

Policy Matters Blog – Bill 96

COMMITTEE EXAMINES EFFECTS OF AGENCY DIRECTIVES ON QUEBEC IMMIGRANTS

February 10, 2022 – The National Assembly’s [Committee on Culture and Education](#) yesterday continued its clause-by-clause analysis of Bill 96, [An Act respecting French, the Official and Common Language of Québec](#). The Committee proceeded in its study of clause 19 of the bill, covering Article 29.6 to 29.14 of the soon-to-be-modified [Charter of the French Language](#).

The Committee accepted an amendment proposed by Liberal Hélène David to Art. 29.6. The change clarifies that francophone students from outside Quebec are allowed to attend francophone universities within Quebec at the same tuition rate as local Quebec students if the program in which they are enrolled is given only in French in Quebec. David specified that the goal of this proposal was to minimize the risk of interprovincial conflict if the right given in Art. 29.6 triggers a decline in enrolment rates in francophone universities elsewhere in Canada. The amendment was adopted.

Wishing to amend Art. 29.7, Québec Solidaire’s Ruba Ghazal proposed an addition: Art. 29.7.1. This would require the Minister of Higher Education, Research, Science and Technology to publish an annual report detailing the number of students from outside Quebec who benefited that year from the right granted by Art. 29.6. David proposed a sub-amendment to Ghazal’s amendment that would permit the same Minister to consult francophone universities outside of Quebec to assess the impact on their enrolment rates because of the right granted under Art. 29.6. Both these amendments were also adopted.

Articles 29.8 to 29.10 and 29.12 to 29.13 were accepted as written, with requests for elaboration and clarification but without much debate. Liberal David Birnbaum proposed the addition of a third paragraph to Art. 29.11 emphasizing the importance of the civil administration to uphold its “exemplary” rule for the French language by the Quebec state under Art. 13.1. The Committee adopted the amendment.

Finally, although no amendment was ultimately proposed, rigorous questioning took place regarding Art. 29.14. This provision provides that agencies of the civil administration (government institutions) must draft directives, compliant with the Quebec state’s official language policy, that specify the situations in which staff and personnel of these agencies are allowed to offer service in English. One of these situations includes the six-month exception period during which immigrants to Quebec are permitted to receive government services in English.

Reviving her point from last week, Ghazal asked whether the directives written by these agencies are authorized to include measures to provide immigrants with an interpreter if their French-language skills are not sufficient to receive public services exclusively in French after the expiration of their six-month exception period. Liberal Gaétan Barrette reinforced Ghazal’s concern. He said that, in reality, it would be very difficult to provide public services to an immigrant after their six-month exception period if they do not have an adequate understanding of French. This, he said, could lead to unequal access. Minister

Simon Jolin-Barrette replied that the government will ensure that immigrants will always be able to have access to government services, no matter their circumstances. However, he also pointed out that while access to an interpreter could be granted to an immigrant struggling in French on a case-by-case basis, he would not commit to the notion of access to an interpreter as a given right within the agencies' directives.

Following this exchange, the Committee adjourned. It is scheduled to reconvene today, proceeding with amendments to be proposed for Art. 29.16 to 29.19 under clause 19 of the bill.