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Chair

The Honourable Denis Paradis

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• (1105)

[*Translation*]

The Chair (Hon. Denis Paradis (Brome—Missisquoi, Lib.)): Pursuant to Standing Order 108(3), we are continuing our study of the Modernization of the Official Languages Act.

This morning we are pleased to welcome our witness Mr. Jean Johnson, President of the Fédération des communautés francophones et acadienne du Canada, or FCFA.

Good morning, Mr. Johnson.

Mr. Jean Johnson (President, Fédération des communautés francophones et acadiennes du Canada (FCFA)): Good morning.

The Chair: We also have with us Mr. Alain Dupuis, Director General of the FCFA.

Good morning and welcome, Mr. Dupuis.

Mr. Alain Dupuis (Director General, Fédération des communautés francophones et acadiennes du Canada (FCFA)): Good morning, and thank you.

The Chair: As is our usual practice, you will have about ten minutes for your presentations. We will then have questions and comments with the members of the committee.

Mr. Johnson, you have the floor.

Mr. Jean Johnson: Thank you, Mr. Chair.

Ladies and gentlemen, members of the committee, first I want to thank you for having invited us to appear today, at an important moment for us.

A month has gone by since the FCFA unveiled a bill to modernize the Official Languages Act. We spent this month clarifying specific points in the document; meeting with parliamentarians and government representatives to speak to them about our proposal; discussing the changes we were putting forward; and following the conversations and debates created by our action.

We are proud of our work. It is the result of an effort that involved not only the FCFA and its member organizations, but also a variety of partner institutions, citizens and thinkers within our communities. Contributions came from everywhere. This includes the many comments gathered by your colleagues at the Standing Senate Committee on Official Languages, from young people and researchers, as well as those made to your committee. We also relied on the 45 years of existence of the FCFA, years during which

we witnessed ups and downs in the respect afforded the Official Languages Act.

Some of the things we propose are, in fact, not new. The idea of creating an official language minority communities advisory committee already existed in 1980. That year, our organization signed an agreement with the Clark government to set up a joint committee. As for the idea of creating an official languages tribunal, the federation put that forward in 1988.

The FCFA is not the only one behind this bill. It truly is the result of the thinking done by the vital forces of the francophonie on this matter. It is the proposal put forward by our communities to modernize the act.

I want to thank you for the serious attention with which you received and studied this draft bill. I note that two suggestions, in particular—the designation of a central agency and the creation of an official languages tribunal—were thought about and debated at the meetings of this committee.

I will thus use the time I have today to discuss a topic that has not been debated as much, and that is Part VII and the obligation to take positive measures.

You are no doubt aware of the saga of the Alliance nationale de l'industrie musicale, one of our community's organizations, following a complaint tabled with the Official Languages Commissioner in 2013.

This complaint involved a breach of the CRTC's duty to inform our communities of the way they could be impacted by a decision involving the commission and SiriusXM. Five years later—an unreasonable delay—the commissioner found in favour of the Alliance and ruled that the CRTC had not respected the obligations set out in Part VII.

One year later, there was a dramatic twist. The Commissioner of Official Languages annulled his decision in a new report, and deemed the Alliance's complaint to be unfounded.

What happened between the two reports? A Federal Court ruling called into question a decade and a half of the interpretation of federal institutions' obligations to take positive measures to support the development of our communities.

Following this decision, the commissioner decided to change the way he investigated complaints on Part VII. This change means that it is now very difficult to have a complaint recognized as legitimate. No matter what we think of the commissioner's decision to change the way he investigates those complaints, the result remains the same. The Federal Court decision opened a giant gap in Part VII of the Official Languages Act.

Our draft bill fills the gap. The Federal Court ruled that the wording of section 41 did not specify the type of positive measures federal institutions should take. Our draft clarifies this wording by spelling out the obligation to take the necessary positive measures to enhance the vitality of our communities and support their development.

Section 43 of our draft bill suggests further structure for the duty some federal institutions have to take positive measures. These are, more specifically, departments that are more closely related to the development of our communities, like Canadian Heritage, Employment and Social Development Canada, Immigration, Refugees and Citizenship Canada, and Statistics Canada.

The new Part VII we are proposing also codifies the obligation, for federal institutions, to consult official language minority communities. It defines what effective consultations should look like. It describes how they should differ from the simple information sessions to which federal institutions invite us too often. Finally, it creates the official languages minority communities advisory council.

This particular provision merits that I focus on it briefly. The Official Languages Act, 1988, recognizes that the government has the responsibility to act to support the development of official languages minority communities, but the act is silent on how the communities are to participate in that commitment, since it is their development that is at stake. Until now, the law has not formally recognized an official government partner at the community level.

The creation of an advisory council would allow the communities to have their word to say in the implementation of federal institutions' language obligations. It would allow them to take part in the development of a five-year official languages plan and in the ten-year review of the act we are proposing. This council, made up of representatives of the various organizations that speak for the communities, but also of other citizens, would bring the act into the 21st century. In fact, it would include some very current approaches to the relations between the government and minorities.

My last point regarding the new Part VII we are proposing concerns federal-provincial-territorial funds transfer agreements. The Federal Court decision I mentioned earlier involved a case where the Government of British Columbia had received federal funds for employment assistance and had used them in a way that was prejudicial to the francophone community.

This issue underscored the weakness of the language clauses in these funds transfer agreements. That is why our proposal suggests the inclusion, in any agreement of that type, of a binding language clause that will require two things from the provinces and territories: first, the allocation of funds specific to the needs of official language minority communities, and also consultations with those commu-

nities. Finally, those provisions would also require that responsibilities with respect to accountability be outlined.

I'd like to emphasize that these proposals echo what you have heard from various witnesses. Language clauses, clearly setting out the obligations of certain key departments, the duty to consult, the creation of an advisory council, have all been brought up previously before this committee.

Since we unveiled our draft bill, not a week goes by without events providing further proof of the crying need to modernize this law. The need is timely and there is a broad consensus on the issues. It's time to act.

You have before you the first comprehensive proposal in three decades for a complete, in-depth modernization of the Official Languages Act. As I said in the beginning of my presentation, this is not just a simple brief. It is a project that issues from all of our communities. It distills the thoughts of hundreds of groups, citizens, and researchers.

• (1110)

We respectfully recommend that this committee append this proposal in its entirety to the final report it will submit to Parliament.

Thank you for your attention.

The Chair: Thank you very much, Mr. Johnson.

We'll now begin a round of questions, starting with Mr. Clarke.

• (1115)

Mr. Alupa Clarke (Beauport—Limoilou, CPC): Thank you, Mr. Chair.

Good morning, Mr. Johnson and Mr. Dupuis.

It is always an honour to have you at the committee as the main representatives of all of the country's francophone groups. I don't think I'll offend anyone by saying that, as you just said that the bill was a compendium of all of the requests from everywhere in the country.

I have eight questions to ask, and to the extent that that is possible, I would like you to answer them by yes or no. I think you will see that they won't require much expounding.

On page 32 of the document I have here, in Part VII, section 41.3, entitled "Duty with respect to data collection", are you alluding to Statistics Canada?

Mr. Alain Dupuis: Yes.

Mr. Alupa Clarke: Yes. So, basically, you want the law to include an obligation that Statistics Canada carry out a proper census.

Mr. Alain Dupuis: Yes.

At this time, if a department orders a study but does not ask that a linguistic variable be added, Statistics Canada does not have the obligation to do that. The idea is thus that a linguistic component be added to all of the studies departments request from Statistics Canada.

Mr. Alupa Clarke: Thank you.

For my second question, let's go to section 41.5 on page 33, entitled "Duty when leasing a federal building or federal real property in the National Capital Region".

I'm not sure I understand. Does the duty apply to the physical location or to the people in it?

Mr. Alain Dupuis: If a federal building is put up for rent in a city, for instance, we would like the local francophone community to be included in the consultations, the idea being that it could rent the building or buy it if it is being disposed of by the federal government.

Mr. Alupa Clarke: I see. I hadn't understood properly. I thought it was about posting signs on the premises.

Let's go to the next page for my third question. This won't be a yes or no question.

Paragraph 43(1)(c) states:

(c) encourage provincial governments to adopt measures that foster progress toward the equality of status or use of English and French;

How would you like to do that?

Mr. Jean Johnson: This brings us back to the issue I raised earlier in my statement; that is to say the importance of including language clauses that require accountability regarding funds that are transferred. If we can't have discussions with our provincial and territorial governments, we are truly poorly governed and poorly equipped.

Mr. Alupa Clarke: I see. So that can be done by adding language clauses. We are not talking about encouragement.

Mr. Alain Dupuis: On the topic of language rights, some provinces and territories currently have French services policies. Some have laws. British Columbia has neither policies nor laws. The federal government has a role to play in urging the provinces and territories to adopt such policies and legislation and in some cases by helping fund them. This discussion has to take place, given that the federal government is responsible for official languages, but it should also encourage the progress of bilingualism in provincial areas of jurisdiction.

Mr. Alupa Clarke: On page 35, paragraph 43.1(1) is entitled "Duty to support instruction in the language of the official language minority communities".

Is the objective here to broaden the rights holders principle?

Mr. Jean Johnson: There are two ways to answer that. Our purpose is to make French-language education accessible to all Canadian citizens.

Mr. Alupa Clarke: I see. That's a very good answer.

For my fifth question, let's go to page 36. Paragraph 43.1(5), entitled "Use of Funds", says the following:

(5) The minister shall ensure that the funds transferred to the provinces are spent in the manner provided for in the negotiated agreements.

Does this refer back directly to the language clauses?

Mr. Jean Johnson: Yes.

Mr. Alupa Clarke: Very well.

Do I understand correctly that through 43.2(1), you wish to include the Official Languages in Education Program, OLEP, in the act?

Mr. Alain Dupuis: Yes. There ought to be a five-year agreement on education in the minority language.

Mr. Alupa Clarke: You may not have included the acronym OLEP here directly, but that is your objective, correct?

● (1120)

Mr. Alain Dupuis: We would like to see an agreement that would be renewed every five years.

Mr. Alupa Clarke: I'll go on to my seventh question.

In proposed paragraph 43.4(1) of the bill, on the collective rights of the New Brunswick communities, was your objective to attach financial reality to section 16 of the Constitution Act, 1982? Aside from indigenous peoples, the Constitution only recognizes the Acadian people.

Mr. René Arseneault (Madawaska—Restigouche, Lib.): That is what counts.

Mr. Alupa Clarke: If you say so.

Quebeckers have not managed to obtain that recognition, to date. This would be a great victory for the Acadians and I'm very happy for them. However, is your objective here to codify that recognition in the act so that the money will follow?

Mr. Jean Johnson: Absolutely.

Mr. Alupa Clarke: Okay.

Let me go on to my next question, on proposed paragraph 43.14 (1) of the bill, on page 41 of your document.

These are my last questions, because I think my time must be almost up.

The Chair: Yes.

Mr. Alupa Clarke: This paragraph is about the Official Languages Promotion Fund. Would funds made available following an order of the Official Languages Tribunal go into this fund?

Mr. Jean Johnson: Yes.

Mr. Alupa Clarke: Thank you.

How would the money in the fund be spent? Your text is not clear on that. The minister seems to have a certain discretionary power, but could he spend that money anyway he wished? That's the part I don't understand.

Mr. Jean Johnson: Our wish is that the funds be used to promote official languages.

Mr. Alupa Clarke: Very well.

The Chair: Thank you very much, Mr. Clarke.

Mr. Rioux, you have the floor.

Mr. Jean Rioux (Saint-Jean, Lib.): Thank you, Mr. Chair.

Welcome, Mr. Johnson and Mr. Dupuis. Thank you for having given us this document, it is very inspiring.

We often hear that money is the lifeblood of war. When I went to Vancouver, I was surprised to learn that only one francophone child out of five manages to go to French school. That means that a majority of these young people are forced to register in the English-language system, and we lose them for the French fact.

How can we obtain proper accountability and make sure that the money really goes where it is supposed to go, that is to linguistic minorities?

Mr. Jean Johnson: We suggest in our draft bill that language clauses be included in the financial agreements. We want to force governments to be responsible and accountable in their use of the financial resources they receive.

To those who say that this is very expensive, our answer is: take care! Our purpose is to better channel the resources toward their intended recipients, and we want to make sure that those resources are well used.

Mr. Jean Rioux: Currently, school boards tell us that they are not even consulted. It seems to me that there's a lot of work to do before we get to accountability that is worthy of the name, and ensure that the funds that are disbursed don't wind up in the province's general fund rather than being used for the creation of institutions for linguistic minorities. Do you agree?

Mr. Alain Dupuis: Yes. That is why our draft bill sets out an obligation to consult the school boards and communities, notably when there is any change to the initial allocation of amounts agreed upon in the funds transfer agreements with the province.

Mr. Jean Rioux: In principle, those consultations should take place, but in reality, that does not seem to be the case, according to what we learned from certain school boards we met with in the west.

Mr. Alain Dupuis: The agreements should contain an obligation to hold those consultations.

Mr. Jean Rioux: Agreed.

Earlier, I liked it when you spoke about the promotion of bilingualism. I'm looking at the act and I remember what Mr. Benoit Pelletier told us when he appeared in February. He pointed out that the law deals with official languages but says very little about language duality. And so, I wonder if the act should not include the obligation to promote bilingualism, which would lead to a critical mass that would allow the minority to survive. What do you think of that?

• (1125)

Mr. Jean Johnson: If we strengthen the concept of the two official languages in Canada, this will advance Canadian bilingualism, and that is what we need. We need tools that will force the governments to act responsibly with regard to this fundamental value that underpins the country's identity: bilingualism or language duality. We need this law to get there.

Mr. Jean Rioux: I am going to go further. I'm thinking about immersion schools. There are waiting lists just about everywhere to get into immersion courses.

The law talks about two official languages, but should it not also mention the promotion of bilingualism? Correct me if I'm wrong, but it seems to me that the act is based on protecting the two languages, but has less to say about the promotion of bilingualism.

Mr. Jean Johnson: This may be my perception, but we really do have to work on promotion. This morning, we attended a little breakfast with Canadian Parents for French representatives. They talked to us about the importance of promotion. We subscribe to that principle, and we want to engage with the societal project of promoting the two official languages.

Mr. Jean Rioux: Thank you.

I am done, Mr. Chair.

The Chair: Thank you very much.

Mr. Choquette, you have the floor.

Mr. François Choquette (Drummond, NDP): Thank you, Mr. Chair.

I want to thank you, Mr. Johnson and Mr. Dupuis, for your very relevant presentation. Your bill is very substantive and what you've presented to us today is the result of exceptional work. I'd like to go back to the main point of your presentation, which is Part VII of the act.

I fell off my chair when I saw what was going on with the Netflix affair. This has in fact given rise to complaints from many citizens, I among them. The same is true of the complaint by the Alliance nationale de l'industrie musicale to the CRTC about SiriusXM. I can't get over the fact that a decision can be made and then reversed. I wonder whether that isn't a precedent on the part of the commissioner. They did say that this was very rare. I wonder whether it wasn't the first time he did such a thing.

I'd like to quote an excerpt from an article entitled "A call for coherence on official languages", which explains why it is extremely important to change Part VII. The authors, Ms. Jennifer Klinck, Ms. Padminee Chundensing and Ms. Perri Ravon, together with Mr. Darius Bossé and Mr. Mark Power, had this to say:

[*English*]

While the federal government has pledged to review and modernize the Official Languages Act, it's been defending a decision in court that will wreak havoc on minority language communities.

[*Translation*]

In this article, they ask why the government, which wants to modernize the Official Languages Act, continues to maintain in court that what happened in the Gascon affair was all right.

Do you understand this double discourse?

Mr. Jean Johnson: I find it unfortunate that the decision was reversed. Following the judgment in the Gascon affair, Ms. Joly was very clear when she said that the government wants to continue to interpret the law as it was before this decision, given that you had begun to work on its modernization.

In our draft bill, we suggest that we go from positive measures to an obligation to take the necessary measures. That is important, because the interpretation of the judge changes things.

In that spirit, I'd like to ask the commissioner to take that into consideration and to act like the government intends to, until the act is modernized or until there is a court decision ordering that the provisions of the current act be respected, even if they are not very strict. I think that situation absolutely has to be corrected.

• (1130)

Mr. François Choquette: You published a joint press release with another federation, whose name I have forgotten.

Mr. Alain Dupuis: It was the Fédération culturelle canadienne-française.

Mr. François Choquette: Thank you for that.

What is the next step? Canadian citizens are faced with a situation where satellite radio SiriusXM, or Netflix, a Web giant, are concluding agreements with the government, agreements that are often secret. We don't know what positive measures or what language clauses the government included in these agreements. Now we have the Gascon decision, which the government continues to defend, unfortunately, and the Office of the Commissioner says it is following the decision.

We want to modernize the act but what can we do in the meantime? I know that we can go to court; unfortunately, I have to go to court. Aside from the courts, what means can we take to make the government understand that in the meantime, this is going to have serious adverse effects on our communities, as the authors of the article said?

Mr. Alain Dupuis: It's urgent that we modernize the act, but this should not be a partisan process. We should ask the commissioner whether he is open to the idea of amending his interpretation while we wait for the law to be modernized.

One thing is certain, the bill we are presenting to you today clarifies that. We claim that the law should include an obligation rather than a simple commitment to take the necessary positive measures. We mention a series of positive measures that are already successful practices in several federal institutions, but we are also thinking of cases where the positive measure is not defined.

It's quite clear that the federal government should sit down with the community organizations so that together they can determine which positive measures apply to their situation. I don't think we can arrive at a ready-made definition of positive measures, because it can't apply to all situations.

We defined a series of measures that are already well appreciated: an official languages action plan, binding language clauses, the obligation for Immigration, Refugees and Citizenship Canada to adopt a francophone immigration strategy so as to maintain or increase the demographic weight of linguistic minorities, and a bilingual federal capital. Those are very concrete measures we could integrate into Part VII, but this needs to be clarified as soon as possible.

The Chair: Thank you very much, Mr. Choquette.

I now yield the floor to Ms. Lambropoulos.

Ms. Emmanuella Lambropoulos (Saint-Laurent, Lib.): Good morning Mr. Johnson and Mr. Dupuis.

I want to thank you once again, gentlemen, for having come to share your suggestions with us.

You said that we should work with the provinces so that they promote bilingualism. The provinces sometimes make decisions that can change the life of official language minority communities.

What can the Minister responsible for Official Languages or the government do to convince the provinces to make changes?

Mr. Jean Johnson: That is a very broad question, and it concerns us as well.

The federal government should establish a broad partnership with the francophone communities to begin a dialogue with the provinces. Arguments have to be set out to convince the provinces. We have to talk about economic strategy and about the value of the French language as a vector or economic driver. We have to convince the provinces to become engaged with this Canadian vision.

I am from the west where the concept of economic motivation is something that everyone there talks about. On official languages, you have to speak in a language that people understand.

Ms. Emmanuella Lambropoulos: Thank you very much.

Mr. Alain Dupuis: There have been binding language clauses in the transfer agreements with the provinces before. For instance, we clarified things so as to oblige every province to set aside a certain amount for early childhood development in French. This is a best practice and an incentive.

The Official Languages Act was created 50 years ago and yet, unfortunately, over the past few months, bilingualism has been called into question. This allowed us to see that defending our rights must not be left entirely up to the federal government.

The development of our communities depends heavily on the provinces and territories, as regards health, education, social services and culture. We must have this conversation, and see how the Official Languages Act may also contribute to making things evolve in the provinces. I'm not saying that we should not respect provincial and territorial jurisdictions—not at all—but some way has to be found to impart obligations to the provinces and territories for linguistic minorities.

• (1135)

Ms. Emmanuella Lambropoulos: Yes.

Mr. Jean Johnson: There is a consistency issue we should not forget. Given the provinces' responsibility for education, immersion programs and French-language education, in order to be consistent, we have to see to it that these agreements are accepted by the provinces.

Ms. Emmanuella Lambropoulos: You said that you don't want the commissioner's responsibilities to be divided up into two positions. You would prefer that he be the only one to perform his duties, but how can his role be redefined so that he's given more power and can be 100% effective?

Mr. Jean Johnson: In fact, we are separating the roles, that is to say the role of watchdog and the role of champion. We think that the commissioner must maintain his role as an investigator and champion, and continue to promote official languages. We propose that an administrative tribunal deal with the coercive aspects of the law.

Ms. Emmanuella Lambropoulos: Thank you.

The Chair: Thank you, Ms. Lambropoulos. I will now yield the floor to Mr. Arseneault.

Mr. Alain Dupuis: We have a chart that explains how the roles are divided up. In it we indicate the process for a complaint to the office of the commissioner or an administrative tribunal, respectively. I invite the members of the committee to circulate that tool.

Mr. René Arseneault: Thank you.

First, I want to thank the FCFA and all of its members, from coast to coast. In my opinion, this document will be part of what will be used to review, shape and modernize our future law. I thank you, once again. You did some extraordinary legislative work.

Some excellent questions were put to you. From a more general perspective, personally I'd like to go back to page 32, paragraph 41.2 (1), entitled "Language Clauses", which says the following:

41.2(1) Every agreement between the Government of Canada and a province providing for a transfer of funds shall contain a binding language clause [...]

Did your legal advisors, your constitutional specialists, suggest potential solutions to avoid stumbling over the ever-present separation of provincial and federal jurisdictions? How can this be done in peace and harmony?

Mr. Alain Dupuis: The federal government already adds binding clauses in several of its transfer agreements.

Mr. René Arseneault: That is true for health.

Mr. Alain Dupuis: Indeed. This is already being done, so why not do it in the case of official languages?

Mr. René Arseneault: Yes.

Mr. Alain Dupuis: The provinces accept it. They have all signed the health protocol. That tool is already being used. In short, yes, according to our lawyers it is valid.

Mr. René Arseneault: I am not saying it isn't valid; I'm sure it is. I am simply wondering if, according to your legal advisors, the provinces and territories are favourable to this.

Mr. Jean Johnson: Here again, I think what is needed is that you maintain a sustained dialogue with the provinces. There is a natural conflict around jurisdictional issues between the provinces and the federal government. That said, the provinces often forget that they have jurisdictions and responsibilities with respect to their francophone communities. This is directly related to the education system and the school system. The idea is to remain consistent. If a binding language clause is included in these agreements, this will be beneficial to our communities. Without that, we cannot...

Mr. René Arseneault: I understand, but there are other aspects. Education is included. We can also talk about infrastructure or anything else. I understand your reason and I support it, but we can't ask for binding language clauses and expect that the territories and provinces will accept this without a peep. Aside from in matters that

concern education, the provinces are not at all obliged to accept this. Correct me if I'm mistaken.

In your opinion, is the context or climate favourable to this at this time? Can this be done and if so, how? If it will lead to quarrels between the provinces and the federal level, how can we mitigate that? How are we going to do that?

In other words, have you foreseen the possibility that there might be some reluctance?

• (1140)

Mr. Jean Johnson: There is going to be some, without a doubt, but there has already been progress in other areas when agreements were concluded. With respect to early childhood, the inclusion of language clauses in the agreements with the provinces was quite successful, notably in Alberta. For my part, I experienced this a few years ago. In such cases, from the time when the agreement is accepted, there can be a dialogue between the community and the department in question. We can grow that and build on best practices.

Mr. René Arseneault: I only have seven minutes, like everyone else.

The Chair: It's six minutes.

Mr. René Arseneault: Six minutes? Good grief!

Here is my next question. If, as an acceptable minimum, we had to choose only four of the measures you suggest, which ones would they be? Please list those four at least, in three minutes.

I understand that some paragraphs are interrelated but generally speaking, if we had to accept only four measures, which ones would they be?

Mr. Alain Dupuis: These would be: that the responsibility of implementing the OLA be entrusted to a central agency; that there be a right of participation and an obligation to consult the communities; that an administrative tribunal be created so that you can impose binding orders on reluctant institutions; and that the Court Challenges Program be included in the law.

Mrs. Mona Fortier (Ottawa—Vanier, Lib.): May I ask a question?

Mr. René Arseneault: Since our colleague is leaving later, I'm going to yield the floor to her.

Mrs. Mona Fortier: I just have a quick question to clarify something.

In your presentation, you talk about letting Treasury Board be responsible for coordination and implementation, with the support of a Minister of State and a Secretariat for Official Languages. However, on page 46 of your draft bill, with regard to the consultation of the advisory council, it says "Minister of Official Languages."

At this time, we have a Minister responsible for Official Languages. This is a stronger position than that of Secretary of State. I simply want to understand the terms that are used. Perhaps I'm confused. I just want a clarification.

Mr. Alain Dupuis: There are two ways of doing this, whether there is a Minister of State or some other entity. In the law, we used the term “Minister of Official Languages”, quite simply. This person would be independent and would not necessarily report to Treasury Board. That said, the President of Treasury Board would have the responsibility for the implementation of the act as a whole.

Mrs. Mona Fortier: It is understood that “Minister of Official Languages” is much stronger than “Secretary of State.” We agree on that, right?

Mr. Alain Dupuis: Absolutely. We agree on that.

Mrs. Mona Fortier: Thank you. That is the clarification I wanted.

The Chair: Thank you, Mrs. Fortier.

I'd like to raise a point. What's extraordinary is that Canada is the second most important player in the international francophonie after France. What is also extraordinary is that Ms. Catherine Cano, the former president of the Canadian Parliamentary Channel, or CPAC, who appeared before us some time ago, has become the number two representative of the Organisation internationale de la Francophonie, the OIF.

I am also told that in the United States, there are upwards of 10 million francophones or francophiles.

The government decided to group under one umbrella the international francophonie, the Canadian francophonie and official languages, among others. In light of that, would it be advisable to add a chapter to this new law to promote what we are as Canadians and as a country with two official languages? I'm thinking of both the Canadian population and the American population, and that of practically every other country on the planet. That would allow us to say that we have two official languages and that it works.

I did not see this in your proposal. I would just like to hear your thoughts on the idea of promotion.

Mr. Jean Johnson: There is no doubt that if our country advocates bilingualism and promotes the fact that we are bilingual, while being aware that this is not quite today's reality, but that this corresponds to our vision, I think that we have everything to gain from that at the international level, for business, cultural and social reasons. We need to boast about our success as a country.

With respect to Canadian values, linguistic duality, Canadian bilingualism, diversity and inclusion, we have to be proud of what we are as a country.

• (1145)

Mr. Alain Dupuis: In our draft bill, we included in Part VII a provision to clarify Canada's obligation to promote its bilingualism abroad.

Also, in one of her recent forums, Minister Joly asked whether we needed to clarify the role of the Minister of the Francophonie in order to include the promotion of the French language abroad in it. This is not included in our brief, but we think it is a very good idea to clarify that role. Indeed, at the OIF, there are all kinds of international development, economic and democratic development strategies, but promoting the French language in the world must be a part of the role of the Minister of the Francophonie.

The Chair: Thank you very much.

We will continue with Mrs. Sylvie Boucher.

Mrs. Sylvie Boucher (Beauport—Côte-de-Beaupré—Île d'Orléans—Charlevoix, CPC): Good morning, Mr. Johnson and Mr. Dupuis, I am always very pleased to see you and to be able to discuss bilingualism, the francophonie and English-speaking communities with you.

We are government representatives, and I noticed yesterday that the Prime Minister had made his speech in the House in English only. I was in the lobby, and as a member, that made me a bit angry and very surprised. I wanted to share that with you. I think in fact that all francophones were surprised since they expected to hear both official languages. On the matter of linguistic duality, it's important to remember that there are francophones everywhere in the country.

I liked your brief very much. You talk a great deal about Part VII of the OLA, as well as about an official languages tribunal. You have indeed just shown us a little chart with some nice words, but I would like you to explain it in greater detail.

Mr. Alupa Clarke: That's a good point.

Mr. Alain Dupuis: Our chart explains the steps a person should expect if they file a complaint with the Office of the Commissioner of Official Languages. It all starts, of course, with the filing of the complaint. The Commissioner then decides whether to investigate or dismiss the complaint out of hand if he finds it inadmissible.

If the Commissioner decides to investigate, he must gather all relevant information before deciding whether there has been a breach by the federal institution, and then produce an investigation file. If the Commissioner finds that the complaint is not well-founded, he will dismiss it. The complainant will then have the opportunity to appeal the decision or refer it to the Official Languages Tribunal. If the Commissioner determines that that complaint is well-founded because there has been a breach by the federal institution, he can refer the matter to the Official Languages Tribunal on his own initiative and forward his investigation file to the tribunal.

So the Official Languages Tribunal deals with three parties: the complainant, the federal institution that is the target of the complaint and the Commissioner of Official Languages.

What's interesting is that our proposed bill also gives the Commissioner the responsibility to refer to the tribunal any investigation file involving a systemic breach that has already occurred in a similar case. The Commissioner is therefore not required to limit himself to an isolated complaint, but may go beyond it to verify whether other complaints of the same type have already been filed, which would indicate a systemic problem.

It would then be up to the Official Languages Tribunal to decide the nature of its order. If it chooses to order a declaratory remedy, it would ask the federal institution to declare that it has violated the complainant's language rights. If the tribunal wants a federal institution to do or refrain from doing certain things, it may order it to take certain corrective measures. If the tribunal considers it appropriate, it may also decide to maintain its jurisdiction—and not close the file—until the federal institution has proven itself, implemented its recommendations and taken the necessary remedial measures. If the tribunal chooses to impose a financial penalty, it may either award damages to any aggrieved person or impose an administrative monetary penalty—a fine, in other words—on any refractory federal institution. Rather than going back into the federal government's pockets, the amount of this fine would be credited to the Fund for the Promotion of Official Languages. This list is partial and the tribunal may decide to issue orders of other types.

In our opinion, these provisions would give the act real teeth and would solve problems in a convincing way. Indeed, at present, the Commissioner can only make recommendations, which sometimes go unheeded. The Commissioner may, of course, refer the matter to the Federal Court if the federal institution does not take into account his requests for follow-up, but he has only exercised this right about 10 times in 20 years. In our view, the provisions we are proposing would make the system more effective, not to mention the subsequent possibility of seeking judicial review by the Federal Court.

• (1150)

Mrs. Sylvie Boucher: Okay.

I see two green lines on your chart. Could you please explain them?

Mr. Alain Dupuis: The first green line indicates that if the complaint is dismissed out of hand because it is deemed inadmissible, the complainant can immediately go to the tribunal.

Mrs. Sylvie Boucher: Are you saying that the complainant also has that right?

Mr. Jean Johnson: Yes.

Mrs. Sylvie Boucher: Doesn't it have to be investigated by the Commissioner first?

Mr. Jean Johnson: No. It's important that the complaint doesn't remain outstanding.

Mrs. Sylvie Boucher: Great. Thank you.

Do I have any time left, Mr. Chair?

The Chair: You have about 30 seconds.

Mrs. Sylvie Boucher: Thank you very much.

I think we're all here as defenders of official languages. As you said, in the future, we should talk more about bilingualism. It's difficult, even here in Ottawa, to get answers in French. We all know evaders, but now what can we do, as politicians, so that the evaders understand that in 2019, things have to be done this way? Can you answer my question, Mr. Johnson?

Mr. Jean Johnson: I'll let Mr. Dupuis answer it.

Mr. Alain Dupuis: Generally speaking, I think the modernization of the act provides us with these tools. We propose creating a culture

of official languages that is much more present in federal institutions. If this isn't the case and these institutions don't respond to the call, we have concrete mechanisms to create this reflex and generate a real commitment on their part.

The Chair: Thank you very much, Mrs. Boucher.

We'll now go to Mr. Samson from Nova Scotia.

Mr. Darrell Samson (Sackville—Preston—Chezzetcook, Lib.): Thank you, Mr. Chair. You got to Nova Scotia. That's good. You made the trip today.

First, I want to thank you, Mr. Johnson and Mr. Dupuis, for your presentation. However, what's even more important is recognizing the efforts and energy you have put into this issue for more than a year, whether it is in consultations with MPs or meetings with the government, departments and other organizations. I think it's very important to recognize this, because 50 years after the creation of the act, the time is right. It's really special.

That said, I noticed something. Maybe it was a strategic oversight on your part. When we talk about expanding the scope of the rights and obligations, you don't mention real property. Is it an omission or is it already in the text? Is there a problem there?

Mr. Alain Dupuis: It's in the text of the act and not in the two-page summary.

Mr. Darrell Samson: That's what I think was missing. I would have liked to see it directly in your proposals. It should be enshrined in the act because it would give it a certain power. I think that's very important.

There is no doubt that here at this table, all the members of the committee, without exception, are committed to advancing the Francophonie and are willing to do so. This doesn't mean that we all share the same vision. This distinction must be made, and it is important. With regard to language clauses, for example, our government has already put forward a reason to move this issue forward. We have already retained the question of Supreme Court judges. There was also the court challenges program. As you can see, there is a distinction to be made in relation to the other two parties. As for the question of the Supreme Court judges, they were more or less against it. In the case of the court challenges program, legislation has been drafted to abolish it. You really have to be careful and see where all this work, which is very important, is going to lead.

Mr. Johnson, I said that I found your comments very interesting. You're absolutely right. We must communicate to people, whether they are anglophones or francophones, whether they are in Quebec or elsewhere in the country, the importance and richness of linguistic duality. That's where there really is a gap. You mentioned the word "economy". The economy is very important. If we want to increase this richness, both languages must be alive. Among the most widely used languages in the world, our language ranks third. There is an incredible market that we can develop. You're from Alberta, aren't you? That province is really focused on the economy. So there is a richness.

At home in Nova Scotia, highlighting beneficial sectors, such as tourism, has been profitable. Tourism attracts a lot of people. I think it is important to make this point. I think we need to work on that as a government. People and organizations in the field must also do it.

You also talked about consultation. Could you tell us a little more about it? For my part, I find that this is a major flaw. It is somewhat related to the need to communicate to anglophones and the provinces and territories the importance of linguistic duality as a resource, but it also requires consultation. There is a total lack of consultation. I'd like you to talk a little bit about it.

• (1155)

Mr. Jean Johnson: It's important to know why an official languages act was adopted in the first place. The purpose of the act is to protect official language minority communities, but we must go beyond protection. These communities must be empowered to take their full place and space.

We are at a time when the acceptance of the notion of Canadian bilingualism is very high. However, the measures are stagnating, probably because we have not equipped ourselves with the necessary tools to engage in real promotion. You mentioned the consultation earlier. In my opinion, it is fundamental if we want to make progress on this issue.

In the consultation process, there should be discussions with civil society and the government on the importance of the French language as an economic driver. Thus, we would stop saying that it is expensive and look at things from the perspective of a return on investment. It is always necessary to insist on the positive effects.

The Chair: Thank you very much, Mr. Johnson.

Mr. Darrell Samson: I'm positive my minutes are going by much faster for me than the others.

The Chair: I'll give Mr. G n reux the last three minutes in this first hour.

Mr. Bernard G n reux (Montmagny—L'Islet—Kamouraska—Rivi re-du-Loup, CPC): I'll continue to build on your momentum, Mr. Samson.

Mr. Darrell Samson: All right, Mr. G n reux.

Mr. Bernard G n reux: Mr. Johnson, there are people in the room from two organizations I know, Canadian Parents for French and the Quebec Community Groups Network, or QCGN.

Mr. Johnson, we spoke for two minutes before the meeting began. You told me that you learned a lot from what was said at the Senate committee to arrive at the bill you are proposing. What consultations did you conduct on your side before ending up with this bill?

Mr. Jean Johnson: We relied largely on the briefs that have been submitted. It isn't our responsibility to visit each of our communities to consult them. In our opinion, this work is the responsibility of the government.

We got the briefs and statements that our members had made before the Standing Senate Committee on Official Languages as part of its study on the modernization of the act. That is a large part of what we have been inspired by. Then, people voluntarily told us their views, concerns and priorities, which we incorporated into the document you have before you.

Mr. Bernard G n reux: Okay.

I would like to add something to what Mr. Samson said earlier.

I'll be honest with you: I didn't have time to read the whole document.

After the act has been modernized—let's hope that happens quickly—will it have to be reviewed every 10 years? Are you asking that the modernized act include a requirement for systematic review every 10 years?

Mr. Jean Johnson: Yes, every 10 years.

Mr. Bernard G n reux: Okay.

Would a systematic review like this make it possible to avoid what we have experienced over the past 50 years, and particularly the events of the past year, which have been relatively difficult for the French-speaking world across Canada? What would be the advantage of reviewing the act every 10 years?

Mr. Jean Johnson: Reviewing the act will help to bring the notion of two official languages in Canada back in the public eye.

First, it is important that linguistic duality be discussed in the public arena. Second, in the case of an act, 10 years can be a very long time. In fact, we must anticipate the evolution of society. If we let 30 years go by, there would be too much catching up to do.

• (1200)

Mr. Bernard G n reux: That's it.

The Chair: Thank you very much, Mr. G n reux.

Mr. Johnson and Mr. Dupuis, thank you for appearing before our committee. I'm sure your clarifications will help us greatly in drafting the report we must complete before the end of the session.

Mr. Alain Dupuis: Thank you, Mr. Chair.

Mr. Jean Johnson: Thank you, everyone.

The Chair: We will suspend the meeting for a few minutes, then we will hear Minister Joly's remarks.

• (1200)

(Pause)

• (1210)

The Chair: Pursuant to Standing Order 108, we are continuing our study on Vote 1 under Office of the Commissioner of Official Languages in the Interim Estimates 2019-20.

It is a pleasure to have with us today the Hon. M lanie Joly, our Minister of Tourism, Official Languages and La Francophonie.

Ms. Joly, I imagine you'll introduce the people with you.

As usual, you have about 10 minutes for your opening remarks. Then, we will go around the table for questions and comments from our colleagues.

Madam Minister, the floor is yours.

Hon. M lanie Joly (Minister of Tourism, Official Languages and La Francophonie): Thank you, Mr. Chair.

Thank you, members of the committee. It is a pleasure to see you all here together.

Thank you for inviting me here today to talk, first, about the provisional budget 2019-20 and, second, the proposal to hold a federal-provincial-territorial summit on official languages as part of the 50th anniversary of the Official Languages Act.

[English]

Before I begin, I would like to acknowledge the important work that you colleagues have been doing as a committee. Your efforts to modernize the Official Languages Act and optimize the action plan on official languages inform our thinking, and I'm very grateful for that.

With me today is my deputy minister Guylaine Roy, as well as Andrew Francis, who is the chief financial officer at the Department of Canadian Heritage, and Denis Racine, who is the director general for the official languages branch.

Mr. Chair, I know that you're closely looking at and following the implementation of "Action Plan for Official Languages 2018-2023: Investing in Our Future".

• (1215)

[Translation]

We are finally at the point where the action plan for official languages is now one year old.

It's a clear indicator of our government's commitment toward official language minority communities.

It proposes a clear vision and specific measures to promote bilingualism and strengthen official language minority communities.

Most importantly, it proposes a historic investment in official languages. Specifically, this represents \$2.7 billion over five years for programs that promote official languages, including nearly \$500 million in new funding.

Through these investments, we reaffirmed our commitment to support the two million Canadians in a minority language situation, allowing them to live in their language on a daily basis and to reduce the risks of linguistic assimilation.

This requires strong communities and organizations that can provide programs and spaces to ensure their own vitality.

The implementation of the action plan is progressing as planned. At my last appearance, I mentioned that three important announcements about the implementation had already been made. First, there was confirmation of a 20% increase in core funding for community organizations; second, funding for community media; third, an investment in the community cultural action fund to offer more cultural activities for students in official language minority communities.

I also had an opportunity to make three major announcements about education infrastructure for francophone communities outside Quebec, in Rogersville, New Brunswick, at the Université de Saint Boniface, Manitoba, and in Summerside, Prince Edward Island.

[English]

On January 8, I was in Rogersville announcing \$3.2 million in funding over two years for the construction of a 329-seat school

cafeteria/theatre. On February 15, at Université de Saint-Boniface in Manitoba, I announced an investment of close to \$2.1 million for the construction of a learning and child care centre on campus. On March 14, in Summerside, Prince Edward Island, I announced an investment of \$3 million over three years to expand and renovate the shared and community spaces of the Centre Belle-Alliance.

[Translation]

On March 14, I also took advantage of this opportunity to announce funding of close to \$500,000 for seven Acadian and francophone organizations in Prince Edward Island.

In all those cases, those announcements were extremely well received.

Rogersville has been fighting for 25 years to have this cafeteria and theatre project. The entire community gathered for the announcement. We can say that this will really change the lives of people living in this region of northern New Brunswick.

The same is true in Saint-Boniface. Almost all universities in Manitoba have child care centres. The Université de Saint-Boniface, the only francophone university not only in Manitoba but also to the west of Quebec, was the only one that did not have a child care centre. So, the entire community gathered to celebrate this announcement.

On March 14, when I went to the Centre Belle-Alliance, the women who had to fight all the way to the Supreme Court to get their children to a primary school were present. In short, we announced that high school would now be available for the linguistic minority in Summerside.

So, in all three cases, we can see that these announcements really have a concrete impact on the community.

Of course, these substantial investments are reflected in the financial authorities.

Given that you asked me to talk about it, I will go into the financial details.

The total budgets for the Official Languages Support Programs for 2019-2020 fiscal year will be \$435.4 million. This figure includes an increase of \$69.9 million directly from the action plan for official languages.

If we add the funding for the other programs and departments participating in the action plan, we're looking at close to \$500 million in new funding over five years. In fact, it's a little over \$500 million over five years, and I'll explain why later.

These increases are permanent. They will continue well beyond the five-year term of the action plan, at a rate of more than \$100 million per year. This is an extremely positive financial outlook for our communities and for the promotion of official languages.

We know that in minority situations, educational institutions are pillars for communities.

• (1220)

[English]

Before I go on to education, I would like to acknowledge the passing of a very important individual for the English community in Quebec, James Shea. As a former leader of the Quebec Community Groups Network, QCGN, he was instrumental in obtaining federal support and getting the provincial government to create a secretariat to improve relations with the anglophone communities. Of course, I would like to share the government's support to his legacy and obviously to the entire community.

[Translation]

It goes without saying that francophones in Ontario have the right to receive an education in their language. That's why our government announced funding of \$1.9 million to support the creation of the Université de l'Ontario français in Toronto. The start-up team will now be able to continue their efforts until January 2020.

We will always stand by our communities to protect their language rights.

That is also why budget 2019 provides additional support to education in the minority language. This support is conditional on the conclusion of a new protocol or new bilateral agreements in education with the provincial and territorial governments.

I would also like to highlight that the House adopted a significant change to the Divorce Act that guarantees, for the first time, the right to divorce in one's own language. Budget 2019 also allows additional funding of \$21.6 million for the implementation of this new legal component.

If we take into account the additional money for education, as well as for provinces, territories and organizations in divorce proceedings in the official language of one's choice, we see that the new investments are well over \$500 million.

Last October, we also amended part IV of the Official Languages (Communications with and Services to the Public) Regulations for the first time since it was passed in 1991, to ensure better coverage of bilingual federal services for Canadians in a minority situation. This particularly affects francophone communities outside Quebec.

Among the changes made, we adopted a new and more inclusive calculation method to increase the official language minority population and to ensure that the regulations continue to apply even if the population has decreased.

In our criteria, we added a community vitality criterion to ensure that our offices offer a bilingual service when a school is located within an office's service area.

We designated more than 600 new bilingual offices across the country. This will also change the lives of many people who live in minority language communities.

We also designated as bilingual airports and train stations that are subject to the Official Languages Act and are located in provincial and territorial capitals.

As you know, this year we celebrate the 50th anniversary of the Official Languages Act. As our government is committed to the

promotion of official language communities, it is clear to us that we must go beyond investments and review the linguistic framework as a whole to ensure that it enables communities to meet the challenges of the 21st century.

[English]

In the summer of 2018, the Prime Minister gave me the mandate to review the act with a view to modernizing it, and I believe there's a very broad consensus on undertaking such an approach. We want to strengthen the act and extend its scope.

That is why I initiated a national dialogue on the subject. We are meeting with Canadians through five forums and 12 round tables. So far, our exchanges have been very productive. We've already had two of the five forums: one in Moncton and the other in Ottawa.

Before submitting recommendations to the Prime Minister, I want to hear from Canadians, including you, of course; the Senate Standing Committee on Official Languages; and the Office of the Commissioner of Official Languages.

The provinces and territories are welcome to join this significant national dialogue. It will culminate in a national symposium on May 27-28, 2019, which will bring together representatives from communities, civil society, the federal government, and the provincial and territorial governments. At the symposium, we will review the progress made over the last few years and discuss the issues and challenges we may face over the next 50 years.

• (1225)

[Translation]

This symposium is a rare opportunity to undertake a comprehensive review of Canada's language policy.

I will have the opportunity to continue the discussion at an upcoming federal-provincial-territorial meeting, the Ministerial Conference on the Canadian Francophonie, which will be held on June 27 and 28, 2019.

In fact, I am pleased to give you a scoop and tell you that we have listened to the FCFA. The federation will attend the conference since all the ministers of the Canadian francophonie and, of course, the federal government have invited them to take part in our discussions. This request from the FCFA is historic and we have decided to respond positively.

We are also reaffirming our commitment to a “by and for” approach for official language minority communities.

We are all firmly convinced of the importance of engaging in a major dialogue on official languages on the occasion of the 50th anniversary of the act. The national symposium and the ministerial conference will be the high points of this dialogue. There are still three forums left before the national symposium. All Canadians are invited to share their views in writing or to participate directly in this reflection.

Thank you. I am now ready to take your questions.

The Chair: Thank you very much, Minister.

Mr. Clarke, you can start.

Mr. Alupa Clarke: Thank you, Mr. Chair.

Good afternoon to you, Minister, and to your colleagues who are here to support you. I am very pleased to see you before the committee today.

Hon. Mélanie Joly: Thank you.

Mr. Alupa Clarke: I would like to ask you a quick question first. In your presentation, you mentioned the 20% increase in core funding for community organizations. We are fully aware that this is very important for linguistic communities. Would you be able to provide the committee with budget figures confirming that, in the past year, each community has in fact received more funding?

Communities used to receive 7¢ of each dollar. I think that's the number. According to the enhancement, that amount of 7¢ should have been increased. Is it possible for you to provide this information to the committee, in order to confirm that the communities are benefiting from the increase?

Hon. Mélanie Joly: I would be happy to provide you with more data. These amounts were approved by the Treasury Board and have been distributed. However, I must provide the data in compliance with privacy laws.

Mr. Alupa Clarke: No problem with that here.

Hon. Mélanie Joly: If those data can be made public, I will be happy to provide them to you.

Furthermore, other budget increases are expected. At the moment, we are in extensive talks with the various organizations. In the past, the same organizations were often the ones that received the money.

Mrs. Sylvie Boucher: Yes.

Hon. Mélanie Joly: We were told that some organizations that had never received funding would like to receive it. We are in the process of discussing both with these organizations and with those that have traditionally received funding from the department, to see how we can further increase funding in due course.

Mr. Alupa Clarke: Thank you very much.

You also mentioned funding for community media, which brings me to one thing I have noticed recently.

According to the preliminary budget you sent us, \$302 million will be allocated to the Canadian Broadcasting Corporation, which is very good. However, I read in *L'Acadie nouvelle* that there had been a 10% reduction in jobs at the Radio-Canada station in Moncton. I was a little troubled.

I would like to understand how it is possible to increase funding for the CBC, which I think is commendable, while also cutting funding for its station in Moncton, where there is a francophone minority language community?

Hon. Mélanie Joly: There are two things.

Since the Canadian Broadcasting Corporation's activities are the responsibility of the Corporation itself and since, in order to respect its independence, the government is not involved in its activities, I would invite you to ask the CEO of the CBC to explain this decision.

However, I can tell you that we have increased the CBC's budget by an unprecedented amount of \$675 million.

That being said, I would ask you to put pressure on your leader to ensure that in the future, there will be no cuts. As we know, in his own election platform, he had planned budget cuts for the CBC.

● (1230)

Mr. Alupa Clarke: Ms. Joly, I think Canadians expect you, as minister, to question the CBC, not a member of the opposition. I have every confidence in your good intentions, but I would still invite you to ask the CEO why those cuts were made. They fly in the face of your intentions with respect to official languages.

Hon. Mélanie Joly: I am not the minister responsible for the Broadcasting Act or the CBC.

Mr. Alupa Clarke: You are responsible for the vitality of linguistic communities, Minister.

Hon. Mélanie Joly: If you also want to invite my colleague, the Minister of Canadian Heritage and Multiculturalism, I would be pleased to share your intention with him.

Mr. Alupa Clarke: In cabinet, isn't it your responsibility to ask your colleague why, in this case, action is being taken to the detriment of the vitality of linguistic communities?

Hon. Mélanie Joly: In terms of how we follow up with official language minority communities, I have already mentioned that we give them money directly. That's part of my responsibility and that is why we have provided a new amount of \$500 million over five years.

As for the CBC, I would just like to remind you of the obligations of the government and parliamentarians: we must always respect the independence of the CBC.

Mr. Alupa Clarke: As you know, we have finally begun a study on the modernization of the Official Languages Act. You have followed suit and I am very happy about that.

To date, however, two presentations have sort of confused me.

First, there was the one on February 18, 2019. It was not before our committee, but before the Standing Senate Committee on Official Languages. Senator Rose-May Poirier asked Pierre Lavallée, the CEO of the Canada Infrastructure Bank, whether he had spoken with you or people in your office about his official languages duties. As we know, the Canada Infrastructure Bank has had some problems with this. To everyone's surprise, Mr. Lavallée replied that your office had never contacted him or the Canada Infrastructure Bank.

You seem to be saying that, in the case of Radio-Canada, another minister is responsible. In this case, clearly, you did not contact the Infrastructure Bank yourself. Have you at least discussed this issue with Mr. Champagne in cabinet?

Hon. Mélanie Joly: First, I must say that I had the opportunity to meet with Pierre Lavallée to remind him of his organization's obligations under the Official Languages Act.

Mr. Alupa Clarke: Was that recently?

Hon. Mélanie Joly: It was last month.

Mr. Alupa Clarke: Okay, that's great.

Hon. Mélanie Joly: He has committed to respecting them. It is unacceptable that the Canada Infrastructure Bank does not comply with the Official Languages Act.

Second, I have talked to my colleague, of course, but I cannot report on discussions in cabinet or the Treasury Board. However, I can tell you that I am following up on the matter and that the Canada Infrastructure Bank must comply with the Official Languages Act, of course.

Mr. Alupa Clarke: Okay.

Thank you.

The Chair: Thank you, Mr. Clarke.

We'll now move to our friend Mr. Samson.

Mr. Darrell Samson: Thank you, Mr. Chair. You have reached Nova Scotia. You have had quite a trip today.

Madam Minister, thank you for your presentation. My thanks also to your colleagues for being here. I found that your presentation was good in going over the situation we have known about for a year.

I have three major questions. The first is simple but important.

Your title is now Minister of Tourism, Official Languages and La Francophonie. That means the francophonie in Canada and the international francophonie. Tell me about the importance that the government has attached to the role, both at home and abroad.

Hon. Mélanie Joly: Thank you.

This is the first time that a minister of official languages has also been responsible for the francophonie. That means the francophonie in Canada, of course, but mostly the international francophonie. It enables us to highlight the importance of the French fact once again, and to ensure that it is protected and promoted both in Canada and around the world.

This is also reflected in the various themes we want to address in major forums. At the next one, which will be held in Sherbrooke on April 15, we will be holding a discussion on the official languages and Canada's place in the world. We will be determining how we can reaffirm the importance of the Minister of the Francophonie and of Canada's role in the international francophonie. We will also be determining how we can ensure that the importance of bilingualism and the protection of the French fact is given a place in the mandate of our Canadian diplomacy. That is why I am so attracted to the portfolio.

• (1235)

Mr. Darrell Samson: Thank you very much. It is important to emphasize that.

As I have a number of years' experience as the former director general of the francophone schools in Nova Scotia and a former national president of the directors general of the francophone school boards outside Quebec, I am well aware of the importance of education for the vitality of official language minority communities. I find it extraordinary that vitality has been added as a criterion to the official languages regulations and that the presence of schools has

been recognized. That strengthens not only community vitality but language education, which is an essential element.

You have also done extraordinary things in this respect. Could you tell us about them, because it is extremely important, and people are interested. I am specifically thinking about the strategic agreement you have signed with francophone school boards. I am also thinking about the funding the government has just announced for francophone school boards all over the country.

Hon. Mélanie Joly: Thank you, my dear colleague. You bring up a number of points.

For a long time, school boards—principally francophone school boards, but also the anglophone school boards in Quebec—have told us that they are concerned by the lack of transparency in a number of provinces and territories in the way in which federal funds allocated to minority school systems are spent. For francophones, I am talking about teaching in French as a first language, not a second language. Basically, the provinces consult the school boards very little in order to establish their budgets and their funding. That has direct consequences on the attractiveness of francophone schools in minority situations and on the decision of families to send their children to them or not.

So we decided to take a strong position and require provinces and territories to be transparent with their francophone school boards and to consult them. In addition, the recent budget provides more money for minority school boards, which is good news. This is the first time that the federal government has provided money in such clear terms for francophone school boards outside Quebec and anglophone school boards in Quebec. The increased funding will make minority schools more attractive, as they are often in competition with immersion schools. In fact, it is recognized that linguistic assimilation is greater when a rights holder, a child of a francophone family, for example, goes to an anglophone majority school, even in an immersion program.

Mr. Darrell Samson: Do I have any time left, Mr. Chair?

The Chair: You have one minute.

Mr. Darrell Samson: Excellent.

I would now like to talk about the changes made to the official languages regulations, more specifically the bilingual designation of 600 federal service offices. If a moratorium had not been ordered, a year and a half or two years ago, we would have lost 187 bilingual offices, including 7 or 8 in Nova Scotia. Today, we are adding more than 600. Can you tell us more about this very important matter?

Hon. Mélanie Joly: As you well know, because you follow the matter closely, the biggest issue in official languages is the assimilation of francophones in minority situations, particularly against the background of the demographic growth Canada is experiencing.

The calculation method was a problem, in that any given region had to have a sufficient number of people speaking the minority language in order for bilingual services to be provided. Our objective therefore was to find some kind of accommodation, not only to preserve acquired rights but also to increase bilingualism. As we know, Service Canada offices providing services in French and English also represent employment possibilities for francophones in minority situations. This was a very important matter for us, and I must acknowledge the work of my former colleague Scott Brison, who was an important ally when he was President of the Treasury Board.

Mr. Darrell Samson: Thank you again for your leadership, Madam Minister.

The Chair: Thank you very much, Mr. Samson.

The floor now goes to Mr. Choquette.

Mr. François Choquette: Thank you, Mr. Chair.

Thank you for being here, Madam Minister.

First, let me congratulate you for granting the Université de l'Ontario français the funding that will allow its board of governors to continue their work. That is very good news.

On the same subject of that university, how long ago was your last meeting or telephone call with the Government of Ontario?

Hon. Mélanie Joly: We sent two letters to the Government of Ontario. Members of my team communicated with Ms. Mulroney's office on several occasions. I also had the opportunity to speak with Dyane Adam's team; she is heading the project.

One thing is clear: the Conservative Government of Ontario does not want to fund the Université de l'Ontario français project. So the federal government decided, first, to allocate \$1.9 million to pay the salaries of the various people working on the project. In addition, the action plan for official languages allocates certain amounts specifically for educational infrastructure, which will allow us to provide the university with more funding.

• (1240)

Mr. François Choquette: So no serious negotiations are going on at the moment. Nothing is moving.

Hon. Mélanie Joly: At the moment, there is sufficient financing to support the project. I have had discussions on many occasions with members of the community with a view to finding solutions and exerting pressure on Doug Ford's Ontario government to make a decision on the matter. I have been able to discuss it on a number of occasions with a good number of former first ministers.

Mr. François Choquette: On the matter of Part IV and the official languages regulations, I wanted to congratulate you and the Treasury Board once more for the moratorium that has been imposed. That was as a result of a lawsuit that the Société franco-manitobaine brought against the federal government.

But there is one thing I do not understand. Why are you not doing the same thing with the FFCB lawsuit? Against the background of Justice Gascon's decision, an article entitled "A call for coherence on official languages" was recently published by Darius Bossé, Jennifer Klinck, Mark Power, Padminee Chundusing and Perri Ravon. It reads:

[English]

While the federal government has pledged to review and modernize the Official Languages Act, it's been defending a decision in court that will wreak havoc on minority language communities.

[Translation]

Basically, they are saying that, on the one hand, you publicly state that you want institutions, including the Office of the Commissioner of Official Languages, to embrace a broad, liberal definition of Part VII, while, on the other hand, you are taking the completely opposite position in court.

In this matter, why are you not doing the same as you are doing with Part IV and the official languages regulations?

Hon. Mélanie Joly: I cannot tell you about the discussions that are currently going on with the Department of Justice. It goes without saying that, in the government's vision, positive measures must be interpreted broadly. That is why I sent a letter to all my colleagues to make sure that all departments adopt that broad interpretation of the Official Languages Act, particularly in terms of the positive measures in Part VII.

In the meantime, knowing that a lot needs to be done to modernize the act, I have launched a discussion on the modernization by saying directly that I would like to hear what Canadians think about the positive measures. In addition, on April 23, there will be a forum in Edmonton where it can be talked about some more.

I also wrote you a letter encouraging you to study the issue of positive measures even more in the context of the modernization of the Official Languages Act. Our government feels that it is important...

Mr. François Choquette: Madam Minister, I have let you provide something of an answer, but my time is very limited.

Hon. Mélanie Joly: I had finished answering your question. Thank you.

Mr. François Choquette: Thank you.

At the moment, the problem is that the commissioner's office is refusing all the complaints it receives about Part VII. Recently, the Alliance nationale de l'industrie musicale, which had filed a complaint against the CRTC and SiriusXM Canada, was told that nothing more could be done. The complaint was first accepted, then turned down. It is the same with the Netflix case. I am one of the complainants in that matter, as you know full well. Once again, the complaint has been refused.

Meanwhile, official languages are under severe attack. That is why I am asking you to think about the issue, to talk to your government, and to withdraw your version of this court case.

Hon. Mélanie Joly: We are one of the interveners in the case, but I have to say that the decision was made by the former Harper government.

Mr. François Choquette: The fact remains that you are in power now.

•(1245)

Hon. Mélanie Joly: I have to tell you that, when we came into power, the previous position had been to interpret positive measures in a restricted way. That is why I had to change the channel internally by sending those letters to my colleagues, to make sure that we were going to interpret positive measures broadly.

Mr. François Choquette: I have one last question...

Hon. Mélanie Joly: I hope that the commissioner of official languages will also interpret it broadly. I have spoken to him about it.

Mr. François Choquette: Unfortunately, that is not the case.

I have one last question...

The Chair: Your time is up. Thank you, Mr. Choquette.

We now move to Ms. Lambropoulos.

Ms. Emmanuella Lambropoulos: Thank you, honourable minister, for joining us today.

[*English*]

Thank you for being here to answer our questions.

I met over the weekend with Youth for Youth Quebec, which is an organization that engages young people, and it is actually funded by the federal government, through the heritage ministry, I believe. I know that anglophone organizations in Quebec really appreciate it when they are funded by the federal government because it goes a long way. It helps create jobs for anglophones living in Quebec, and it just helps maintain these communities.

A lot of the feelings I heard at this meeting suggested that a lot of young Quebeckers don't feel they should be there. They feel they should leave the province because they don't feel a connection to it.

What kind of funding is going into organizations across Quebec for anglophone communities? Is there anything further that you foresee being able to do to help these communities stay together?

Hon. Mélanie Joly: Thank you.

Obviously, answering the needs and, quite frankly, anxieties of anglophones in Quebec is a top priority, and that's why in the official languages plan we came up with a \$5-million support specific to the anglophone community in Quebec. We also fund many youth organizations and organizations that are part of the economic development ecosystem, and we've increased funding for these organizations as well. Definitely this will help them to do much more outreach and promotion, and also, I would say, counselling for youth, to be able to understand what opportunities there are for them throughout Quebec.

I must add that we've also been working extremely hard with CCGN and with a lot of organizations in rural Quebec to find the right balance between the needs of Quebeckers in the region of Montreal—which both of us represent and we're very proud of that—and in rural Quebec, where the needs are sometimes different, as are the realities and challenges.

Ms. Emmanuella Lambropoulos: Within the federal service, we know that the percentage has not yet been attained for anglophones working in certain areas, compared to the population of anglophones

who are there. What are we going to be doing to make sure that we find a solution to this problem?

Hon. Mélanie Joly: Obviously, we made sure to make many commitments to our public service to increase the capacity of our public service all across the board. That creates a lot of opportunity, including in Quebec, and it also ensures that there is a greater need to have a bilingual capacity all across Quebec. So that is definitely good for the anglophone community as well.

Ms. Emmanuella Lambropoulos: Thank you.

[*Translation*]

How much time do I have left, Mr. Chair?

The Chair: You have two minutes.

[*English*]

Ms. Emmanuella Lambropoulos: Finally, last but not least, we know that Quebeckers, especially anglophone Quebeckers and others, feel at this point this insecurity of living in the province, mainly because of decisions that are not taken by our government but by other governments. I'd like to know what our government can do, other than through funding, to play a role to help them feel safer.

Hon. Mélanie Joly: Well, I think we've had a strong stance in terms of, first, the importance of official bilingualism, and second, the importance of minority linguistic rights, and therefore the rights of anglophones in Quebec as well. We have been clear that we would support the Charter of Rights and Freedoms, which is obviously an ongoing commitment of our Liberal government. It may be on linguistic rights, but also on religious freedoms and equality.

Clearly, what we've done has been not only to support these rights but to provide an important funding mechanism to make sure that these rights can be upheld and that the court challenges program, which we reinstated two years ago, is functioning to make sure that groups can have access to funding to defend their cases.

•(1250)

Ms. Emmanuella Lambropoulos: Thank you very much.

[*Translation*]

The Chair: Thank you, Ms. Lambropoulos.

I would just like to interrupt for a few seconds. I do not want to lose the thread of the discussion, but, on behalf of all the members of the committee, it is my pleasure to wish Alupa Clarke a happy birthday today.

Voices: Ha, ha! Happy birthday.

The Chair: Happy birthday, Mr. Clarke!

Mr. Alupa Clarke: Thank you very much, Mr. Chair.

The Chair: Let us resume the meeting.

The floor goes to René Arseneault.

Mr. René Arseneault: Good afternoon, Madam Minister. We are always happy to have you here.

Hon. Mélanie Joly: Thank you.

Mr. René Arseneault: With your indulgence, I will not be talking so much about the action plan. I feel that my colleagues around the table will do that specifically.

As you know, I represent New Brunswick. I can tell you that, in New Brunswick and in Acadia, we are very proud of this plan. No community or association has complained about the action plan. We have welcomed it almost like a life raft. Thank you very much.

Hon. Mélanie Joly: Thank you.

Mr. René Arseneault: Personally, I have already turned to the modernization of the act. Allow me to continue along those lines.

You mentioned consultations in five forums. I think that two of them have already been held, one in Moncton and the other in Ottawa. There are others to come. Am I mistaken in saying that online consultations have also already started?

Hon. Mélanie Joly: All the major forums are accessible online. That was the case for Moncton and Ottawa and it will also be the case for the three other forums to come. We also take questions from the public, from those following us on their mobile phones, at home or at work.

Mr. René Arseneault: We have heard a lot of testimony and seen a lot of documents. Each of us is beginning to have an idea of the form that the modernized act could take.

So I have one burning question. From all you have heard in those two forums that you have already taken part in or the comments that have been sent to you online on the issue, what stands out most?

Hon. Mélanie Joly: Different things. As francophones—I feel that everyone here will feel involved—for sure we have the responsibility to call on our anglophone colleagues and our official languages allies and convince them to take an interest in the modernization of the Official Languages Act. That is certainly a constant challenge, but I feel that we are able to meet it. We are seeing the extent to which anglophones are becoming interested in sending their children to French immersion schools. We have a lot of allies. That said, the 9 million francophones in the country, 10 million if you include francophones and francophiles, must always be looking for allies and sometimes also be mounting a challenge when certain linguistic tensions arise.

Mr. René Arseneault: That is what you heard in the first two forums.

Hon. Mélanie Joly: Yes, that is what I heard.

I also heard a lot about the importance of addressing the powers of the Commissioner, for example, the importance of the Legal Challenges Program, or the way in which to develop language clauses that would basically encourage compliance in federal transfers to the provinces and territories, as well as official language obligations. That is why the discussions are continuing. We also heard a lot about the importance of Radio-Canada. I feel that we are having good conversations and that the issue is raising a lot of interest.

Mr. René Arseneault: The first thing you alluded to was the presence of the majority community at those consultation forums. On Tuesday, we heard from Jack Jedwab. He is an incredible, dynamic guy, who made me realize something I had not noticed before, though it is as plain as the nose on my face. In terms of modernizing the act, he said that, when the subject was minority rights, the only people at the table were those directly involved, the minority.

Did you get the pulse of that majority in the forum you had in Moncton, for example? Were there members of the majority anglophone community who wanted to speak?

• (1255)

Hon. Mélanie Joly: There are always good organizations. I think that today we have here a representative of Canadian Parents for French, which promotes French immersion and, by extension, bilingualism among young people. That's one thing.

In addition, I think that we need to involve our provincial and territorial counterparts to ensure that we have some representatives.

I also think that it's good that all Quebecers believe in the importance of official languages.

Mr. René Arseneault: I'll repeat the purpose of my question.

In New Brunswick, we're not familiar with the QCGN, because francophones constitute the minority. In addition to anglophones in minority communities in Quebec and francophones outside Quebec, how can we ensure that the majority communities on the other side will be represented at the table at the next forums to share their views and have their voices heard?

I'm referring to what Mr. Jedwab said. It really sparked my interest. It's true that these groups aren't included in our forums.

Hon. Mélanie Joly: You've raised a very good point. I think that the government, the public and all the parties share this responsibility. We must reaffirm the importance of our two official languages, bilingualism, and the fact that this matter is part of our identity and history. We must never take anything for granted. We ensure our country's social cohesion by respecting our two official languages, minority rights and the reconciliation process with indigenous people. I call this a three-legged stool. These three things must always work together. This makes our country what it is and ensures success.

Mr. René Arseneault: Thank you.

The Chair: Thank you, Mr. Arseneault.

We'll proceed with a quick round of questions. Mr. Clarke will have three minutes, Mr. Rioux will have two minutes and Ms. Boucher will have two minutes.

Mrs. Sylvie Boucher: No, I'll give my speaking time to Mr. Clarke.

The Chair: That's fine.

Mr. Clarke, you have the floor.

Mr. Alupa Clarke: Minister Joly, I was a little surprised by your response to Mr. Choquette. You said that you hoped the commissioner would have a generous interpretation. However, you and your Prime Minister were the ones who chose the person and submitted his name for the position.

Didn't you first determine the person's approach to official languages? How can you hope for something from an individual, when you were the one who chose that person? That seems very strange. I don't understand.

Hon. Mélanie Joly: I don't want to correct you, Mr. Clarke, but the government doesn't choose the Commissioner of Official Languages. Parliament chooses the Commissioner of Official Languages, because the commissioner is an agent of Parliament.

Mr. Alupa Clarke: Yes, but you submitted the suggestion.

Hon. Mélanie Joly: That's the first thing.

Mr. Alupa Clarke: You didn't submit three suggestions. You submitted one suggestion, Minister Joly.

Hon. Mélanie Joly: I just want to say that, at the time, I asked you the question, and you had the right to ask the candidate questions. That's the first thing.

Second, since the commissioner is an agent of Parliament, I can only express wishes. I can't have coercive powers over the commissioner. I must respect the commissioner's independence, and I encourage the commissioner to have a broad interpretation.

Mr. Alupa Clarke: That's fine, thank you.

I have two minutes left.

I may be wrong, but I think that I'm right. Across Canada, people have mainly told me that, while they're pleased with your measures, they find that you lack the leadership to ensure that Part VI of the act is applied in all government agencies.

When he met with us on Tuesday, the commissioner said that federal agencies were following his recommendations in 80% of cases. That's fine. However, in 20% of cases, the agencies aren't following the recommendations or are struggling to follow them. If it were 5%, I could understand. It would almost be by default. However, 20% is significant.

Why did the National Energy Board publish a report in English only? The Canada Infrastructure Bank and Public Services and Procurement Canada websites display calls for tenders that are still riddled with mistakes in French. Why are 20% of federal agencies unable to follow the recommendations? Minister Joly, we don't expect you to be offended by the shortcomings, but to act. You don't seem to be taking action.

Hon. Mélanie Joly: I just want to tell you that the people we've met with across the country are very happy with our reinvestments. It goes without saying. After 10 years of the Harper government, we've been able to ease a great deal of the anxiety in the country regarding the underfunding and importance of official languages.

Of course, the shortcomings that you mentioned are frustrating and unacceptable. I'll keep not only criticizing them, but correcting them. In all cases, the agencies have committed to correcting them.

I think that this issue is part of a much broader discussion on how to strengthen the powers set out in the Official Languages Act. The modernization of the act is essential given the need to determine whether we should strengthen the powers of the commissioner or whether we should have institutions that embody the official languages.

• (1300)

Mr. Alupa Clarke: In the committee, we mostly say that the main issue, other than the act, is the lack of political will.

Hon. Mélanie Joly: Ultimately, I think that the modernization is important.

Mr. Alupa Clarke: The issue is the lack of political will. The issue is your place in cabinet. Do you say these things in cabinet? Do you criticize your colleagues for these shortcomings? The 20% rate is unacceptable. A 5% rate would be understandable, by default. However, a 20% rate clearly indicates an issue.

As I told you, people are generally happy with your investments. It's the continuation of the story of the past 20 years. All action plans increase investments. However, people are telling me about your lack of leadership, Minister Joly. That's the serious issue right now. That's why the act must be strengthened. The current Minister of Official Languages in the government doesn't show leadership. If you're doing so, your colleagues aren't listening to you.

Hon. Mélanie Joly: Mr. Clarke, you've expressed the need for leadership. Do you think that you're showing leadership with regard to your colleagues?

Mr. Alupa Clarke: Of course.

Hon. Mélanie Joly: Did you share your opinion with your colleague Luc Berthold when he criticized Diane Lebouthillier simply for speaking French? It's a shared obligation.

Mr. Alupa Clarke: Okay, but what do you have to say about the Prime Minister, who spoke only in English yesterday to 78 daughters of the vote participants from Quebec?

Hon. Mélanie Joly: I can certainly tell you that the responses to the questions were in French.

I can also certainly tell you that the position taken by a colleague from Quebec, the member for Mégantic—L'Érable, regarding the place of French in the House of Commons is utterly unacceptable.

Mr. Alupa Clarke: Yes, but you don't show leadership.

The Chair: Sorry to interrupt you, but time is short.

Mr. Rioux, you have the floor for two minutes.

Mr. Jean Rioux: Thank you, Mr. Chair.

Minister Joly, one reason that I went into politics was the reopening of the Royal Military College Saint-Jean. I felt that, at the national level, it was important to ensure bilingualism in the Canadian Armed Forces. I must admit that this issue had an economic impact on my constituency. Thank you for all the support that you provided on this issue.

We've been looking at another matter. The goal of Pearson College in English Canada is to train young people to eventually become agents of peace. French Canada lacks this type of institution.

What do you think about having a francophone institution that also promotes bilingualism, in order to promote French?

Hon. Mélanie Joly: Thank you, Mr. Rioux. I also want to thank you for working very hard with our team to ensure that the Royal Military College Saint-Jean will now provide university-level training.

The students enrolled at the Royal Military College Saint-Jean are often Quebecers or francophones from other parts of Canada. These individuals will now have access to university-level training at the college. In concrete terms, this change means that the senior members of our armed forces are more likely to be francophone or even bilingual. The only other military college in the country that provides university-level training is in Kingston.

Thank you for your support on this issue.

Regarding the project that you mentioned, I think that it's a very interesting and very good idea. I look forward to discussing the project further with you.

Mr. Jean Rioux: Thank you.

The Chair: Thank you, Mr. Rioux.

Before we finish, I want to mention how the governments of Canada and Quebec made an excellent choice with regard to the number two at the Organisation internationale de la Francophonie.

I want to propose that our committee congratulate our fellow Canadian Catherine Cano on her appointment as administrator of the

OIF, the second most important position in the organization. I think that this should be acknowledged. Do I have your support?

Some hon. members: Agreed.

The Chair: It's unanimous.

Hon. Mélanie Joly: This was part of the Government of Canada's negotiations with the various member states of the Francophonie to ensure Canada's leadership role at the Sommet de la Francophonie in Yerevan, Armenia, last October. We're very proud that the number two at the OIF is a francophone, a Quebecer and a Canadian. The OIF is the second largest international organization in terms of membership, after the United Nations.

● (1305)

The Chair: Minister Joly, thank you for joining us today.

Hon. Mélanie Joly: Thank you. It was nice to see you.

The Chair: Let's continue with our fine program.

Thank you, everyone. We'll resume our work next week.

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