

Policy Matters Blog – Bill 96

EXEMPTIONS TO THE USE OF FRENCH BY GOVERNMENT UNDER SCRUTINY BY COMMITTEE

February 4, 2022 – The [Committee on Culture and Education](#) continued its clause-by-clause consideration of [Bill 96, An Act respecting French, the official and common language of Québec](#) yesterday, discussing clause 15 of the proposed legislation. This portion of the Bill deals with exceptions to the requirement that agencies of the civil administration (i.e. government institutions) communicate in the official language.

The Committee began by continuing its study of proposed article 22.2, which as discussed in yesterday's blog, would permit an agency of the civil administration to correspond (in writing) in English with citizens declared eligible to receive instruction in English ('historic anglos'). It also contains a grandfather clause, permitting continued correspondence in English on matters open prior to the introduction of Bill 96.

Liberal Gaétan Barrette criticized the effect of art. 22 on newcomers and English-speaking Quebecers not eligible for English instruction. Parti Québécois Pascal Bérubé responded with accusations that the Liberals were not in line with the interests of the Quebec nation and the continuity of French for the Quebec state, a sentiment shared by Minister Simon Jolin-Barrette. No further amendments to art. 22.2 were proposed.

The Committee then moved onto article 22.3 CFL, which lists the exceptions where English may be used in government documents. Among these exceptions is the controversial six-month time limit agencies of the civil administration would be allowed to communicate in English with immigrants, and other exceptions like "historic anglophones", tourism services, and services to people outside Quebec. Minister Jolin-Barrette proposed an amendment to add, under art. 22.3(2), that consumer contracts and tourist leases to the exceptions from the French exclusivity rule of article 13.2 of the Charter of the French Language. There was no debate on this amendment, which was adopted. (Click [here](#) for a record of adopted amendments).

A lengthy debate then ensued on two proposed amendments to art. 22.3(2)(c), which allows for newcomers to Quebec to obtain in English "services to welcome immigrants within Quebec society" for the first six months following their arrival. The first was Québec Solidaire's Ruba Ghazal's amendment to change the exception period to three years; the second was Barrette's proposal to extend the exception to a period of one year.

Discussion of both these amendments was in essence the same. Ghazal and Barrette provided statistics and expert evidence to demonstrate that six months is not enough time for newcomers to adequately learn French and integrate into Quebec society – and by extension, effectively navigate Quebec's government institutions uniquely in French. Barrette also pointed to evidence that explains that in Montreal, Laval, and the Montérégie, where most newcomers to Quebec settle, it takes 1-2 months to get into a French class subsidized by the Quebec government. That would leave newcomers with only

three to four months to learn French before their exception period expires. Minister Jolin-Barrette provided no evidence to justify the six-month limit, other than to frame it as a sort of “grace period” offered by the government.

In between their lines of questioning, Minister Jolin-Barrette said the Liberal’s criticism of the six-month exception period, and of Bill 96 overall, shows their failure to support the French language’s survival and prosperity in Quebec and challenged their allegiance to the Quebec nation. He continuously repeated that the learning of the French language does not fall within the scope of “services to welcome immigrants”, which he described as services of “first interactions” like registering a child for school, obtaining a driver’s license, and finding and leasing a dwelling.

Ghazal criticized the article for its lack of clarity, and for the Minister’s failure to define what precisely constitutes “services to welcome immigrants” if such services exclude the learning of French. She explained that the article’s vagueness could lead to local officials and administrators misinterpreting the exception and denying newcomers access to services in English to which they are legally entitled.

Ghazal and Barrette both argued that to most reasonable people, the exception period as worded, carries an implication to include the amount of time the state will allow newcomers to learn French. The Minister responded by repeating that learning French is not included in “services to welcome immigrants”. In the end, both amendments were rejected.

The Committee will reconvene on Tuesday, February 8 to continue their study of clause 15 of the Bill.