marc Serré: Mr. Chair, after the subamendments that have been submitted and the comments made just now by Mr. Généreux and Mr. Samson, can I ask Ms. Boyer to give us some clarification?

Her comments at the beginning had clarified Mr. Généreux's comments. Could Ms. Boyer speak some more about the govern-

ment mechanism and explain the reasoning behind these subamendments a little?

The Chair: Ms. Boyer, you have the floor.

Ms. Julie Boyer: I'm sorry to disappoint the members of the opposition parties who sit on the committee, but I think it corresponds to the mandates currently assigned to the Department of Canadian Heritage and Treasury Board. This subamendment is tailored to the organization of the government.

The Chair: Mr. Quell, since you don't seem to want to add anything, we will call the vote on the subamendment proposed by Mr. Serré in connection with amendment CPC-7 to the vote.

(Subamendment negatived: nays 7; yeas 4 [*See Minutes of Proceedings*])

The Chair: We are ready to call the vote on amendment CPC-7.

(Amendment agreed to: yeas 7; nays 4 [*See Minutes of Proceedings*])

• (1030)

The Chair: We still have 15 minutes.

As I said earlier, we can't study amendment NDP-2 because of a line conflict resulting from the adoption of amendment CPC-7.

That brings us to amendment LIB-6. If amendment LIB-6 is proposed, amendment LIB-7 can't be, because it is identical. As well, if amendment LIB-6 is adopted, amendment NDP-3 can't be proposed because of a line conflict.

Is someone moving amendment LIB-6?

Mr. Serré, you have the floor.

Mr. Marc Serré: Mr. Chair, could we suspend the meeting for a few minutes, please?

The Chair: Yes.

Mr. Marc Serré: Thank you.

• (1030)

(Pause)

• (1030)

The Chair: We are resuming the meeting.

Mr. Serré, the floor is yours again.

Mr. Marc Serré: Thank you, Mr. Chair.

Amendment LIB-6 is identical to amendments LIB-7 and NDP-3; its aim is to make the complementary roles explicit. We spoke earlier about the Department of Canadian Heritage and the President of the Treasury Board, and also government procurement regulations. This amendment will continue to assign responsibility to a single department and is limited to proposing that the Department of Canadian Heritage consult the President of the Treasury Board.

• (1035)

The Chair: Thank you.

Mr. Housefather, you have the floor.

[English]

Mr. Anthony Housefather: Thank you.

Obviously I supported LIB-6, but I now need to ask the officials a question. Based on the adoption of the previous amendment, would LIB-6 now conflict with what was in CPC-7, which was just adopted, to create confusion in any way in the act? It seems to me that the CPC amendment made the Treasury Board responsible for certain things. Could you...?

Ms. Julie Boyer: The previous amendment that passed would make the Treasury Board responsible for overseeing the implementation of the legislation. This amendment proposes that Canadian Heritage retain a role of coordinating the pan-government strategy for official languages. It is usually developed through consultations with stakeholders.

It's a different role, and I'll leave it at that.

Mr. Anthony Housefather: As long as you know that it creates confusion now....

Perfect, thanks.

[Translation]

The Chair: Thank you for clarifying for us, Ms. Boyer.

Mr. Généreux, you have the floor.

Mr. Bernard Généreux: Mr. Chair, we agree on that and we don't see any problem. We are ready to vote.

The Chair: Are there any other questions?

Mr. Beaulieu, you have the floor.

Mr. Mario Beaulieu: I would like to ask a brief question.

Amendment CPC-7 assigns responsibility and coordination to Treasury Board. Amendment LIB-6 proposes to add responsibility for maintaining a government-wide strategy to Canadian Heritage, in cooperation with the other ministers of the Crown.

Essentially, Canadian Heritage would develop the strategy, but Treasury Board would still be the decision-making body. Is that it?

Ms. Julie Boyer: Yes, that is what it seems to me to be.

The Chair: Thank you.

We will now go to the vote on amendment LIB-6.

(Amendment agreed to: yeas 11; nays 0)

The Chair: That ends discussion in connection with the proposed amendments for clause 4.

We will go to the vote on clause 4 as amended.

(Clause 4 as amended agreed to)

The Chair: We will now go to the vote on clause 5.

(Clause 5 agreed to [See Minutes of Proceedings])

(Clause 6)

The Chair: We will now move on to clause 6 of the bill and amendment CPC-8, the text of which is on page 22 of the amendment package.

Mr. Généreux, you have the floor.

Mr. Bernard Généreux: Thank you, Mr. Chair.

Amendment CPC-8 would amend Bill C-13 by adding the following to section 6, after

communication means any form of communication, including oral, written, electronic or virtual communications; (*communication*)

publication means any form of publication, regardless of the medium, including printed, electronic or virtual publications; (*publication*)

service means any form of service provided or made available, including oral, written, electronic or virtual services. (*service*)

It is essentially a matter of semantics that does not change the substance of the bill. This amendment simply clarifies the terminology.

• (1040)

The Chair: Does anyone want to add anything?

Mr. Serré, you have the floor.

Mr. Marc Serré: Mr. Chair, one little change would need to be made, since the English version is not the same as the French version.

In the part of the amendment that defines “publication”, the French version states: “*papier, électronique, virtuel ou autre.*” However, the English is narrower, since it says only:

[English]

“printed, electronic or virtual publications”.

[Translation]

I would therefore like to add “or other” to the English version, to reflect what the French says.

The Chair: Thank you for pointing that out. In fact, it would also have to be added to the definition of “service”.

Are you moving a subamendment to say that, Mr. Serré?

Mr. Marc Serré: Yes, Mr. Chair, because the text has to be the same in both languages.

The Chair: Right.

So I invite you to read the text as you would like it to be, so that the English version reflects the French version properly.

Mr. Marc Serré: I just want the English version to correspond to the French version.

This is what there would be in the first paragraph:

[English]

“‘communication’ means any form of communication, including oral, written, electronic or virtual communication or other”.

[Translation]

The same thing would apply to the second paragraph:

[*English*]

“‘publication’ means any form of publication, regardless of the medium, including printed, electronic or virtual publications, or other”.

[*Translation*]

And the third paragraph would be:

[*English*]

“‘service’ means any form of service provided or made available, including oral, written, electronic, virtual services, or other”.

[*Translation*]

The Chair: Mr. Housefather, do you want to add something?

Mr. Anthony Housefather: If my colleague Mr. Serré would allow me, I can help him, because I am an anglophone and it is a bit easier for me.

I think what he wants to say is:

[*English*]

“‘communication’ means any form of communication including oral, written, electronic, virtual, or other communications”; “‘publication’ means any form of publication, regardless of the medium, including printed, electronic, virtual, or other publications”; and “‘service’ means any form of service provided or made available, including oral, written, electronic, virtual, or other services”.

[*Translation*]

If we say it that way, it will be the same thing as in French.

The Chair: Is that in fact what you wanted to say, Mr. Serré?

Mr. Marc Serré: It's really a very minor change.

The Chair: Yes, it is.

Mr. Housefather, for the purposes of the translation, could you repeat what you just said, very slowly?

Mr. Anthony Housefather: This is what we are going to amend, Madam Clerk:

[*English*]

in the third line, under “communication”, take away the “or” before “virtual” and add the words “or other” before “communications”, and do the same for each of the other sentences.

[*Translation*]

Mr. Bernard Généreux: Mr. Chair, it is almost 10:45. I have to leave you, because I have a statement to make in the House at 11:00.

The Chair: Right, but would you have a minute to vote on the subamendment to CPC-8?

Is everyone in favour of the subamendment?

(Subamendment agreed to [*See Minutes of Proceedings*])

• (1045)

The Chair: Since some members have other obligations, we will adjourn now and come back to amendment CPC-8 as amended.

The meeting is adjourned.

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