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QCGN Proposes Major Amendments to Federal Bill Modernizing the Official Languages Act

Montreal – June 6, 2022 – A federal bill aimed at modernizing the Official Languages Act is proposing radical changes that will have adverse impacts on the interpretation of this quasi-constitutional law and Quebec’s English-speaking community. That was the message the Quebec Community Groups Network took to parliamentarians examining Bill C-13 on Monday.

QCGN President Marlene Jennings, Board Member Joan Fraser, and QCGN Legal Counsel Marion Sandilands appeared today before the House of Commons Standing Committee on Official Languages, which is conducting a hurried study of C-13, *An Act to amend the Official Languages Act, to enact the Use of French in Federally Regulated Private Businesses Act and to make related amendments to other Acts*.

“Bill C-13 is not the legislation that English and French minority communities agreed to in 2018,” Jennings told the Committee. “C-13 is a revolutionary change in the purpose of the *Official Languages Act*, and the effects of these changes may have profound and unforeseen effects on the interpretation of this quasi-constitutional law.”

Former Senator Joan Fraser told the Committee that C-13 contains radical changes to the Official Languages Act, which she described as, “a building block of Canada.” “What happens to Canada,” she asked, “when the building blocks are re-arranged?”

Bill C-13 proposes to make the protection of French the central purpose of the *Official Languages Act*, and uniquely recognizes the Charter of the French Language in its interpretative preamble, and Part VII of the Act, which is meant to advance English and French in Canadian society. It also introduces the *Use of French in Federally Regulated Private Businesses Act*, which would impose language obligations for only one official language – French – on enterprises subject to federal jurisdiction like banks, airlines, and telecommunication companies.

“This Act would allow federally regulated businesses to choose to be subject to either the *Charter of the French Language*, or the federal law,” said Fraser. “Giving private business the choice of which law to be subject to is a novel concept indeed. It is an abdication of federal constitutional jurisdiction and responsibility in Quebec, and a dangerous precedent.”

Jennings expressed English-speaking Quebecers, “profound disappointment that the federal government would recognize Quebec’s Charter of the French Language – as amended by Bill 96 – within the Official Languages Act,” which she noted, “now operates notwithstanding the fundamental rights and freedoms guaranteed in the Canadian Charter of Rights and Freedoms. It beggars belief that the Government of Canada would contemplate recognizing such legislation. The QCGN strongly

recommends that all references to legislation that operates notwithstanding the Canadian Charter be removed from Bill C-13.”

The QCGN’s brief to the Committee – available [here](#) – contains recommendations that address the organization’s four strategic concerns about C-13, including:

1. The revolutionary change in the purpose of the Official Languages Act, and the effects this may have on the interpretation of this quasi-constitutional law;
2. The references to the Charter of the French Language – which as amended by Bill 96 operates notwithstanding the Canadian Charter of Rights and Freedoms;
3. The failure of Bill C-13 to address the well-known accountability challenges surrounding Part VII of the Official Languages Act; and,
4. The historic proposition of creating new language rights in federal legislation for only one official language, initially only in one province.

The Quebec Community Groups Network (www.qcgn.ca) is a not-for-profit organization bringing together English-language community organizations across Quebec. As a centre of evidence-based expertise and collective action it identifies, explores, and addresses strategic issues affecting the development and vitality of the English-speaking community of Quebec and encourages dialogue and collaboration among its member organizations, individuals, community groups, institutions, and leaders.

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