

Policy Matters Blog – Bill 96

COMMITTEE CONTINUES TO CARVE OUT EXCEPTIONS TO EXEMPLARY USE OF THE FRENCH LANGUAGE

February 8, 2022 – The National Assembly’s [Committee on Culture and Education](#) resumed its clause-by-clause study of [Bill 96, An Act respecting French, the Official and Common Language of Québec](#) on Tuesday. They continued evaluating article 25 of the bill, which introduces articles 22.2 to 22.5 of the [Charter of the French Language](#).

This section of the proposed legislation governs exceptions to the rule that all government administration bodies must operate and communicate only in French.

As discussed in previous blogs, there are exceptions for what the government terms “historic anglophones” – for example those who have the right to attend English elementary and high school levels – for Indigenous peoples, for certain tourist services. There is also a grace period of six months for newcomers during which they will be able to receive governmental services in a language other than French.

On the discussion of rights retained by “historic anglophones”, Liberal Gaétan Barrette proposed an amendment to provide that those services offered to English-speaking Quebecers – especially health and social services – be given “in an exemplary manner” and at the same level of language quality as services given in French. The government rejected this amendment, stating that the bill mandates an exemplary use of the French language by government administrative bodies, not English. Furthermore, the government also commented on the pros of the bill for Anglophones. Language Minister Simon Jolin-Barrette notably explained that the bill will create an advantage for Anglophones who want to study in English at the CEGEP level given that there will be quotas for the number of Francophone students admitted, leaving more spaces to be filled by English-speaking students.

The government then introduced an amendment to add an exception for researchers writing and applying for provincial government grants. Given the nature of research, it will be permitted that documents annexed to an application be written in a language other than French, while the application itself will have to be written in French. This amendment was accepted.

Article 15 was then adopted without further discussion. Similarly, the Committee then adopted articles 16, 17, and 18 without debate.

Turning to article 19, which introduces articles 29.2 to 29.23, the Committee began evaluating those articles which relate to the status of municipalities that are designated as bilingual. These articles provide that if, according to the latest census data, the anglophone population drops below 50 per cent, it would lose its bilingual status after 120 days unless they pass a bylaw stating that they retain that status. Debate on this article was divided. The Liberals argued that 120 days was not enough time to allow municipalities to consult constituents to determine whether they want to retain the bilingual

status. They argued that every census, which is every five years, was too often to review the status. They proposed that this exercise be done every 10 years. The Parti Québécois proposed that municipalities whose English-speaking population drops below 30 per cent should automatically lose their bilingual status. All these proposed amendments were rejected.

The Committee then looked at articles 29.4 and 29.5 for which there were no comments.

Finally, the Committee turned to article 29.6 and 29.7 which enables Francophones outside of Quebec to study in a university program in French within Quebec for the same tuition fees as Quebecers. The Liberals said that while this article is generous towards Francophones outside of Quebec, it could be detrimental to Francophone institutions in the rest of Canada as students may prefer to study in Quebec given the low costs of tuition. Québec Solidaire proposed an addition to the article, to provide that universities would have to report yearly on the number of students that are accepted within this framework. This report would be evaluated by a committee of the National Assembly.

The Committee adjourned without adopting article 19. Hearings will therefore continue at this article on Wednesday, Feb. 9.