



Better Understanding the Obligation to Take Positive Measures



Purpose of Part VII of the *Official Languages Act*
Advancement of equality of status and use
of English and French

Under Part VII
of the Act,
all federal
institutions
are required
to take
**positive
measures.**

Why?

To implement the federal government's **commitments** to:



ENHANCE
the vitality of
the English
and French
linguistic minority
communities
in Canada
and support
and assist their
development.



FOSTER
the full
recognition
and use of both
English and
French in
Canadian
society.



**PROTECT
AND PROMOTE**
the French
language, taking
into account
that French
is in a minority
situation in
Canada and
North America.



ADVANCE
opportunities for
English and French
linguistic minority
communities to
pursue quality
learning in their
own language
throughout their
lives.

How?

Federal institutions have an ongoing obligation.



1. CONDUCT IMPACT ANALYSES

Based on dialogue and
consultation activities,
research and evidence
based findings, institutions'
impact analyses must
take into account:

- + potential positive measures and their concrete nature;
- + the necessary measures to promote the inclusion of language clauses in federal-provincial/territorial agreements that may contribute to the implementation of the government's commitments;
- + the intentional implementation of the government's commitments;
- + the negative impacts of the institution's decisions;
- + the necessity to protect and promote the French language; and
- + the priorities of the English and French linguistic minority communities and other stakeholders.

2. TAKE POSITIVE MEASURES

The positive measures taken must:

- + be concrete;
- + be taken with the intention of having a beneficial effect on the implementation of the government's commitments;
- + respect the necessity of protecting and promoting the French language in each province and territory; and
- + respect the necessity of considering the specific needs of each of the two official language communities.

THE OBLIGATION NOT TO HARM

Federal institutions have an obligation not to harm the government's commitments. They must act to avoid or, at the very least, mitigate any immediate or future negative impacts of their decisions on these commitments.

3. EVALUATE AND MONITOR POSITIVE MEASURES

Federal institutions are required to establish their own evaluation and monitoring mechanisms to ensure that the measures taken have a **concrete, positive impact** on the implementation of government commitments. If this is not the case, federal institutions must make the necessary changes.

