

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

We acknowledge the support
of the Government of Canada

Nous reconnaissons l'appui du
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Canada 

What is the *Official Languages Act*

- The purpose of the *Official Languages Act* (OLA) is to ensure respect for English and French as the official languages of Canada. It was enacted in 1969 and revised in 1988; that version of the legislation is still in force, and Parliament has recently debated modernizing it.
- Purpose of the Act
 - ensure respect for English and French as the official languages of Canada and ensure equality of status and equal rights and privileges as to their use in all federal institutions...;
 - support the development of English and French linguistic minority communities and generally advance the equality of status and use of the English and French languages within Canadian society; and
 - set out the powers, duties and functions of federal institutions with respect to the official languages of Canada.
- The importance of the OLA to Canada cannot be overstressed. The original OLA (1969) was passed in response to the work of the Royal Commission on Bilingualism and Biculturalism, which was mandated to recommend steps to develop the country on the principle of equality between English and French.
- The 'Bi and Bi Commission' was established in response to severe strains placed on Canadian unity over the issue of language in the 1960s. The OLA continues to be a critical tool of national unity, built around the principle of 'linguistic duality', a multi-national country centred around two official languages – French and English.

Why is the *Official Languages Act* important to English-speaking Quebecers?

- Gives life to Constitutional language rights with respect to services provided by the Government of Canada
- Part VII of the OLA, the Advancement of English and French is particularly important to English-speaking Quebecers, since it is the legal foundation through which the Government of Canada and its institutions take positive measures to enhance the vitality of the English and French linguistic minority communities in Canada.
 - These positive measures are mostly contained in the Government of Canada's official languages' strategies, packaged suites of policies and programs currently branded as 'Action Plans'. The Action Plan for Official Languages – 2018-2023: Investing in Our Future is a multi-billion-dollar strategy, through which federal investments are channeled to English-speaking Quebec directly to community sector organizations, or through inter-governmental agreements with the Government of Quebec.
 - These federal resources target important sectors like health and social services, education, access to justice, employment and economic development, research, and are the life-blood of many community organizations.

Modernizing the Act

- Why?
 - The last major overhaul of the Act was in 1988
 - Long-standing challenges associated with Part VII of the Act
 - Clarity – written in vague aspirational language
 - Lack of accountability
- Process began in 2009
 - Focused first on Part IV of the Act (Communications with and Services to the Public)
 - Dealt with through regulatory reform
 - 2017 – serious study began by Senate Standing Committee on Official Languages
 - Part VII of the Act
 - QCGN lead English-speaking Quebec's participation in modernizing Act
 - Worked closely with Francophone minority organizations outside of Quebec
 - Consensus reached in 2018

Shifting Sands

- 2019
 - Reignition of the language debate in Quebec in advance of reforms to the *Charter of the French Language*
 - Federal political playing field shifted from focussing on official language minority communities to the demands of Quebec, and the process to modernize the OLA shifted accordingly
- 2020
 - Speech from the Throne - Focus on the decline of French in Canada *and* Quebec
- 2021
 - Federal policy discussion paper
 - asymmetric (different) approach to English and French as Canada's official languages
 - introduced the long-rejected option of 'territorializing' language rights of Canadians. Instead of consistent federal language rights for Canadians no matter where they lived, a new regime would be developed creating a patchwork of rights.
 - Example: proposal to create new language rights *for French only* with respect to communications with federally regulated businesses (banks, telecommunication companies, airlines, etc) in Quebec.

C-13

- Legislation implementing the new policy - sea-change in federal official languages' policy that will adversely impact the English-speaking Community of Quebec.
 - C-13 recognizes – for the first time - French as a minority language in Canada, which is likely to create confusion with the concept of an official language minority communities.
 - C-13 proposes to specifically and exclusively recognize Quebec's *Charter of the French Language* within the OLA; no other provincial language regimes are mentioned.
 - C-13 does not fix the problems with Part VII.
 - C-13 creates a regime for language rights with respect to federally regulated businesses in one official language only, and on a territorial basis.

QCGN Brief to Parliamentary Committees

- Withdraw the Bill and return to the 2018 consensus
- Failing that:
 1. Add clarifying language that specifically differentiates official language minority communities from Canada's 'two linguistic communities', and interpretive language to state to specify that nothing in the OLA diminishes the rights of these linguistic minority communities to support from federal institutions.
 2. Remove references to the Charter of the French Language.
 3. The QCGN has advanced a number of recommendations related to Part VII, including that the Act should not receive a narrower application for English-speaking Quebec than for Canada's Francophone minority communities.
 4. Any language rights in federally regulated businesses should apply to both English-speakers and French-speakers.

What can (we/I) do?

- **Reach out** to your Member of Parliament and tell them your concerns
- C-13 is now before the House Standing Committee on Official Languages for study, and the Senate Standing Committee on Official Languages for pre-study. Groups and individuals can **submit a brief** on C-13 early this fall to either Committee. The QCGN can help you do this.
- Community groups and institutions may also wish to **pass resolutions in support of the QCGN's position** and recommendations regarding C-13, contained in our brief. Individuals are encouraged to send the QCGN letters of support for our position.

Resources

- [QCGN's Language Rights Webpage](#)
 - [QCGN Analysis of C-13](#)
 - [QCGN C-13 Brief to the House of Commons Standing Committee on Official Languages](#)
 - Links to videos of QCGN's appearance before the House and Senate Committees
 - [QCGN analysis of federal government's policy discussion paper](#)
 - [QCGN's brief to the Expert Panel on Language of Work and Services in Federally Regulated Private Businesses](#)
 - [QCGN's 2018 brief on modernizing the *Official Languages Act*](#)

For further information and resources, contact Stephen Thompson, QCGN Director, Government Relations, Policy and Research stephen.thompson@qcgnc.ca



QUESTIONS