

Policy Matters Blog #17 – Bill 96

COMMITTEE DISCUSSES CREATION OF FRANCISATION QUÉBEC AND A MINISTRY OF THE FRENCH LANGUAGE

March 30, 2022 – The National Assembly’s [Committee on Culture and Education](#) yesterday resumed its clause-by-clause analysis of Bill 96, [An Act respecting French, the Official and Common Language of Québec](#). Members discussed clauses 84 to 100, covering Articles 141 through 163.1 of the [Charter of the French Language](#). This section introduces the new entity referred to as Francisation Québec, under the purview of the Ministry of Immigration. It also establishes the new Ministry of the French Language and delineates the roles of its Minister and Deputy Minister.

The committee continued its evaluation of the amendment to clause 84 presented last week by Québec Solidaire MNA Ruba Ghazal. This amendment would make explicit that all senior managers of companies operating within the province have a good knowledge of the French language. Following discussion on the role of senior management to ensure the use of French within an enterprise, the committee adopted the amendment unanimously.

MNA Ghazal then presented another amendment to clause 84. It would require the Office Québécois de la Langue Française (OQLF) to meet every five years with all senior managers of companies with more than 25 employees to evaluate whether they have a good knowledge of the French language. Minister of Justice and Minister Responsible for the French Language Simon Jolin-Barrette replied that the law already grants this power to the OQLF, although this evaluation is not mandatory. He stated that rendering it mandatory would constitute a misuse of the limited resources of the OQLF. The amendment was rejected, by both Coalition Avenir Québec and Liberal members. Clause 84 was then adopted.

Moving to clause 85, Liberal MNA Hélène David asked Minister Jolin-Barrette why his government was changing the reporting requirement for businesses with under 100 employees, to annual reporting from reporting once every 24 months. The Minister replied that this was being done to ensure constant progress in the francisation of companies in Quebec. The clause was adopted, with opposition from the Liberals.

The committee then turned to a series of clauses which were adopted with little discussion. Clauses 86 through 92, which refer to the reporting requirements for businesses with a francisation plan as well as other businesses with no mandatory reporting requirements, were adopted with no opposition.

Turning to clause 93, Liberal MNA David presented an amendment to provide for a delay in the onset of the punitive clause. Clause 93 refers to the enforcement mechanism of Bill 96, for application in the event businesses fail to submit to the new requirements under the law. Minister Jolin-Barrette stated that the

law already provides for a delay as well as a warning mechanism in this regard before any punitive consequences are engaged. MNA David withdrew her amendment. The clause was adopted.

The committee then shifted gears away from the structure imposed on businesses, to focus on the establishment of the Ministry of the French Language. Clause 94, which introduces almost 30 articles, deals with this question. Prior to the introduction of Bill 96, the government administration relating to the French language was not attached to its own ministry. This therefore constitutes an addition in the governance structure regarding the French language. Under this structure, the Minister of the French Language as well as the Deputy Minister will oversee the application of the Charter. The only amendment presented regarding this clause was introduced by Liberal MNA David. It specified that the services of Francisation Quebec would be free or subject to modest fees. The amendment and the clause were adopted unanimously.

Clause 95 was then adopted with little discussion.

The committee then examined clause 96, which describes the report on the evolution of the French language within the province that must be presented every five years by the OQLF. Notably, Bill 96 would require this report to include information regarding the use of French and English in Quebec and in Canada, and that it rely on statistics published by the Institut de la statistique du Québec. Here, the government proposed an amendment to introduce a non-exhaustive list of indicators that should be considered in drafting this report. These include the use of French at work, hiring requirements related to language, the language of public services, and registrations for Francisation Québec courses. MNA David stated that the structure of the OQLF should be redesigned to include checks and balances, for example by creating a board of directors that would be representative (including a seat representing the English-speaking minority). However, she did not propose a formal amendment. The Minister's amendment and the article were adopted.

Finally, the committee adopted clauses 97 through 100 without discussion.

The committee reconvenes today.