

## Chapter 6: Manitoba

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### Manitoba – Main Language Laws

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#### The Francophone Community Enhancement and Support Act, CCSM c. F157

(Assented to June 30, 2016)

WHEREAS a vibrant Francophone community has been present in Manitoba since the 18<sup>th</sup> century;

AND WHEREAS, under the authority of section 23 of the *Manitoba Act, 1870*, French and English enjoy equal status in the legislative and judicial spheres in Manitoba;

AND WHEREAS the government has adopted a policy whereby government departments and certain government agencies and other governmental bodies provide French language services in designated bilingual areas;

AND WHEREAS bilingual service centres provide a broad range of government programs and services in both French and English in six Manitoba communities with a high degree of Francophone vitality, and their role is established in law by *The Bilingual Service Centres Act*;

AND WHEREAS through the years legislation has been enacted to protect the status and enhance the operation of key Francophone community institutions in Manitoba, such as *The Université de Saint-Boniface Act* and *The Centre culturel franco-manitobain Act*;

AND WHEREAS French language services have been provided for the municipal services sector by Part 9 of *The City of Winnipeg Charter*, and for the social services sector by the *French Language Services Regulation*, and for the health care sector by the *French Language Services Regulation* and the *Bilingual and Francophone Facilities and Programs Designation Regulation*;

AND WHEREAS *The Public Schools Act* recognizes that French and English are the languages of instruction in public schools in Manitoba, and Francophone schools are governed by a Francophone school division under that Act;

AND WHEREAS it is desirable for the government to continue fostering the advancement of the Francophone community in Manitoba through a comprehensive sectoral approach;

THEREFORE HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Manitoba, enacts as follows:

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## Introductory Provisions

### 1. (1) Definitions

#### 1. (1) The following definitions apply in this Act.

"administrative tribunal" means

- (a) an administrative tribunal listed in Schedule A; or
- (b) a tribunal, body or person exercising a quasi-judicial function that is designated as an administrative tribunal by regulation. (« *tribunal administratif* »)

"advisory council" means the Francophone Affairs Advisory Council established under subsection 8(1). (« *Conseil consultatif* »)

"executive director" means the executive director appointed under subsection 6(3). (« *directeur général* »)

"French-language services plan" means a French-language services plan approved under section 13. (« *plan des services en français* »)

"French-language services policy" means the policy adopted by the government in 1989 relating to French language services, as amended from time to time. (« *politique sur les services en français* »)

"government agency" means

(a) any of the following:

- (i) Manitoba Agricultural Services Corporation,
- (ii) Manitoba Hydro,
- (iii) Manitoba Liquor and Lotteries Corporation,
- (iv) The Manitoba Public Insurance Corporation,
- (v) The Manitoba Arts Council,
- (vi) Sport Manitoba Inc.,
- (vii) Travel Manitoba,
- (viii) The Workers Compensation Board;

(b) a regional health authority referred to in the *French Language Services Regulation*, Manitoba Regulation 46/98;

(c) a Child and Family Services Authority referred to in the *French Language Services Regulation*, Manitoba Regulation 199/2005; and

(d) a body designated as a government agency by regulation. (« *organisme gouvernemental* »)

"government department" means a department or branch of the executive government of the province. (« *ministère* »)

"independent officer" means

- (a) the Auditor General;
- (b) the Chief Electoral Officer;
- (c) the Advocate for Children and Youth; and
- (d) the Ombudsman. (« *haut fonctionnaire de l'Assemblée* »)

"minister" means the minister responsible for Francophone Affairs. (« *ministre* »)

"public body" means

- (a) a government agency; and
- (b) a government department. (« *entité publique* »)

"Schedule" means a Schedule to this Act. (« *annexe* »)

"secretariat" means the Francophone Affairs Secretariat continued under subsection 6(1). (« *Secrétariat* »)

1. (2) Interpretation: Manitoba's Francophone community

1. (2) For the purpose of this Act, "Manitoba's Francophone community" means those persons in Manitoba whose mother tongue is French and those persons in Manitoba whose mother tongue is not French but who have a special affinity for the French language and who use it on a regular basis in their daily life.

S.M. 2017, c. 8, s. 46.

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## 2. Purpose

2. The purpose of this Act is to provide a framework for enhancing the vitality of Manitoba's Francophone community and supporting and assisting its development through the work of the secretariat and the advisory council and the use of French-language services plans.

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## 3. Principles

3. In administering this Act and in fulfilling the responsibilities under it, regard must be had for the following principles:

**Recognition:** Manitoba's Francophone community has made and continues to make a significant contribution to the province and there is a benefit to enhancing the vitality of the Francophone community and supporting and assisting its development within the context of Manitoba's inclusive and pluralistic society.

**Active offer:** The active offer concept is the cornerstone for the provision of French language services whereby these services are to be made evident, readily available and easily accessible to the public and are to be of comparable quality to English language services.

**Collaboration and dialogue:** Public bodies and the representatives of Manitoba's Francophone community working in collaboration and through dialogue, along with cooperation among all levels of government, will support and assist the development of Manitoba's Francophone community.

**Progress:** Steady growth in the provision of French language services across sectors will enhance the vitality of Manitoba's Francophone community and benefit the province as a whole.

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## **Minister**

### **4. Minister responsible for Francophone Affairs**

**4. The minister responsible for Francophone Affairs is responsible for taking measures to enhance the vitality of Manitoba's Francophone community, including measures to**

- (a) support the ongoing implementation of the French-language services policy;**
  - (b) advocate that the policies, programs and services of relevant bodies take into account the needs of Manitoba's Francophone community and that those needs are resourced equitably;**
  - (c) encourage representation of Manitoba's Francophone community on the boards of government agencies and on administrative tribunals; and**
  - (d) encourage the efforts of public bodies in supporting and assisting the development of Manitoba's Francophone community.**
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### **5. (1) French-language services policy**

**5. (1) The French-language services policy is to be made available to the public, including by posting it on the government's website.**

### **5. (2) Amending and revising the policy**

**5. (2) The minister may recommend amendments to the French-language services policy and must undertake a review of the French-language services policy at least once every five years.**

## **Francophone Affairs Secretariat**

### **6. (1) Francophone Affairs Secretariat**

**6. (1) The Francophone Affairs Secretariat is continued as a secretariat of the government under the direction and control of the minister and through which this Act is administered.**

### **6. (2) Mandate**

**6. (2) The secretariat's mandate is to advise the government about Francophone affairs, including the measures to be taken to foster the enhancement of the vitality of Manitoba's Francophone community and support and assist its development, and in doing so the secretariat may**

- (a) guide, monitor and coordinate the implementation of the French-language services policy;**
- (b) assist and advise the relevant bodies about the development of French-language services plans and coordinating the approval of those plans;**
- (c) act as a liaison between the government and Manitoba's Francophone community to make the needs of the community known to the relevant bodies;**
- (d) encourage, support and assist the relevant bodies in addressing the needs of the community in the development of their policies, programs and services;**
- (e) increase public awareness of the laws relating to Manitoba's Francophone community, including the Acts and regulations listed in Schedule B;**
- (f) deal with representations or concerns from the public about French language services;**
- (g) cooperate with other levels of government in the provision and sharing of resources; and**
- (h) encourage the establishment of partnerships between public bodies and Francophone community organizations at the local, provincial, national or international level, including partnerships for the purpose of facilitating the provision of French language services to the community.**

### **6. (3) Executive director**

**6. (3) An executive director of the secretariat must be appointed under *The Civil Service Act*.**

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## **7. Support for advisory council**

**7. The secretariat must provide operational and administrative support to the advisory council.**

## **Advisory Council**

8. (1) Francophone Affairs Advisory Council

8. (1) The Francophone Affairs Advisory Council is hereby established.

8. (2) Composition of advisory council

8. (2) The advisory council is to be composed of the following individuals:

(a) the Clerk of the Executive Council;

(b) the president and chief executive officer, or the chair of the board, of the Société franco-manitobaine;

(c) at least five deputy ministers appointed by the minister, or their designates;

(d) at least five individuals from Manitoba's Francophone community who have demonstrated a commitment toward enhancing the vitality of the community and who are appointed by the minister upon the recommendation of the Société franco-manitobaine;

(e) the executive director, who is an *ex officio* member.

8. (3) Executive director is secretary

8. (3) The executive director is secretary to the advisory council.

8. (4) Term of office

8. (4) A member of the advisory council may be appointed for a term of up to three years. The term is renewable.

8. (5) Appointment continues

8. (5) A member whose term expires continues to hold office until he or she is re-appointed, the appointment is revoked or a successor is appointed.

8. (6) Designation of co-chairs

8. (6) The minister may designate as co-chairs

(a) the Clerk of the Executive Council or a deputy minister appointed under clause (2)(c); and

(b) the member referred to in clause (2)(b).

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## 9. Meetings

**9. The advisory council must meet at the call of the co-chairs and at least twice a year.**

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### 10. (1) Advisory council's role

**10. (1) The advisory council may advise and make recommendations to the minister about matters relating to enhancing the vitality of Manitoba's Francophone community and supporting and assisting its development.**

### 10. (2) Minister may request advice

**10. (2) At the minister's request, the advisory council may**

- (a) review and make recommendations about the French-language services policy;**
- (b) review and make recommendations about French-language services plans;**
- (c) make recommendations about measures to encourage representation of Manitoba's Francophone community on the boards of government agencies and on administrative tribunals;**
- (d) make recommendations about any Act or regulation listed in Schedule B; and**
- (e) advise and make recommendations to the minister about any other matter.**

### 10. (3) Terms of reference

**10. (3) The minister may establish terms of reference for the advisory council to follow in carrying out its responsibilities under this Act.**

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## **French-Language Services Plans**

### 11. (1) Plans required

**11. (1) Every public body must prepare and submit to the minister, at the time and in the form specified by the minister, a proposed multi-year strategic plan relating to the provision of French language services by the public body.**

### 11. (2) Contents of plan

**11. (2) In its proposed plan, the public body must describe**

- (a) the priorities of Manitoba's Francophone community in relation to the public body's French language services;**
- (b) the public body's capacity to provide French language services;**

(c) the provision of French language services by the public body as they relate to its policies, programs and services including those programs and services provided by third parties on its behalf;

(d) the provision of French language services by each administrative tribunal that falls within the public body's mandate;

(e) other measures to be taken by the public body to enhance the vitality of Manitoba's Francophone community and to support and assist its development; and

(f) any matter required by regulation or the minister.

11. (3) Proposed plan submitted by authority

**11. (3) A proposed plan for French language services that is submitted by a regional health authority under *The Regional Health Authorities Act* or a Child and Family Services Authority under *The Child and Family Services Authorities Act* is deemed to be a plan submitted under subsection (1).**

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12. Minister may provide plan to advisory council

**12. The minister may provide a copy of a public body's proposed French-language services plan to the advisory council for its advice and recommendations.**

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13. Approval by minister

**13. The minister may approve a proposed French-language services plan that is satisfactory to the minister or refer it back to the public body to be revised in accordance with any direction of the minister.**

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14. Progress report

**14. Each public body must provide information to the minister, at the time and in the form specified by the minister, about the implementation of its approved French-language services plan and the progress made under it.**

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15. Plan submitted by independent officer

**15. An independent officer must prepare and submit for approval a proposed multi-year strategic plan relating to the provision of French language services to the Legislative Assembly Management Commission continued under *The Legislative Assembly Management Commission Act*, and the commission may avail itself of the assistance of the secretariat in approving the plan.**

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## **Annual Report**

### **16. (1) Annual report**

**16. (1) For each fiscal year, the minister must prepare a report about the measures taken to enhance the vitality of Manitoba's Francophone community and promote and support its development, including information about the secretariat and the advisory council and the progress made by public bodies to implement their French-language services plans. The report must be made public.**

### **16. (2) Tabling report in Assembly**

**16. (2) The minister must table a copy of the report in the Assembly within 15 days after completing it if the Assembly is sitting or, if it is not, within 15 days after the next sitting begins.**

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## **Other Mattters**

### **17. (1) Regulations**

**17. (1) The Lieutenant Governor in Council may make regulations**

**(a) designating a tribunal, body or person exercising a quasi-judicial function as an administrative tribunal;**

**(b) designating a body as a government agency;**

**(c) respecting French-language services plans, including, without limitation,**

**(i) prescribing matters for the purpose of subsection 11(2),**

**(ii) requiring public bodies to consult with persons and entities about their plans,**

**(iii) requiring public bodies to provide specified information about the implementation of approved plans and their progress under those plans, and**

**(iv) requiring plans to be reviewed and amended;**

**(d) amending Schedule B to add one or more enactments that relate to Manitoba's Francophone community;**

**(e) respecting any other matter necessary or advisable to carry out the purposes of this Act.**

### **17. (2) Regulations may differentiate**

**17. (2) A regulation under subsection (1) may be general or particular in its application and may apply to the whole or any part of the province.**

17. (3) Consultation

**17. (3) The minister must provide the opportunity for public consultation about proposed regulations and must consult with the advisory council about them.**

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18. Existing language rights

**18. For greater certainty, nothing in this Act limits or derogates from any existing language rights.**

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**19. NOTE: This section contained amendments to *The Bilingual Service Centres Act* which are now included in that Act.**

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20. CCSM reference

**20. This Act may be referred to as chapter F157 of the Continuing Consolidation of the Statutes of Manitoba.**

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21. Coming into force

**21. This Act comes into force on the day it receives royal assent.**

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**Schedule A (Subsection 1(1))**

**Administrative Tribunals**

**The Animal Care Appeal Board established under *The Animal Care Act***

**The Automobile Injury Compensation Appeal Commission established under *The Manitoba Public Insurance Corporation Act***

**The Disaster Assistance Appeal Board appointed under *The Emergency Measures Act***

**The Land Value Appraisal Commission continued under *The Land Acquisition Act***

**The Licence Suspension Appeal Board established under *The Highway Traffic Act***

**The Manitoba Farm Industry Board established under *The Family Farm Protection Act***

**The Manitoba Health Appeal Board established under *The Health Services Insurance Act***

**The Mental Health Review Board established under *The Mental Health Act***

The Municipal Board continued under *The Municipal Board Act*

The Residential Tenancies Commission established under *The Residential Tenancies Act*

The Social Services Appeal Board continued under *The Social Services Appeal Board Act*

The appeal tribunal continued under section 38 of *The Manitoba Agricultural Services Corporation Act*

A hearing panel established under section 35 of *The Vulnerable Persons Living with a Mental Disability Act*

A review committee appointed under subsection 13(1) of the *Appropriate Educational Programming Regulation*, Manitoba Regulation 155/2005

S.M. 2017, c. 10, s. 9.

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## **Schedule B (Clause 6(2)(e))**

### **Acts and Regulations that relate to Manitoba's Francophone Community**

#### **Francophone community**

*The Francophone Community Enhancement and Support Act* establishes a framework for enhancing the vitality of Manitoba's Francophone community and supporting and assisting its development.

*The Bilingual Service Centres Act* requires bilingual service centres to be maintained in certain regions in Manitoba where there is a high degree of French language vitality.

*The Centre culturel franco-manitobain Act* establishes the centre to present, promote, foster and sponsor cultural and artistic activities in the French language for all Manitobans.

#### **Health care sector**

*The Bilingual and Francophone Facilities and Programs Designation Regulation*, Manitoba Regulation 131/2013, designates bilingual and Francophone health care facilities.

*The French Language Services Regulation*, Manitoba Regulation 46/98, requires approved plans for French language services for regional health authorities.

#### **Education sector**

*The Université de Saint-Boniface Act* provides for the Université, which is the only French-language post-secondary institution in Manitoba and which plays a vital role in the linguistic, cultural, social and economic development and growth of Manitoba's Francophone community.

In *The Public Schools Act*, section 79 (languages of instruction) provides for French and English as the languages of instruction in public schools, and Part I.1 (Francophone

School Division) establishes a Francophone school division to govern Francophone schools.

**Social services sector**

*The French Language Services Regulation*, Manitoba Regulation 199/2005, requires Child and Family Services Authorities to have approved plans for French language services.

**Municipal services sector**

In *The City of Winnipeg Charter*, Part 9 (Official Languages of Municipal Services) provides for the use of the French language in the provision of municipal services, including its use in documents, signs and the access guide.

In *The Municipal Act*, section 147.1 sets out the requirements to be met before a municipal by-law relating to French language services may be repealed or amended.

**Aboriginal Languages Recognition Act, CCSM c. A-1.5**

WHEREAS there are seven Aboriginal languages currently spoken in Manitoba, being Cree, Dakota, Dene, Inuktitut, Michif, Ojibway and Oji-Cree;

AND WHEREAS recent studies indicate that just 30% of First Nations people can speak an Aboriginal language well enough to carry on a conversation;

AND WHEREAS the Michif language, a blend of French and Cree that was once common in Metis communities, is now considered endangered, as there are fewer than 1,000 people who speak it;

AND WHEREAS younger generations of Aboriginal people are increasingly likely to acquire their language as a second language rather than as a mother tongue — a trend that is most evident among those living off-reserve in urban areas;

AND WHEREAS Aboriginal languages are vital to the survival of the culture and identity of Aboriginal people;

AND WHEREAS language revitalization can contribute to increased self-esteem, community well-being and cultural continuity;

AND WHEREAS the government has a role to play in recognizing and promoting the preservation and use of Aboriginal languages;

THEREFORE HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Manitoba, enacts as follows:

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**1. Recognition of Aboriginal languages**

**1. The languages of Cree, Dakota, Dene, Inuktitut, Michif, Ojibway and Oji-Cree are recognized as the Aboriginal languages spoken and used in Manitoba.**

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2. CCSM reference

2. This Act may be referred to as chapter A1.5 of the Continuing Consolidation of the Statutes of Manitoba.

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3. Coming into force

3. This Act comes into force on the day it receives royal assent.

## **Manitoba – Other Language Laws**

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### **[Adoption Act, CCSM c. A-2](#)**

3. Best interests of child

3. All relevant factors shall be considered in determining the child's best interests, including

[...]

(f) the child's cultural, linguistic, racial and religious heritage;

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SEE ALSO:

[Adoption Regulation – Adoption Act, Man. Reg. 19/99, Form AA-12 \(Certificate of Interpreter\)](#)

### **[Bilingual Service Centres Act, CCSM c. B-37](#)**

WHEREAS the Government of Manitoba's French Language Services Policy recognizes six regions in the province in which there is a high degree of French language vitality, namely

(a) the Rural Municipality of Ellice,

(b) the Rural Municipality of Ste. Rose,

(c) the Rural Municipalities of Alexander and Victoria Beach as well as portions of the Rural Municipality of St. Clements,

(d) the Rural Municipalities of Lorne, Grey, Cartier, St. François Xavier and St. Laurent as well as portions of the Rural Municipalities of Woodlands, Portage la Prairie, Dufferin and South Norfolk,

(e) the Rural Municipalities of Piney, La Broquerie, Ste. Anne, Taché, Ritchot, De Salaberry and Montcalm as well as portions of the Rural Municipalities of Macdonald and Morris, and

(f) St. Boniface, St. Vital and St. Norbert in the City of Winnipeg;

AND WHEREAS it is desirable to have centres at which access to and delivery of a broad range of government programs and services in both French and English is provided through a single window approach, as recommended in the Chartier Report, Above All, Common Sense ;

AND WHEREAS the bilingual service centres of Notre Dame de Lourdes, St. Laurent, St-Pierre-Jolys, Ste. Anne, St. Boniface and St. Vital have already been established in three of the six regions, being the three that are described in the Schedule;

THEREFORE HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Manitoba , enacts as follows:

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1. (1) Definitions

1. (1) The following definitions apply in this Act.

"bilingual service centre" means a bilingual service centre maintained under subsection 2(1). (« *centre de services bilingues* »)

"bilingual service region" means a geographic area described in the Schedule. (« *région de services bilingues* »)

"minister" means the minister appointed by the Lieutenant Governor in Council to administer this Act. (« *ministre* »)

1. (2) Interpretation

1. (2) This Act must not be construed to limit access to and delivery of government programs and services in French and English outside a bilingual service region or a bilingual service centre.

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3. (1) Co-location

3. (1) Programs and services offered by other levels of government and community organizations may also be provided at a bilingual service centre.

3. (2) Additional activities

3. (2) The provision of outreach activities, and the operation of satellite service centres in a bilingual service region, may be facilitated through a bilingual service centre.

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4. (1) Regulation to amend Schedule

**4. (1) The Lieutenant Governor in Council may, by regulation, amend the Schedule to add one or more regions.**

4. (2) Factors to consider

**4. (2) When making a regulation under subsection (1), the Lieutenant Governor in Council may consider**

**(a) whether there is significant demand within a region for communication with the government in French and English at a bilingual service centre;**

**(b) the need for the advancement or revitalization of the use of French in the region, and the institutional vitality of the Francophone community there;**

**(c) the number of individuals in the region whose first language is French or who speak primarily French at home; and**

**(d) any other factor that the Lieutenant Governor in Council considers necessary or appropriate.**

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5. Public consultation

**5. The minister may consult with the public about the bilingual service centres and the availability of programs and services in French and English at the centres.**

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6. (1) Annual report

**6. (1) For each fiscal year, the minister must prepare a report about the operation and activities of the bilingual service centres, which may be included in the report prepared under subsection 16(1) of *The Francophone Community Enhancement and Support Act*.**

6. (2) Tabling report in Assembly

**6. (2) The minister must table a copy of the report in the Assembly within 15 days after completing it if the Assembly is sitting or, if it is not, within 15 days after the next sitting begins.**

**S.M. 2016, c. 9, s. 19.**

**[Brandon University Act, CCSM C. B-90](#)**

28. Examination either in English or French

**28. An examination for a degree to be conferred by the university may be answered by the candidate in either the English or French language.**

**Centre culturel franco-manitobain Act, CCSM c. C-45**

5. Mandate

5. The corporation's mandate is to

(a) present, promote, foster and sponsor cultural and artistic activities in the French language for all Manitobans;

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7. (1) Composition of the board

7. (1) The board is to consist of not more than 12 persons appointed by the Lieutenant Governor in Council. All board members must be able to participate in the conduct of the board's business in the French language.

7. (2) Nominees of Société franco-manitobaine

7. (2) At least one-half of the members of the board must be appointed from a list of persons nominated by the Société franco-manitobaine.

7. (3) Consultation process for nominations

7. (3) The Société franco-manitobaine and the board shall undertake a consultative process to identify persons to be nominated under subsection (2). [...]

**City of Winnipeg Charter, S.M. 2002, c. 39**

**Part 9 – Official Languages of Municipal Services**

451. (2) Meaning of "official languages"

451. (2) For the purposes of this Part, English and French are the official languages.

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**ANNOTATIONS**

**R. v. Rémillard (R.) et al., 2009 MBCA 112 (CanLII)**

[1] This is an appeal by the Crown from the trial judge's decision to quash certain offence notices issued under *The Highway Traffic Act*, C.C.S.M., c. H60, in the context of the image-capturing enforcement system (the Offence Notices). The trial judge ruled that the Offence Notices were nullities because they did not comply with Part 9 of *The City of Winnipeg Charter*, S.M., 2002, c. 39 (the *Charter*) and City of Winnipeg By-law No. 8154/2002, *Official Languages of Municipal Services By-law* (11 December 2002) (the by-law) in that the specific (as opposed to generic) information relating to the offences was in English only. The trial judge consequently dismissed the proceedings against the respondents.

[2] At issue in this appeal is the nature and scope of the principle of linguistic equality in respect of the delivery of services by the City of Winnipeg (the City) in the designated bilingual area of



Riel. This area encompasses the wards of St. Boniface, St. Vital and St. Norbert. More specifically, the appeal raises the question of whether Part 9 of the *Charter* and the by-law impose on the City an obligation to provide services in French substantively equal to the services provided in English in the designated bilingual area of Riel.

[...]

### **The Facts**

[5] The facts are not in dispute. The respondents are all motor vehicle owners. At different times and under different circumstances, images of their vehicles were captured as they passed before an image-capturing camera while travelling at a rate of speed greater than the posted speed limit. As a result, the respondents each received offence notices for speeding.

[6] Although the evidence at trial showed that the Offence Notices were in bilingual form, a peace officer still had to complete the blank spaces with the particulars of the specific offence. These particulars include the time and date of the offence, the municipality where the offence occurred, the license plate number of the vehicle, the nature of the offence, the date of issuance of the offence notice, the deadline for payment of the ticket, information identifying the peace officer, the description of the vehicle and information identifying its owner.

[7] In the case at bar, all of the information inserted in the blank spaces by the peace officers is in English. To give but one example, the offence notice (number 70124598) received in the mail by Raymond Hébert indicates, among other things, that the date of the offence was on or about “May 7, 2004”; that the colour of the vehicle is “GREEN”; and that the offender, contrary to s. 95(1) of *The Highway Traffic Act*, committed the following offence: “SPEED – SCHOOL W/B Boul Provencher West of Rue St. Jean Baptiste.”

[8] The respondents challenged the validity of the Offence Notices, relying on s. 456(1) of Part 9 of the *Charter*, which section states the following:

#### **Notices, statements etc.**

**456(1)** All notices, statements of account, certificates, demands in writing and other documents sent or given by the city to persons resident in the designated area shall be in both official languages.

[emphasis added]

[...]

[11] The only witness at trial was police officer Jacqueline Chaput. Cst. Chaput was responsible for reviewing notices issued under the City’s photo enforcement program. She acknowledged that the information to be inserted in the blank spaces is relatively repetitive and could be recorded and generated in bilingual form by a computer.

[...]

[49] In 2002, the City elected to provide French-language services to certain areas of the City. Drawing its inspiration from the concept of territorial bilingualism, it specified that its linguistic commitments were limited to the residents of the “designated area” of Riel (the St. Boniface, St. Vital and St. Norbert wards). Indeed, the area that the City designated as bilingual is identical to the area designated by the Province of Manitoba in its own policy on French-language services, adopted in 1999. The Province’s designation of bilingual areas is based on a

demographic and linguistic reality or, as the statement of policy puts it, “where the French-speaking population is concentrated.

[50] In addition, it is clearly established, in relation to the designated bilingual areas, that English and French are the official languages (see s. 451(2)), and that, through its by-law, the City is committed to:

- 1) normalizing the use of the French language in the delivery of municipal services within the designated area; and
- 2) providing French language services that are equally accessible and of comparable quality to those available in the English language.

[51] In my view, the above statement reflects the framers’ intent to implement a form of bilingualism that respects the principle of substantive equality in the designated bilingual area. It appears to me to be equally clear that this commitment by the City is confined to the designated area and that the City is not bound by it in other Winnipeg wards.

[...]

[56] In this case, I am of the opinion that had the trial judge simply amended the Offence Notices, he would have been acknowledging that the City’s linguistic obligations towards the residents of Riel constituted nothing more than an accommodation and that deficiencies would be tolerated. Such a decision would undermine the language rights of the residents of Riel and diminish the importance of the City’s language obligations.

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#### 452. (1) General obligation of city

**452. (1) Except where a later date or series of dates is fixed by by-law under subsection 460(1) (by-law for implementation) for compliance with a provision of this Part, the city shall ensure that all things necessary are provided or done to satisfy the requirements of this Part and to permit a person to do anything he or she is entitled to do under this Part.**

#### 452. (2) Interpretation

**452. (2) Nothing in this Part shall be interpreted to prevent the city from providing more municipal services in French than are required in this Part or from providing municipal services to persons in any language other than English or French.**

#### 452. (3) Limitation of obligation

**452. (3) The obligations of the city under this Part are subject to such limitations as circumstances make reasonable and necessary, if the city has taken all reasonable measures to comply with this Part.**

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#### ANNOTATIONS

[R. v. Rémillard \(R.\) et al.](#), 2009 MBCA 112 (CanLII)

[1] This is an appeal by the Crown from the trial judge’s decision to quash certain offence notices issued under *The Highway Traffic Act*, C.C.S.M., c. H60, in the context of the image-capturing enforcement system (the Offence Notices). The trial judge ruled that the Offence Notices were

nullities because they did not comply with Part 9 of *The City of Winnipeg Charter*, S.M., 2002, c. 39 (the *Charter*) and City of Winnipeg By-law No. 8154/2002, *Official Languages of Municipal Services By-law* (11 December 2002) (the by-law) in that the specific (as opposed to generic) information relating to the offences was in English only. The trial judge consequently dismissed the proceedings against the respondents.

[2] At issue in this appeal is the nature and scope of the principle of linguistic equality in respect of the delivery of services by the City of Winnipeg (the City) in the designated bilingual area of Riel. This area encompasses the wards of St. Boniface, St. Vital and St. Norbert. More specifically, the appeal raises the question of whether Part 9 of the *Charter* and the by-law impose on the City an obligation to provide services in French substantively equal to the services provided in English in the designated bilingual area of Riel.

[...]

### **The Facts**

[5] The facts are not in dispute. The respondents are all motor vehicle owners. At different times and under different circumstances, images of their vehicles were captured as they passed before an image-capturing camera while travelling at a rate of speed greater than the posted speed limit. As a result, the respondents each received offence notices for speeding.

[6] Although the evidence at trial showed that the Offence Notices were in bilingual form, a peace officer still had to complete the blank spaces with the particulars of the specific offence. These particulars include the time and date of the offence, the municipality where the offence occurred, the license plate number of the vehicle, the nature of the offence, the date of issuance of the offence notice, the deadline for payment of the ticket, information identifying the peace officer, the description of the vehicle and information identifying its owner.

[7] In the case at bar, all of the information inserted in the blank spaces by the peace officers is in English. To give but one example, the offence notice (number 70124598) received in the mail by Raymond Hébert indicates, among other things, that the date of the offence was on or about “May 7, 2004”; that the colour of the vehicle is “GREEN”; and that the offender, contrary to s. 95(1) of *The Highway Traffic Act*, committed the following offence: “SPEED – SCHOOL W/B Boul Provencher West of Rue St. Jean Baptiste.”

[8] The respondents challenged the validity of the Offence Notices, relying on s. 456(1) of Part 9 of the *Charter*, which section states the following:

#### **Notices, statements etc.**

**456(1)** All notices, statements of account, certificates, demands in writing and other documents sent or given by the city to persons resident in the designated area shall be in both official languages.

[emphasis added]

[...]

[11] The only witness at trial was police officer Jacqueline Chaput. Cst. Chaput was responsible for reviewing notices issued under the City’s photo enforcement program. She acknowledged that the information to be inserted in the blank spaces is relatively repetitive and could be recorded and generated in bilingual form by a computer.

[...]

[49] In 2002, the City elected to provide French-language services to certain areas of the City. Drawing its inspiration from the concept of territorial bilingualism, it specified that its linguistic commitments were limited to the residents of the “designated area” of Riel (the St. Boniface, St. Vital and St. Norbert wards). Indeed, the area that the City designated as bilingual is identical to the area designated by the Province of Manitoba in its own policy on French-language services, adopted in 1999. The Province’s designation of bilingual areas is based on a demographic and linguistic reality or, as the statement of policy puts it, “where the French-speaking population is concentrated.

[50] In addition, it is clearly established, in relation to the designated bilingual areas, that English and French are the official languages (see s. 451(2)), and that, through its by-law, the City is committed to:

- 1) normalizing the use of the French language in the delivery of municipal services within the designated area; and
- 2) providing French language services that are equally accessible and of comparable quality to those available in the English language.

[51] In my view, the above statement reflects the framers’ intent to implement a form of bilingualism that respects the principle of substantive equality in the designated bilingual area. It appears to me to be equally clear that this commitment by the City is confined to the designated area and that the City is not bound by it in other Winnipeg wards.

[...]

[56] In this case, I am of the opinion that had the trial judge simply amended the Offence Notices, he would have been acknowledging that the City’s linguistic obligations towards the residents of Riel constituted nothing more than an accommodation and that deficiencies would be tolerated. Such a decision would undermine the language rights of the residents of Riel and diminish the importance of the City’s language obligations.

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## Proceedings of Council and its Committees

### 453. (1) Use of French in council and its committees

**453. (1) In addition to English, every person is entitled, upon notice, to use French in a proceeding of or before council or a committee of council with respect to a matter and, where notice is given, the proceeding with respect to that matter shall be conducted or simultaneously interpreted in French.**

---

## Communication at City Offices

### 454. (1) Official languages at City Hall

**454. (1) Every person is entitled, within a reasonable time of a request, to receive in the official language of the person's choice any municipal services that are available at any**

office of the city located at City Hall and in the course of the provision of those services to speak and be spoken to in the official language of the person's choice.

454. (2) Official languages at designated locations

**454. (2) Where a municipal service is not available in both official languages in the designated area, every person is entitled, within a reasonable time of a request, to receive that municipal service in the official language of the person's choice at an office at any location designated by council by by-law under subsection 460(1) (by-law for implementation) for the purposes of this subsection and in the course of the provision of those services to speak and be spoken to in the official language of the person's choice.**

454. (3) Written communications

**454. (3) Every person who communicates in writing with the city with respect to a matter is entitled with respect to that matter to be communicated with in writing in the official language of the person's choice.**

454. (4) Subsequent communications

**454. (4) If a person initiates a communication with respect to a matter in an official language, whether spoken or written, in circumstances where the person is entitled to do so under this section, the person is entitled to use and to require the use of that official language in all subsequent communications, whether spoken or written, with respect to that matter.**

454. (5) St. Boniface office

**454. (5) The city shall provide an office in historic St. Boniface where the municipal services prescribed by by-law under subsection 460(1) (by-law for implementation) for the purposes of this subsection are provided in both official languages.**

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## **Municipal Services**

455. (1) Application

**455. (1) This section applies in respect of municipal services other than those available at an office.**

455. (2) Receipt of municipal services in St. Boniface Ward

**455. (2) Every person resident in St. Boniface Ward is entitled to receive in the official language of the person's choice, at a facility of the city within that Ward or at the person's place of residence, all municipal services that are ordinarily provided at that facility or place of residence.**

455. (3) Municipal services for designated area

**455. (3) Every person who is resident in the designated area and who goes to a facility of the city where a municipal service is ordinarily provided is entitled to have that municipal**

service provided in either official language within the designated area or at any location designated by council by by-law under subsection 460(1) (by-law for implementation) for the purposes of this subsection.

455. (4) Subsequent communications

**455. (4) A person who is entitled to a municipal service in the official language of the person's choice under this section and who initiates communication respecting that service in the official language of the person's choice is entitled to use or to require the use of that official language in all subsequent communications, whether spoken or written, in respect of that service.**

---

## **Bilingual Documents**

456. (1) Notices, statements etc.

**456. (1) All notices, statements of account, certificates, demands in writing and other documents sent or given by the city to persons resident in the designated area shall be in both official languages.**

456. (2) Forms and brochures

**456. (2) All application forms provided by the city to the general public and all brochures, pamphlets and similar printed documents distributed by the city to the general public shall be available to the general public in the designated area in both official languages.**

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## **ANNOTATIONS**

**[R. v. Rémillard \(R.\) et al.](#), 2009 MBCA 112 (CanLII)**

[1] This is an appeal by the Crown from the trial judge's decision to quash certain offence notices issued under *The Highway Traffic Act*, C.C.S.M., c. H60, in the context of the image-capturing enforcement system (the Offence Notices). The trial judge ruled that the Offence Notices were nullities because they did not comply with Part 9 of *The City of Winnipeg Charter*, S.M., 2002, c. 39 (the *Charter*) and City of Winnipeg By-law No. 8154/2002, *Official Languages of Municipal Services By-law* (11 December 2002) (the by-law) in that the specific (as opposed to generic) information relating to the offences was in English only. The trial judge consequently dismissed the proceedings against the respondents.

[2] At issue in this appeal is the nature and scope of the principle of linguistic equality in respect of the delivery of services by the City of Winnipeg (the City) in the designated bilingual area of Riel. This area encompasses the wards of St. Boniface, St. Vital and St. Norbert. More specifically, the appeal raises the question of whether Part 9 of the *Charter* and the by-law impose on the City an obligation to provide services in French substantively equal to the services provided in English in the designated bilingual area of Riel.

[...]

### **The Facts**

[5] The facts are not in dispute. The respondents are all motor vehicle owners. At different times and under different circumstances, images of their vehicles were captured as they passed before

an image-capturing camera while travelling at a rate of speed greater than the posted speed limit. As a result, the respondents each received offence notices for speeding.

[6] Although the evidence at trial showed that the Offence Notices were in bilingual form, a peace officer still had to complete the blank spaces with the particulars of the specific offence. These particulars include the time and date of the offence, the municipality where the offence occurred, the license plate number of the vehicle, the nature of the offence, the date of issuance of the offence notice, the deadline for payment of the ticket, information identifying the peace officer, the description of the vehicle and information identifying its owner.

[7] In the case at bar, all of the information inserted in the blank spaces by the peace officers is in English. To give but one example, the offence notice (number 70124598) received in the mail by Raymond Hébert indicates, among other things, that the date of the offence was on or about “May 7, 2004”; that the colour of the vehicle is “GREEN”; and that the offender, contrary to s. 95(1) of *The Highway Traffic Act*, committed the following offence: “SPEED – SCHOOL W/B Boul Provencher West of Rue St. Jean Baptiste.”

[8] The respondents challenged the validity of the Offence Notices, relying on s. 456(1) of Part 9 of the *Charter*, which section states the following:

**Notices, statements etc.**

**456(1)** All notices, statements of account, certificates, demands in writing and other documents sent or given by the city to persons resident in the designated area shall be in both official languages.

[emphasis added]

[...]

[11] The only witness at trial was police officer Jacqueline Chaput. Cst. Chaput was responsible for reviewing notices issued under the City’s photo enforcement program. She acknowledged that the information to be inserted in the blank spaces is relatively repetitive and could be recorded and generated in bilingual form by a computer.

[...]

[49] In 2002, the City elected to provide French-language services to certain areas of the City. Drawing its inspiration from the concept of territorial bilingualism, it specified that its linguistic commitments were limited to the residents of the “designated area” of Riel (the St. Boniface, St. Vital and St. Norbert wards). Indeed, the area that the City designated as bilingual is identical to the area designated by the Province of Manitoba in its own policy on French-language services, adopted in 1999. The Province’s designation of bilingual areas is based on a demographic and linguistic reality or, as the statement of policy puts it, “where the French-speaking population is concentrated.

[50] In addition, it is clearly established, in relation to the designated bilingual areas, that English and French are the official languages (see s. 451(2)), and that, through its by-law, the City is committed to:

- 1) normalizing the use of the French language in the delivery of municipal services within the designated area; and

2) providing French language services that are equally accessible and of comparable quality to those available in the English language.

[51] In my view, the above statement reflects the framers' intent to implement a form of bilingualism that respects the principle of substantive equality in the designated bilingual area. It appears to me to be equally clear that this commitment by the City is confined to the designated area and that the City is not bound by it in other Winnipeg wards.

[...]

[56] In this case, I am of the opinion that had the trial judge simply amended the Offence Notices, he would have been acknowledging that the City's linguistic obligations towards the residents of Riel constituted nothing more than an accommodation and that deficiencies would be tolerated. Such a decision would undermine the language rights of the residents of Riel and diminish the importance of the City's language obligations.

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#### 457. (1) Publication of notices and advertisements

**457. (1) Any public notice respecting a matter that affects the designated area generally, whether or not it also affects the rest of the city, and any advertisement for the employment of a person with competence in both official languages shall be published by the city in both official languages.**

#### 457. (2) Public notices may be published separately

**457. (2) The English and French versions of a public notice or advertisement referred to in subsection (1) may be published in separate publications.**

#### 457. (3) Cost of publication

**457. (3) Where a public notice referred to in subsection (1) is given under Part 6 (Planning and Development) in respect of land in the designated area, the person on whose behalf it is published shall pay the cost of publication in the official language of the person's choice and the city shall pay the cost of publication in the other official language.**

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#### ANNOTATIONS

##### [R. v. Rémillard \(R.\) et al.](#), 2009 MBCA 112 (CanLII)

[1] This is an appeal by the Crown from the trial judge's decision to quash certain offence notices issued under *The Highway Traffic Act*, C.C.S.M., c. H60, in the context of the image-capturing enforcement system (the Offence Notices). The trial judge ruled that the Offence Notices were nullities because they did not comply with Part 9 of *The City of Winnipeg Charter*, S.M., 2002, c. 39 (the *Charter*) and City of Winnipeg By-law No. 8154/2002, *Official Languages of Municipal Services By-law* (11 December 2002) (the by-law) in that the specific (as opposed to generic) information relating to the offences was in English only. The trial judge consequently dismissed the proceedings against the respondents.

[2] At issue in this appeal is the nature and scope of the principle of linguistic equality in respect of the delivery of services by the City of Winnipeg (the City) in the designated bilingual area of Riel. This area encompasses the wards of St. Boniface, St. Vital and St. Norbert. More specifically, the appeal raises the question of whether Part 9 of the *Charter* and the by-law



impose on the City an obligation to provide services in French substantively equal to the services provided in English in the designated bilingual area of Riel.

[...]

### **The Facts**

[5] The facts are not in dispute. The respondents are all motor vehicle owners. At different times and under different circumstances, images of their vehicles were captured as they passed before an image-capturing camera while travelling at a rate of speed greater than the posted speed limit. As a result, the respondents each received offence notices for speeding.

[6] Although the evidence at trial showed that the Offence Notices were in bilingual form, a peace officer still had to complete the blank spaces with the particulars of the specific offence. These particulars include the time and date of the offence, the municipality where the offence occurred, the license plate number of the vehicle, the nature of the offence, the date of issuance of the offence notice, the deadline for payment of the ticket, information identifying the peace officer, the description of the vehicle and information identifying its owner.

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#### **Notices, statements etc.**

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[49] In 2002, the City elected to provide French-language services to certain areas of the City. Drawing its inspiration from the concept of territorial bilingualism, it specified that its linguistic commitments were limited to the residents of the “designated area” of Riel (the St. Boniface, St. Vital and St. Norbert wards). Indeed, the area that the City designated as bilingual is identical to the area designated by the Province of Manitoba in its own policy on French-language services, adopted in 1999. The Province’s designation of bilingual areas is based on a demographic and linguistic reality or, as the statement of policy puts it, “where the French-speaking population is concentrated.

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## Bilingual Signs

### 458. (1) Signs respecting municipal services

**458. (1) The city shall, inside and outside each location where municipal services are available in both official languages, erect and maintain signs bearing information in both official languages respecting the particular municipal services that are available in both official languages at that location.**

### 458. (2) General information signs

**458. (2) In addition to the signs referred to in subsection (1), all signs that are inside or outside each location where municipal services are available in both official languages and that provide information to the public shall be erected and maintained in both official languages.**

### 458. (3) Street and traffic signs

**458. (3) All street signs and the words on all traffic signs erected or maintained in the St. Boniface Ward and, where feasible, elsewhere in the designated area shall be in both official languages.**

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## **Access Guide**

### **459. (1) Contents of access guide**

**459. (1) The city shall cause to be prepared and published in both official languages an access guide to municipal services in French that shall include**

**(a) a statement of the requirements to be satisfied by the city and the things that a person is entitled to do under this Part;**

**(b) details of the actions the city has taken to satisfy those requirements, including, without limitation, a list of the offices, together with their addresses and telephone numbers, where municipal services are available in French and particulars of whether the municipal services are available during normal business hours or within a reasonable time of request; and**

**(c) such information respecting the organizational structure of the city and of each of its administrative subdivisions as is reasonably necessary to enable a person to take advantage of what the person is entitled to under this Part.**

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## **Implementation**

### **460. (1) By-law for implementation**

**460. (1) The City of Winnipeg shall at all times have in force a by-law respecting the implementation of this Part, and, where necessary, the by-law shall contain a schedule identifying the day after which each service described in the by-law will be provided in both official languages at an office at a location designated in the by-law.**

### **460. (2) Priority services**

**460. (2) The city shall, in the by-law referred to in subsection (1), give priority to providing in both official languages fire, police and ambulance services, library services and leisure and recreational programming to persons in St. Boniface Ward.**

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## **Administration**

### **461. French language co-ordinator**

**461. Council shall provide for the designation of a French language co-ordinator**

**(a) to assist in the development and coordination of the implementation of this Part in accordance with a by-law referred to in subsection 460(1) (by-law for implementation); and**

**(b) to advise on, co-ordinate, oversee and monitor the provision of municipal services in accordance with, and in satisfaction of the requirements of, this Part.**

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462. Annual report to minister

**462. The council shall annually, not later than four months after the end of each fiscal year of the city, make a report in English and French to the minister respecting the compliance by the city with its obligations under this Part, and that report shall include particulars of any complaints under this Part filed with the city ombudsman and the disposition of each of those complaints.**

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## Complaints

463. Complaint to ombudsman

**463. Any person who feels that the city has failed to meet its obligations under this Part may make a complaint to the ombudsman.**

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## ANNOTATIONS

[R. v. Rémillard \(R.\) et al.](#), 2009 MBCA 112 (CanLII)

[1] This is an appeal by the Crown from the trial judge's decision to quash certain offence notices issued under *The Highway Traffic Act*, C.C.S.M., c. H60, in the context of the image-capturing enforcement system (the Offence Notices). The trial judge ruled that the Offence Notices were nullities because they did not comply with Part 9 of *The City of Winnipeg Charter*, S.M., 2002, c. 39 (the *Charter*) and City of Winnipeg By-law No. 8154/2002, *Official Languages of Municipal Services By-law* (11 December 2002) (the by-law) in that the specific (as opposed to generic) information relating to the offences was in English only. The trial judge consequently dismissed the proceedings against the respondents.

[2] At issue in this appeal is the nature and scope of the principle of linguistic equality in respect of the delivery of services by the City of Winnipeg (the City) in the designated bilingual area of Riel. This area encompasses the wards of St. Boniface, St. Vital and St. Norbert. More specifically, the appeal raises the question of whether Part 9 of the *Charter* and the by-law impose on the City an obligation to provide services in French substantively equal to the services provided in English in the designated bilingual area of Riel.

[...]

### **The Facts**

[5] The facts are not in dispute. The respondents are all motor vehicle owners. At different times and under different circumstances, images of their vehicles were captured as they passed before an image-capturing camera while travelling at a rate of speed greater than the posted speed limit. As a result, the respondents each received offence notices for speeding.

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[emphasis added]

[...]

[11] The only witness at trial was police officer Jacqueline Chaput. Cst. Chaput was responsible for reviewing notices issued under the City's photo enforcement program. She acknowledged that the information to be inserted in the blank spaces is relatively repetitive and could be recorded and generated in bilingual form by a computer.

[...]

[38] I reject the Crown's submission that the only available remedy was the complaint process set out at s. 463 for three reasons. Firstly, s. 463 confers on any person who considers that the City has failed to meet its obligations the right to make a complaint to the ombudsman. The respondents could have made a complaint under this section, but they instead chose to challenge the validity of the Offence Notices in court. Section 463 does not limit the remedies available to a judge who hears a quasi-criminal matter such as the case at bar.

[...]

[49] In 2002, the City elected to provide French-language services to certain areas of the City. Drawing its inspiration from the concept of territorial bilingualism, it specified that its linguistic commitments were limited to the residents of the "designated area" of Riel (the St. Boniface, St. Vital and St. Norbert wards). Indeed, the area that the City designated as bilingual is identical to the area designated by the Province of Manitoba in its own policy on French-language services, adopted in 1999. The Province's designation of bilingual areas is based on a demographic and linguistic reality or, as the statement of policy puts it, "where the French-speaking population is concentrated."

[50] In addition, it is clearly established, in relation to the designated bilingual areas, that English and French are the official languages (see s. 451(2)), and that, through its by-law, the City is committed to:

- 1) normalizing the use of the French language in the delivery of municipal services within the designated area; and
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[51] In my view, the above statement reflects the framers' intent to implement a form of bilingualism that respects the principle of substantive equality in the designated bilingual area. It appears to me to be equally clear that this commitment by the City is confined to the designated area and that the City is not bound by it in other Winnipeg wards.

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### **Child Custody Enforcement Act, CCSM c. C-360**

## **Schedule – Convention on the Civil Aspects of International Child Abduction**

### **Chapter V – General Provisions**

#### **Article 24**

**Any application, communication or other document sent to the Central Authority of the requested State shall be in the original language, and shall be accompanied by a translation into the official language or one of the official languages of the requested State or, where that is not feasible, a translation into French or English.**

**However, a Contracting State may, by making a reservation in accordance with Article 42, object to the use of either French or English, but not both, in any application, communication or other document sent to its Central Authority.**

### **Child and Family Services Authorities Act, CCSM c. C-90**

#### **Preamble**

[...]

**WHEREAS it is important to recognize peoples' needs and preferences in all aspects of the management and delivery of child and family services, including preferences based on ethnic, spiritual, linguistic, familial and cultural factors;**

---

#### **19. Duties of an authority**

**19. Subject to the regulations, an authority must, in respect of the persons for whom it is responsible to provide services under section 17,**

[...]

(h) ensure that child and family services are provided

[...]

(ii) where practicable, in the language in which those children and families ordinarily communicate with each other;

**French Language Services Regulation – Child and Family Services  
Authorities Act, Man. Reg. 199/2005**

1. Definitions

1. The following definitions apply in this regulation.

"Act" means *The Child and Family Services Authorities Act*. (« *Loi* »)

"authority" means

- (a) the First Nations of Northern Manitoba Child and Family Services Authority;
- (b) the Southern First Nations Network of Care;
- (c) the Metis Child and Family Services Authority; and
- (d) the General Child and Family Services Authority. (« *régie* »)

"designated agency" means an agency jointly designated by the authorities as set out in the *Joint Intake and Emergency Services by Designated Agencies Regulation*. (« *office désigné* »)

"designated area" means a French Language Services area listed in the Schedule.  
(« *région désignée* »)

"plan" means the French Language Services Plan of an authority. (« *plan* »)

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2. Requirement for annual French Language Services Plan

2. (1) An authority must annually, at the time and in the form required by the minister, submit a proposed plan for French language services to the minister for his or her approval.

2. (2) In a proposed plan, an authority must

- (a) describe its policy respecting French language services;
- (b) describe the measures it will implement to ensure that child and family services are available and accessible in French to residents of designated areas;

(c) describe the measures that

(i) agencies mandated by that authority, and

(ii) designated agencies that are under the direction of that authority,

will implement to ensure that child and family services are available and accessible in French to residents of designated areas;

(d) describe the communication strategy it will use to publicize the availability and accessibility of its French language services;

(e) describe the process, actions and outcomes of the consultations taken under subsection (3);

(f) describe how it will consult with and ensure the involvement of French-speaking communities in designated areas in

(i) developing proposed amendments to the plan under section 4, and

(ii) preparing reports to the minister under section 5; and

(g) deal with any other matter and provide any other information that the minister requires.

2. (3) In preparing an annual plan and as part of its assessment of the child and family services needs of persons in designated areas, an authority must consult with

(a) French-speaking communities in designated areas;

(b) agencies, designated agencies and other providers of family and child caring services in designated areas;

(c) other authorities; and

(d) any other person the authority or the minister considers appropriate.

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### 3. Approval of the minister

3. (1) After receiving a proposed plan, the minister may provide it to any persons the minister considers should review the plan and invite their comments.

3. (2) The minister may delegate responsibility for reviewing the plan to the director.

3. (3) The director must consult with the authority when reviewing the plan and provide recommendations to the minister regarding approval of the plan.

3. (4) The minister may approve the plan or refer it back to the authority to be revised in accordance with any directions the minister considers appropriate.



3. (5) The authority must revise the proposed plan that is referred back to it in accordance with the minister's directions, and resubmit it to the minister for his or her approval at the time and in the form required by the minister.

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#### 4. Amendments to a plan

4. (1) An authority must submit any amendments it proposes to make to an approved plan to the minister for his or her approval.

4. (2) In addition, the minister may require an authority to make amendments to an approved plan about any matter the minister specifies, and the authority must make the amendments and submit them to the minister for his or her approval.

4. (3) Section 3 applies to amendments under this section.

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#### 5. Report

5. An authority must submit a report to the minister on the implementation and operation of its plan at the time and in the form required by the minister.

### [Child and Family Services Act, CCSM c. C-80](#)

#### Declaration of Principles

The Legislative Assembly of Manitoba hereby declares that the fundamental principles guiding the provision of services to children and families are:

[...]

8. Families are entitled to services which respect their cultural and linguistic heritage.

---

#### 2. (1) Best interests

2. (1) The best interests of the child shall be the paramount consideration of the director, an authority, the children's advocate, an agency and a court in all proceedings under this Act affecting a child, other than proceedings to determine whether a child is in need of protection, and in determining best interests the child's safety and security shall be the primary considerations. After that, all other relevant matters shall be considered, including

[...]

(h) the child's cultural, linguistic, racial and religious heritage.

---

**ANNOTATIONS**

[A.C. v. Manitoba \(Director of Child and Family Services\)](#), [2009] 2 S.C.R. 181, 2009 SCC 30 (CanLII)

[193] Under s. 25 of Manitoba's *CFSA* [*Child and Family Services Act*], a court may authorize medical treatment of a child under 16 who is declared to be in need of protection if it considers the treatment to be "in the best interests of the child", having regard to "all relevant matters" including a series of factors enumerated at s. 2(1) of the Act, "the child's cultural, linguistic, racial and religious heritage". Section 2(1)(f) talks about "the views and preferences of the child where they can reasonably be ascertained". Yet all of these factors are treated merely as inputs into the assessment by a third party — the judge — of a child's "best interests".

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**SEE ALSO:**

[West Region CFS v. L.A.H. et al. and M.H. et al.](#), 2016 MBQB 48 (CanLII)

[Southeast CFS v. A.A.M.L. et al.](#), 2010 MBQB 126 (CanLII)

[Winnipeg \(Child and Family Services\) v. D.A.M.](#), 1999 CanLII 14179 (MB QB)

[Child and Family Services Regulation – Child and Family Services Act, Man. Reg. 16-99, Form CFS-16 \(Certificate of Interpreter for Voluntary Surrender of Guardianship Agreement\)](#)

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7. (1) Duties of agencies

7. (1) According to standards established by the director and subject to the authority of the director every agency shall:

[...]

(m) provide services which respect the cultural and linguistic heritage of families and children;

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**[Cooperatives Act, CCSM c. C-223](#)**

**Part 2 – Incorporation**

17. (4) Alternative name

17. (4) Subject to section 20, a cooperative may set out its name in its articles in an English form or a French form or a combined English and French form, and may be legally designated by that form.

17. (5) Name in any language form

17. (5) Subject to section 20, a cooperative may set out its name in its articles in any language form and it may be legally designated by that form, but, if that language form is

in characters other than the Roman alphabet, the articles shall set out an alternative name for the cooperative that is the English or French equivalent, in the Roman alphabet, of its name in that language form

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## **Part 4 – Registered Office, Records and Returns**

### **30. (1) Form of records**

**30. (1) Every register or record required by this Act to be prepared or maintained shall be prepared and maintained in a form, whether**

- (a) a bound or loose-leaf form;**
- (b) a photographic form;**
- (c) a system of mechanical or electronic data processing; or**
- (d) any other form of or device for storing information;**

**that allows any information recorded or stored in it to be reproduced within a reasonable time in an intelligible, written English form or written French form.**

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## **Part 19 – General Provisions**

### **385. (4) Electronic storage**

**385. (4) Subject to the regulations, a document or information that is received by the Registrar under this Act in electronic or other form shall be entered or recorded in a form, whether**

- (a) a bound or loose leaf form;**
- (b) a photographic form;**
- (c) a system of mechanical or electronic data processing; or**
- (d) any other form of or device for storing information;**

**that allows the document or information recorded or stored in them to be reproduced within a reasonable time in an intelligible, written English form or written French form**

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### **394. (1) Form of records of Registrar**

**394. (1) Records required by this Act to be prepared and maintained by the Registrar may be prepared and maintained**

- (a) in bound or loose-leaf form;**

(b) in photographic form;

(c) by any system of mechanical or electronic data processing; or

(d) by any other form of or device for storing information;

that allows any information recorded or stored in them to be reproduced within a reasonable time in an intelligible, written English form or written French form.

[...]

#### 394. (4) Form of publication

**394. (4) Information or notices required by this Act to be summarized in a publication generally available to the public or to be published by the Registrar may be made available to the public or published by**

(a) a system of mechanical or electronic data processing; or

(b) any other form of or device for storing information;

that allows any information recorded or stored in them to be reproduced within a reasonable time in an intelligible, written English form or written French form.

### Corporations Act, CCSM c. C-225

#### 10. (2) Alternative name

**10. (2) Subject to subsection 12(2), a corporation may set out its name in its articles in an English form or a French form, an English form and a French form, or in a combined English and French form and it may be legally designated by any such form.**

#### 10 (3) Name in any language form

**10 (3) Subject to subsection 12(2), a corporation may set out its name in its articles in any language form and it may be legally designated by any such form.**

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#### 174.1 (1) Reissue of articles in English or in French

**174.1 (1) Where articles have been filed in English or French under this Act, or any Act for which this Act has been substituted, and the corporation desires to obtain its articles in the other of those languages, the corporation may request the issuance of the articles in that other language by providing the Director with**

(a) a translation in that other language of the articles verified in a manner satisfactory to the Director; and

(b) such other documents or information as the Director may require.

174.1 (4) Director to issue

**174.1 (4) Upon receipt of the documents referred to in subsection (1), the Director shall issue the articles in the language requested.**

**R.S.M. 1987 Supp., c. 10, s. 13; S.M. 2000, c. 41, s. 10.**

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255. (7) Use of French in articles and other documents

**255. (7) A person may send articles or a statement relating to a corporation to the Director in the French language. When that is the case, the approved certificate on the duplicate originals shall be in the French language.**

**R.S.M. 1987 Supp., c. 10, s. 20; S.M. 2000, c. 41, s. 16; S.M. 2006, c. 10, s. 42.**

**[Corporations Regulation – Corporations Act, Man. Reg. 385/87R](#)**

2.2 (1) Name searches and reservations

**2.2 (1) When a proposed name is in more than one language form and the forms of the name are phonetically dissimilar, the person proposing the name shall provide a separate name search report for each form of the name.**

**M.R. 48/2007**

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6. Corporate name

**6. (18) Where a corporation with share capital acquires as its name, a designated number, such name shall consist of the file number assigned to the corporation by the Director followed by the word "Manitoba" and ending with the word "Limited", "Incorporated", "Corporation" or the French form of one of those or the abbreviation thereof.**

**6. (19) Where a corporation without share capital acquires as its name, a designated number, such name shall consist of the file number assigned to the corporation by the Director followed by the words "Manitoba Association" and ending with the word "Incorporated", "Corporation" or the French form of one of those, or the abbreviation thereof.**

**[...]**

**6. (23) Where the corporate name has been set out in two language forms pursuant to subsection 10(2) or (3) of the Act, one language form shall be a direct translation of the other language form, although minor changes may be made to ensure that the name is idiomatically correct.**

**Court of Appeal Act, CCSM C. C-240**

32. Extension of time for translations

32. Notwithstanding this or any other Act of the Legislature, for the purpose of allowing time for obtaining a translation from French into English or English into French of any document filed in the court or served on a party in an action or proceeding in the court, a judge of the court may extend the time within which, or postpone the day before or by which, any further document is required to be filed in response or any proceeding is required to be taken under any Act of the Legislature.

**Court of Appeal Rules – Court of Appeal Act, Man. Reg. 555/88R**

**Part III – Language Rules**

\* The rules in Part III may be cited as *The Court of Appeal Language Rules*.

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109. These rules shall apply with such modifications as the circumstances require to all appeal proceedings under Part I.

M.R. 177/93

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111. An initiating document shall be in English or in French.

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112. Every initiating document shall have attached to it a bilingual endorsement in Form 1 in Schedule C

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113. Where

- (a) a party wishes to exercise his or her right to use a language other than that of the initiating document;
- (b) a party wishes to use a language other than the language used by that party in the forum from which appeal is being taken; or
- (c) testimony of witnesses or written exhibits were tendered on behalf of a party in both the English language and the French language in the forum from which appeal is being taken; that party shall file with the registrar a notice to determine the language directions on appeal, within 21 days of service of an initiating document.

M.R. 94/2003

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**114. Where no notice to determine language direction is filed under rule 113, the appeal shall continue in the language of the initiating document, unless a judge otherwise orders.**

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**119. On the return date of the appointment, the registrar or a judge shall make an order of language directions.**

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**120. An order of language directions shall regulate the mode of exercise of the right to use French and English in the proceeding.**

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**121. Where, under an order of language directions, any document is directed to be translated in French or English, the Court Services Branch shall on the filing of such document, obtain certified translations and the Registrar shall distribute copies of the translation as directed in the order of language directions.**

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**122. An order of language directions may require the Department of the Attorney-General to supply interpreters for an oral hearing, and such interpreters shall offer simultaneous interpretation.**

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**123. Persons providing oral or written translation services shall, while providing such services, function under the direction of the judge s of the Court of Appeal, for the purposes of fulfilling the requirements of these Rules.**

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**124. Reasons for judgment and the judgments of the court may be delivered in both languages where an order of language directions has been made.**

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**125. Orders and certificates of decision shall be in both English and French in all cases where an order of language directions has been made, and otherwise all orders and certificates of decision shall be in the language of the initiating document.**

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**Court of Queen's Bench Surrogate Practice Act, CCSM c. C-290**

48. (3) Translation of testamentary documents

**48. (3) A certified copy of any testamentary document to which reference is made in the foreign grant shall also be produced, together with a translation thereof, into the English language or the French language if the original testamentary document or copy thereof is written in another language.**

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**Credit Unions and Caisses Populaires Act, CCSM c. C-301**

1. (1) Definitions

1. (1) In this Act, [...]

**"caisse populaire" means a body corporate that provides a comprehensive range of financial services**

- (a) on a cooperative basis,**
- (b) in the French language,**
- (c) primarily for its members, and**
- (d) under the direction and democratic control of French-speaking individuals who, except as otherwise permitted by this Act, are residents of Manitoba,**

**but does not include a body corporate that is an extra-provincial caisse populaire; (« *caisse populaire* »)**

**[...]**

1. (2) Interpretation

1. (2) For the purposes of this Act and the regulations,

- (a) a reference in the English version to a credit union includes, unless the context otherwise requires, a caisse populaire; and**
  - (b) a reference in the French version to a caisse populaire includes, unless the context otherwise requires, a credit union.**
- 

2. (2) Purpose of caisses populaires generally

**2. (2) The purposes of caisses populaires are, on a cooperative basis, to provide a comprehensive range of financial services in the French language primarily for their**



members and to provide for the direction and democratic control of such services by French-speaking individuals who, except as otherwise permitted by this Act, are resident in Manitoba.

S.M. 2004, c. 29, s. 3.

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144.1 Providing service in French to caisses populaires and their members

144.1 The guarantee corporation must ensure that

- (a) it is able to provide service in French to the members of the caisses populaires; and
- (b) it is able to provide service in French to the caisses populaires in accordance with the regulations.

S.M. 2010, c. 20, s. 27.

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227. (1) Regulations

227. (1) The Lieutenant Governor in Council may make regulations

[...]

- (ff) for the purposes of section 144.1, prescribing services that the guarantee corporation must provide in French to the caisses populaires;
- 

**Credit Unions and Caisses Populaires Regulations – Credit Unions and Caisses Populaires Act, Man. Reg. 361/87**

25.4 French services by guarantee corporation

25.4 The guarantee corporation must provide the following services in French:

- (a) its web site and information it makes available to the public must be in French;
- (b) audited financial statements must be available in French;
- (c) it must be able to communicate in French with members of caisses populaires and persons expressing an interest in membership in a caisse populaire;
- (d) it must be able to accept correspondence and written reports in French from caisses populaires and to review files that the caisses populaires maintain in French;

(e) it must be able to give written reports in French to the caisses populaires.

M.R. 116/2010

**Education Administration Act, CCSM c. E-10**

**4.1 (1) Recognition of MAPC**

**4.1 (1) For school divisions and school districts other than the francophone school division, the Manitoba Association of Parent Councils, Inc. ("MAPC") is recognized as the representative of school-based parent groups, including parent advisory councils and parent councils.**

**Official Minority Language Study Assistance Regulation – Education  
Administration Act, Man. Reg. 164/2003**

**1. Definitions and interpretation**

**1. (1) In this regulation,**

**"approved institution" means an accredited bilingual or French-language post-secondary institution located in Canada; (« établissement agréé »)**

**"award" means an official minority language study assistance award. (« bourse »)**

**1. (2) For the purpose of this regulation, a course of study is an approved course of study if it is provided in the French language and has been approved by the minister. In addition,**

**(a) it must consist of at least 12 weeks of study within 15 consecutive weeks; or**

**(b) in respect of a course of study in the period April 1 to August 31 that is taken by a teacher, it must be of at least two weeks' duration.**

**1. (3) For the purpose of this regulation, a person is a full-time student if he or she is enrolled within an approved course of study for at least**

**(a) 24 credit hours;**

**(b) 70% of what the minister considers to be a full course load within that approved course of study; or**

**(c) one week's duration during the period April 1 to August 31, provided the person is a teacher.**

2. Official minority language studies award

2. (1) The minister may provide an award to a full-time student who is enrolled in, or qualifies for enrollment in, an approved course of study at an approved institution.
2. (2) The minister may determine the criteria for eligibility and the terms and conditions which apply to an award.
2. (3) An award may be paid on behalf of the recipient directly to the approved institution under such terms and conditions as the minister may determine.
2. (4) An applicant for an award must make an application at the time and in the form specified by the minister. The applicant must also provide all documents and information requested by the minister.

**Safe Schools Regulation – Education Administration Act, Man. Reg. 77/2005**

3. (1) Parent representative

3. (1) The parent member of the school's safe school advisory committee must be the nominee of

[...]

(c) the school's school committee established under section 21.13 of *The Public Schools Act*, where a francophone program is operated in the school by the francophone school board; or

**Elections Act, CCSM c. E-30**

120. (1) No voting if interpreter not available

120. (1) If a person who does not speak English or French is required to take an oath in order to vote, the voting officer must not allow the person to vote until an interpreter is available to translate the oath.

**Electronic Commerce and Information Act, CCSM c. E-55**

26. (2) Collection and disclosure of information re common business identifier

26. (2) For the purpose of assigning a common business identifier to a business entity, a public body or a person acting for a public body may obtain from the business entity or from another public body, and disclose to the Minister of National Revenue, the following information:

[...]

(g) the English or French language preference of the entity.

**Family Maintenance Act, CCSM c. F-20**

39. (2.1) Best interests of child

**39. (2.1) In determining a child's best interests in an application under subsection (2) or section 46, the court shall consider all matters relevant to the best interests of the child including, but not limited to, the following:**

[...]

**(k) the child's cultural, linguistic, religious and spiritual upbringing and heritage.**

**Freedom of Information and Protection of Privacy Act, CCSM c. F-175**

8. (3) Oral request

**8. (3) An applicant may make an oral request for access to a record if the applicant**

**(a) has a limited ability to read or write English or French; or**

**(b) has a disability or condition that impairs his or her ability to make a written request.**

**Garnishment Act, CCSM c. G-20**

12.1 (2) Extra-provincial garnishing order filed

**12.1 (2) The designated officer may file an extra-provincial garnishing order in the Court of Queen's Bench if**

[...]

**(c) it states that it is issued in respect of a support order that is enforceable in the issuing jurisdiction, or is accompanied by a statement to that effect;**

**(d) it states the amount of arrears and the amount of ongoing support payments under the support order, if any, or is accompanied by a statement to that effect;**

**(e) it is accompanied by the support order for which it is issued; and**

**(f) it and any documents required under clauses (c), (d) or (e) are written in English or French or accompanied by a sworn or certified translation into English or French.**

**Healthy Child Manitoba Act, CCSM c. H-37**

**Provincial Healthy Child Advisory Committee**

21. (4) Criteria

21. (4) In appointing or reappointing members to the advisory committee, the minister must endeavour to include

- (a) persons who represent Manitoba's various regions and its cultural diversity, including the aboriginal and francophone communities;

**Human Rights Code, CCSM c. H-175**

39. (6) Interpreter

39. (6) The adjudicator shall provide appropriate interpretation services for any party or witness who is unable, by reason of deafness or other disability or lack of familiarity with the language used at the hearing, to understand the proceedings or any part thereof.

**Intercountry Adoption (Hague Convention) Act, CCSM c. A-3**

**Schedule – Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption**

**Chapter VII – Final Clauses**

Article 48

Done at The Hague, on the 29<sup>th</sup> day of May, 1993 in the English and French languages, both texts being equally authentic, in a single copy which shall be deposited in the archives of the Government of the Kingdom of the Netherlands, and of which a certified copy shall be sent, through diplomatic channels, to each of the States Members of the Hague Conference on Private International Law at the date of its Seventeenth Session and to each of the other States which participated in that Session.

S.M. 1997, c. 52, s. 1.

**Inter-jurisdictional Support Orders Act, CCSM c. I-60**

22. (1) Foreign document not in English or French

22. (1) If a foreign order or other document is written in a language other than English or French, the order or document must be accompanied by a translation of the order or document into the English or French language.

22. (2) Translation authenticated

**22. (2) A translation required under subsection (1) must be authenticated as being accurate by a certificate of the translator**

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38. (1) Transmission of documents

**38. (1) On receipt of an order or document for transmission under this Act to a reciprocating jurisdiction, the designated authority must transmit the order or document to the appropriate authority of the reciprocating jurisdiction.**

38. (2) Translation

**38. (2) If the reciprocating jurisdiction requires an order or document to be translated into a language other than English or French, the person for whom the order or document is being transmitted must provide the required translation together with a certificate of the translator authenticating the accuracy of the translation.**

S.M. 2011, c. 15, s. 17.

**[International Commercial Arbitration Act, CCSM c. C-151](#)**

**Schedule A – Convention on the Recognition and Enforcement of Foreign Arbitral Awards**

Article IV

**1. To obtain the recognition and enforcement mentioned in the preceding article, the party applying for recognition and enforcement shall, at the time of the application, supply:**

**(a) The duly authenticated original award or a duly certified copy thereof;**

**(b) The original agreement referred to in article II or a duly certified copy thereof;**

**2. If the said award or agreement is not made in an official language of the country in which the award is relied upon, the party applying for recognition and enforcement of the award shall produce a translation of these documents into such language. The translation shall be certified by an official or sworn translator or by a diplomatic or consular agent.**

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Article XVI

**1. This Convention, of which the Chinese, English, French, Russian and Spanish texts shall be equally authentic, shall be deposited in the archives of the United Nations.**

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**Schedule B – UNICITRAL Model Law on International Commercial Arbitration (As adopted by the United Nations Commission on International Trade Law on 21 June 1985)**

Article 22 – Language

(1) The parties are free to agree on the language or languages to be used in the arbitral proceedings. Failing such agreement, the arbitral tribunal shall determine the language or languages to be used in the proceedings. This agreement or determination, unless otherwise specified therein, shall apply to any written statement by a party, any hearing and any award, decision or other communication by the arbitral tribunal.

(2) The arbitral tribunal may order that any documentary evidence shall be accompanied by a translation into the language or languages agreed upon by the parties or determined by the arbitral tribunal.

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Article 35 – Recognition and Enforcement

(1) An arbitral award, irrespective of the country in which it was made, shall be recognized as binding and, upon application in writing to the competent court, shall be enforced subject to the provisions of this article and of article 36.

(2) The party relying on an award or applying for its enforcement shall supply the duly authenticated original award or a duly certified copy thereof, and the original arbitration agreement referred to in article 7 or a duly certified copy thereof. If the award or agreement is not made in an official language of this State, the party shall supply a duly certified translation thereof into such language.

**International Education Act, CCSM c. I-75**

**Application**

2. Programs of education or training, education providers

2. This Act applies to the provision of programs of education or training to international students and the recruitment of prospective international students by the following education providers:

[...]

(h) a language school;

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## **Automatic Designation**

7. (1) Designation without application

7. (1) The following are designated:

[...]

(h) a language school that is accredited by an approved accreditation body.

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## **Designation by Application**

8. (1) Other education providers may apply for designation

8. (1) The following may apply to the director to be designated:

[...]

(b) a language school that is not accredited by an approved accreditation body;

8. (3) Contents of application

8. (3) The application must be made in an approved form and be accompanied by

(a) evidence satisfactory to the director that the applicant

[...]

(ii) in the case of a language school, has been providing a program of language training to international students

(A) in Manitoba for at least three years before the application date, or

(B) outside Manitoba for at least four years before the application date,  
or

---

## **Conditions on Designation**

12. (1) Conditions — accreditation

12. (1) The following conditions apply to the designation of an accredited private vocational institution or language school referred to in clause 7(1)(g) or (h):

(a) the accreditation must remain in good standing;

(b) the private vocational institution or language school must promptly report to the director if its accreditation is suspended or cancelled;



(c) if the accreditation pertains only to particular programs of education or training provided by the private vocational institution or language school, it may only provide those particular programs to international students.

**Code of Practice and Conduct Regulation – International Education Act,  
Man. Reg. 1/2016**

3. Availability of information

3. A designated education provider must make the following information readily available to prospective international students:

[...]

(b) for each program,

[...]

(ii) the admission policies, procedures and requirements, including educational qualifications, prerequisites, language proficiency levels and deadlines for applying, and

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4. Admitting qualified international students

4. A designated education provider must ensure that each international student who is admitted to a designated education provider's program meets the admission requirements, including educational qualifications and language proficiency levels, for that program.

**International Education Regulation – International Education Act, Man. Reg.  
218/2015**

1. (2) Definitions and interpretation

1. (2) For the purpose of clause 2(h) of the Act, a "language school" means an institution offering language programs to international students from one or more locations in Manitoba.

**International Interests in Mobile Equipment Act (Aircraft Equipment), CCSM  
c. I-63**

**Schedule A (Subsection 1(1))**

**Convention on International Interests in Mobile Equipment**

**Chapter XIV – Final Provisions**

**Article 62 – Depositary and Its Functions**

**DONE** at Cape Town, this sixteenth day of November, two thousand and one, in a single original in the English, Arabic, Chinese, French, Russian and Spanish languages, all texts being equally authentic, such authenticity to take effect upon verification by the Joint Secretariat of the Conference under the authority of the President of the Conference within ninety days hereof as to the conformity of the texts with one another.

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**Schedule B (Subsection 1(1))**

**Protocol to the Convention on International Interests in Mobile Equipment  
on Matters Specific to Aircraft Equipment**

**Chapter VI – Final Provisions**

**Article XXXVII – Depositary and Its Functions**

**DONE** at Cape Town, this sixteenth day of November, two thousand and one, in a single original in the English, Arabic, Chinese, French, Russian and Spanish languages, all texts being equally authentic, such authenticity to take effect upon verification by the Joint Secretariat of the Conference under the authority of the President of the Conference within ninety days hereof as to the conformity of the texts with one another.

**International Sale of Goods Act, CCSM c. S-11**

**Schedule – United Nations Convention on Contracts for the International  
Sale of Goods**

**Part IV – Final Provisions**

**Article 101**

**DONE** at Vienna, this eleventh day of April, one thousand nine hundred and eighty, in a single original, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic.

## Interpretation Act, CCSM c. I-80

### 7. Bilingual versions

**7. The English and French versions of Acts and regulations are equally authoritative, in accordance with section 23 of the *Manitoba Act, 1870*.**

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#### ANNOTATIONS

##### Sunshine Transit Service a/o Sunshine Limousine Service v. The Taxicab, 2014 MBCA 33 (CanLII)

[32] Like any court, an administrative tribunal in Manitoba must follow the rules of statutory interpretation. The English and French versions of statutes are equally authoritative (s. 7 of *The Interpretation Act*, CCSM, c. I-80). The task of the tribunal when interpreting bilingual legislation is to seek the shared or common meaning of the two versions. It is only if the tribunal determines that there is no shared or common meaning between the two versions that other techniques of statutory interpretation should be employed to resolve uncertainty (*Friesen (Brian Neil) Dental Corp. et al. v. Director of Companies Office (Man.) et al.*, 2011 MBCA 20 (CanLII) at paras. 24-26, 262 Man.R. (2d) 197; *R. v. Dickson (W.A.)*, 2013 MBCA 58 (CanLII) at paras. 37-40, 294 Man.R. (2d) 103; *Thunderbird Holdings Ltd. v. Manitoba et al.*, 2013 MBCA 78 (CanLII) at para. 56, 299 Man.R. (2d) 60; and *J & R Property Management et al. v. Kenwell*, 2011 MBCA 5 (CanLII) at para. 38, 262 Man.R. (2d) 164).

[33] I disagree with the suggestion by counsel for the applicant that an administrative tribunal, such as the Board, necessarily lacks the expertise to entertain a bilingual interpretation submission of its home statute.

[34] To the contrary, the law presumes regularity of the administrative process until otherwise demonstrated (*Irvine v. Canada (Restrictive Trade Practices Commission)*, [1987] 1 S.C.R. 181 at 208; and *Ellis-Don Ltd. v. Ontario (Labour Relations Board)*, 2001 SCC 4 (CanLII) at para. 108, [2001] 1 S.C.R. 221). The law obligates administrative tribunals to consider bilingual interpretation submissions and decide them in accordance with the rules of statutory interpretation. It would be inappropriate to assume, as counsel suggests, that an administrative tribunal cannot fulfill the task that the law requires of it before being given an opportunity to consider the issue.

##### R. v. Dickson (W.A.), 2013 MBCA 58 (CanLII)

[37] The two fundamental rules of interpretation applying to bilingual legislation are described in The Honourable Mr. Justice Michel Bastarache *et al.*, *The Law of Bilingual Interpretation* (Markham: LexisNexis Canada Inc., 2008), as follows (at p. 15):

The bilingual model is based upon two fundamental principles, which we will discuss in this section. The first principle is the Equal Authenticity Rule. According to this rule, both the English and French versions of a statute are equally authentic statements of legislative intent, and neither one is supreme or paramount over the other. The second principle is the Shared Meaning Rule. This rule provides, in short, that both versions of the statute are expressions of the same legislative intent and that courts interpreting statutes should, as far as possible, attempt to ascertain that intent through a determination of the shared or common meaning of the two versions.

[38] Thus, under the first principle, the Equal Authenticity Rule, neither the French nor the English version of an Act can be given paramountcy. On this point, Ruth Sullivan, *Sullivan on the Construction of Statutes*, 5<sup>th</sup> ed. (Markham: LexisNexis Canada Inc., 2008), states (at p. 96):

The most important implication of the equal authenticity rule is that neither version of bilingual legislation can be assigned paramountcy over the other. Any rule of interpretation that purports to resolve conflicts or discrepancies between the two versions by giving priority to one of the languages is inconsistent with the rule.

[39] The second fundamental principle, the Shared Meaning Rule, is described by Bastarache et al. as follows (at p. 32):

In interpreting bilingual legislation, the goal is to seek out the shared meaning between the two versions; this meaning has a prima facie status as the correct interpretation of the provision. However, the shared meaning is not decisive and can be abandoned in the face of clear signals that the intention of the legislator was other than that suggested by the shared meaning. Moreover, if there is no shared meaning discernible, normal techniques of interpretation should be employed.

[40] As a result, the interpretation of bilingual legislation consists of a search for the interpretation of the provision that most readily conforms to the axiom that legislative provisions state only one law, but state it in two languages. Due to the fundamental principles of bilingual statutory interpretation, “both versions of a statute must be read together to assess Parliament’s intention” (*R. v. Lewis*, [1996] 1 S.C.R. 921 at para. 72). When attempting to determine the common legislative intention, the first step will be to ascertain whether there is discordance between the English and French versions of the provision. If there is discordance, then the court must determine what type of discrepancy exists and then apply the case law to arrive at a shared meaning. The second step will require consideration of whether the shared meaning is consistent with the legislator’s intent.

[41] To determine whether there is discordance between the two versions, it is first necessary to determine what the plain or ordinary meaning of each version is, as established in each language. Once the ordinary meaning of each version is established, the two versions may then be compared.

[...]

[51] As a result, there is, in fact, no discordance between the French definition of “entretenir” and the English definition of “maintain.” The shared ordinary meaning of both versions includes both active and passive meanings of the words. As there is no discordance between the two versions, it is unnecessary to consider the remaining steps of the Shared Meaning Rule.

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## 15. Imperative and permissive language

**15. In the English version of an Act or regulation, "shall" and "must" are imperative and "may" is permissive and empowering. In the French version, obligation may be expressed by using the present indicative form of the relevant verb, or by other verbs or expressions that convey that meaning; the conferring of a power, right, authorization or permission may be expressed by using the verb "pouvoir", or by other expressions that convey those meanings.**

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**ANNOTATIONS**

**[MPIC v. Fischer](#), 2007 MBQB 91 (CanLII)**

[20] The interpretation, as it states above, allows the use of the indicative form of the relevant verb “to provide” in the English version and “envoie” in the French. Both wordings are meant to infer an imperative. There remains a slightly different understanding between the two words. To “provide” conveys, as the defendant argues based on his dictionary definition, “make available” or “to supply”. The verb in French “envoie” conveys the action of “sending” or “delivering”. Even with imputing an equivalent imperative, as indicated in s. 15, the two words differ. The imperative is “shall provide” or “doit envoyer”.

[21] The obligation of the court in these circumstances is to search out a shared meaning recognizing the “equal authenticity” rule. Neither version enjoys priority or paramountcy over the other. Confirmation that neither version has paramountcy was dealt with by the Supreme Court in *Reference re: Manitoba Language Rights (Man.)*, [1985] 1 S.C.R. 721.

[22] The shared meaning in this case can only be the requirement of the delivery of the notice to every person named in a valid and subsisting registration card.

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25. Bilingual proper names

**25. When an Act or regulation that creates or continues an entity refers to it by both an English and a French name, or if the English and French versions of an Act or regulation refer to an entity by different names, the entity may be referred to by either name or by both names.**

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38. English and French forms

**38. If both an English and a French version of a form are prescribed or approved, either version may be used.**

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39. (1) Citing an Act

**39. (1) In an Act, regulation or other document, an Act may be cited by referring to any of the following:**

- (a) its English or French title, or its long title if there is one, with or without a reference to its chapter number;**
- (b) the chapter number in the continuing consolidation or in the Revised Statutes;**
- (c) the chapter number in the statute volume for the year or the regnal year in which it was enacted.**

**Jury Act, CCSM c. J-30**

4. Language difficulty

4. Where the language in which a trial is primarily to be conducted is one that a person is unable to understand, speak or read, that person is disqualified from serving as a juror in the trial.

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SEE ALSO:

**Jury Regulation – Jury Act, Man. Reg. 320/87R**

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**L'œuvre des bourses du Collège de Saint-Boniface Incorporation Act,  
R.S.M. 1990, c. 132**

WHEREAS there existed for many years in St. Boniface an unincorporated society known as L'Œuvre des bourses du Collège de Saint-Boniface which received contributions from the French speaking communities of Manitoba for the purpose of providing scholarships to needy and worthy students attending le Collège de Saint-Boniface; [...]

THEREFORE HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Manitoba, enacts as follows:

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5. Objects

5. The objects of the corporation are to encourage, develop and foster higher learning in the French speaking communities of Manitoba through the medium of Le Collège de Saint-Boniface by making available scholarships or loans to needy and worthy students enrolled or intending to enroll at that college.

**Louis Riel Institute Act, CCSM c. L-230**

4. Objects

4. In furthering its purpose, the Institute may

- (a) promote, undertake and support research into Manitoba history and into the culture, education and languages of the Metis people;
- (b) establish, conduct and support educational and training programs;
- (c) act as an advocate for the Metis people and others in the area of education and training;

- (d) establish and administer scholarship programs for Metis students;
- (e) provide advice and reports to the Government of Manitoba about education and cultural matters relating to the Metis people, either on its own initiative or at the request of the Government;
- (f) act as a resource centre and archives for written and other materials concerning Metis education, history, heritage, culture and languages and provide and publish written and other materials relating to education curriculum development;
- (g) further the educational and socio-economic development of the Metis people in Manitoba.

**Manitoba Advisory Council on Citizenship, Immigration and  
Multiculturalism Act, CCSM c. A-6.4**

3. Council's mandate

3. The council's mandate is to provide information, advice and recommendations to the government, through the minister, on the following matters:

[...]

- (b) matters relating to multiculturalism, including intercultural relations and ethnic and linguistic diversity.

**Manitoba Institute of Trades and Technology Act, CCSM c. T-130**

**Mandate and Powers**

3. (2) Powers

3. (2) In carrying out its mandate, the Institute may

[...]

- (d) provide language training and apprenticeship in-school training;

**Manitoba Multiculturalism Act, CCSM c. M-223**

[...]

AND WHEREAS the Legislative Assembly of Manitoba recognizes the importance of encouraging the use of languages that contribute to the multicultural heritage of Manitoba;

[...]

**AND WHEREAS** the Legislative Assembly of Manitoba believes that Manitoba's multicultural society is not a collection of many separate societies, divided by language and culture, but is a single society united by shared laws, values, aspirations and responsibilities within which persons of various backgrounds have:

the freedom and opportunity to express and foster their cultural heritage;

the freedom and opportunity to participate in the broader life of society; and

the responsibility to abide by and contribute to the laws and aspirations that unite society;

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5. Purpose of secretariat

5. The secretariat shall

[...]

(e) encourage the use of languages that contribute to the multicultural heritage of Manitoba;

**[Manitoba Teachers' Society Act, CCSM c. T-30](#)**

9. Éducatrices et éducateurs francophones du Manitoba

9. Éducatrices et éducateurs francophones du Manitoba is to continue to provide services in relation to members who use French as a language of instruction, in accordance with the powers and duties set out in the by-laws.

**[Mental Health Act, CCSM c. M-110](#)**

33. (4) If language difficulty

33. (4) The medical director shall make every reasonable effort to give a patient in a facility information in a language the patient understands.

**[Municipal Act, CCSM c. M-225](#)**

147.1 (1) Meaning of "French-language services by-law"

147.1 (1) In this section, a "French-language services by-law" means a by-law under which a municipality undertakes to ensure some or all of the following:

(a) that residents will be able to communicate with the municipality in the French language;



(b) that by-laws, minutes, agendas, public notices and other information and materials prepared by the municipality will be prepared and published in English and French;

(c) that the position of one or more municipal employees be designated as bilingual.

#### 147.1 (2) Maintaining French-language services by-law

**147.1 (2) A council may not repeal a French-language services by-law or amend it in a manner that reduces the availability of municipal services or documents in the French language without the approval of**

(a) a majority of all members, plus one; and

(b) the minister.

#### 147.1 (3) Submission to minister

**147.1 (3) As soon as practicable after a by-law under subsection (2) is given second reading, the council must submit a certified copy of it to the minister.**

#### 147.1 (4) No adoption until approved

**147.1 (4) The council must not give third reading to the by-law until the minister has approved it and provided the council with written notice of his or her approval.**

S.M. 2015, c. 25, s. 2.

### **Municipal Amalgamations Act, CCSM c. M-235**

#### 4. (3) Guidelines

**4. (3) The minister may issue guidelines to assist municipalities in determining the relative strength of the community of interest that exists among them, including guidelines that emphasize the importance of municipalities continuing to deliver programs and services to Manitoba's francophone population and other linguistic minorities.**

### **Municipal Councils and School Boards Elections Act, CCSM c. M-257**

## **Special Voting Situations**

#### 84. (1) Interpreter

**84. (1) A senior election official may appoint a language or sign language interpreter to assist election officials in communicating to a voter any information that is necessary to enable the voter to vote.**

## **National Centre for Truth and Reconciliation Act, CCSM c. N-20**

**WHEREAS** all Manitobans are beneficiaries of the treaties with Aboriginal nations and share responsibility for promoting respect for those treaties and for Aboriginal nations, culture, languages, communities and families;

## **Path to Reconciliation Act, CCSM c. R-30.5**

[...]

**FURTHER RECOGNIZING** that reconciliation is founded on respect for Indigenous nations and Indigenous peoples and their history, languages and cultures, and reconciliation is necessary to address colonization;

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### 2. Principles

**2. To advance reconciliation, the government must have regard for the following principles:**

**Respect: Reconciliation is founded on respect for Indigenous nations and Indigenous peoples. Respect is based on awareness and acknowledgement of the history of Indigenous peoples and appreciation of their languages, cultures, practices and legal traditions.**

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### 5. (2) Tabling report in Assembly and publication

**5. (2) Within three months after the end of the fiscal year, the minister must table a copy of the report in the Assembly and make it available to the public. The minister must also arrange for the report, or a summary of it, to be translated into the languages of Cree, Dakota, Dene, Inuktitut, Michif, Ojibway and Oji-Cree, and make each translation available to the public.**

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### 6. Translation and publication in Indigenous languages

**6. Within 30 days after the coming into force of this Act, the minister responsible for reconciliation must arrange for its translation into the languages of Cree, Dakota, Dene, Inuktitut, Michif, Ojibway and Oji-Cree. Upon completion, each translation must be made available to the public.**

**Provincial Court Act, CCSM c. C-275**

73. Extension of time for translation

73. Despite this or any other Act, for the purpose of allowing time for translating from French into English or from English into French a document that is filed in the court or served on a party in a proceeding, a judge or a justice of the peace may extend the time within which

(a) a further document is required to be filed in response; or

(b) a proceeding is required to be taken under an Act.

S.M. 2005, c. 8, s. 9.

**Justices of the Peace Regulation – Provincial Court Act, Man. Reg. 117/2006**

8. Duties of nominating committee

8. The nominating committee must

(a) invite to an interview, each applicant who is

[...]

(iv) meets the language requirements of the position, and

**Public Schools Act, CCSM c. P-250**

1. (1) Definitions

1. (1) In this Act,

[...]

“francophone school board” means the board of trustees of the francophone school division; (“*commission scolaire de langue française*”)

“francophone school division” means the francophone school division established under Part I.1; (“*division scolaire de langue française*”)

---

## Part I.1 – Francophone School Division

### 21.1 Definitions

#### 21.1 In this Part,

[...]

"entitled person" means

- (a) a resident of Manitoba whose first language learned and still understood is French,
- (b) a Canadian citizen resident in Manitoba who has received at least four years of primary school instruction in a francophone program in Canada, or
- (c) a Canadian citizen resident in Manitoba who is the parent of a child who is receiving primary or secondary school instruction in a francophone program in Canada or who has received not less than four years of such instruction; (« *ayant droit* »)

"francophone program" means a primary or secondary educational program that provides classroom instruction in the French language and is designed for pupils whose first language learned and understood is French; (« *programme français* »)

"programme d'accueil" means a program designed to improve the French language skills of pupils whose French language skills do not meet the language requirements of the francophone program; (« *programme d'accueil* »)

"provider school board" means the school board of a school division or school district that operates a francophone program that is or may be designated for transfer to the francophone school board under section 21.27; (« *cédant* »)

"regulations" means the regulations made under section 21.43; (« *règlements* »)

S.M. 1993, c. 33, s. 5; S.M. 2002, c. 21, s. 2.

---

## Francophone School Division

### 21.2 (1) Francophone school division established

21.2 (1) Not later than eight months after this Part comes into force, the Lieutenant Governor in Council shall, by regulation, establish a francophone school division and specify its name and boundaries or area.

21.2 (2) [Repealed] S.M. 2017, c. 26, s. 22.

### 21.2 (3) Amendment

21.2 (3) The Lieutenant Governor in Council may amend the regulation made under this section when it considers it advisable to do so.

S.M. 1993, c. 33, s. 5; S.M. 2002, c. 8, s. 12; S.M. 2002, c. 21, s. 3; S.M. 2017, c. 26, s. 22.

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### 21.3 Act applies to the francophone school division

**21.3 This Act applies to the francophone school division with the exception of the following provisions:**

- (a) sections 4.1 and 5;
- (b) subsections 7(1), (2), (3) and (6);
- (c) subsections 9(4) and (5.1) to (12);
- (d) sections 21.50, 22 and 24;
- (d.1) [repealed] S.M. 2010, c. 33, s. 56;
- (e) subsections 41(4), (5), (5.1) and (6);
- (f) sections 57 and 58;
- (f.1) clause 58.3(b) and subsection 58.4(1);
- (g) section 79;
- (h) subsections 186(1.2) and (2);
- (i) sections 187 to 190.

S.M. 1993, c. 33, s. 5; S.M. 1996, c. 51, s. 2; S.M. 1998, c. 35, s. 3; S.M. 2002, c. 8, s. 13; S.M. 2002, c. 21, s. 4; S.M. 2005, c. 27, s. 162; S.M. 2010, c. 33, s. 56.

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## Francophone School Board

### 21.4 (1) Francophone school board

**21.4 (1) The francophone school board, consisting of trustees elected in accordance with sections 21.35 to 21.38, is responsible for the administration of the francophone school division.**

### 21.4 (2) Number of trustees

**21.4 (2) The number of trustees of the francophone school board may not be less than five or more than 11.**

S.M. 1993, c. 33, s. 5; S.M. 2002, c. 21, s. 5.

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21.5 (1) Duty to provide programs

**21.5 (1) The francophone school board shall, subject to this Act and consistent with and to the extent required by section 23 of the *Charter*,**

**(a) provide a francophone program for resident pupils in such minority language education facilities as may be required; and**

**(b) provide a programme d'accueil for resident pupils whose French language skills do not meet the language requirements of the francophone program.**

21.5 (2) Programs where numbers warrant

**21.5 (2) The programs described in subsection (1) shall be provided where numbers warrant, based on the number of pupils expected to take advantage of the programs.**

**21.5(3) [Repealed] S.M. 2002, c. 21, s. 6.**

**S.M. 1993, c. 33, s. 5; S.M. 2002, c. 21, s. 6.**

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21.6 (1) Agreements with other boards

**21.6 (1) The francophone school board may enter into agreements with other school boards or the minister, or both, regarding**

**(a) the provision by the francophone school board of programs outside its boundaries or in schools it does not operate; and**

**(b) the payment or sharing of costs respecting the delivery of those programs.**

21.6 (2) Directed agreement

**21.6 (2) If the minister considers it advisable to do so or necessary under section 23 of the *Charter*, the minister may direct the francophone school board and another school board to enter into an agreement under subsection (1), and in that case the minister may set some or all of the terms of the agreement.**

**S.M. 1993, c. 33, s. 5.**

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21.7 Board may promote programs and language

**21.7 The francophone school board may**

**(a) promote and distribute information in the province about programs available in the francophone school division; and**

**(b) engage in activities to promote the French language and culture in connection with its duty to provide education.**

S.M. 1993, c. 33, s. 5.

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## **School Committees**

[...]

### **21.13 (1) School committees**

**21.13 (1) A school committee shall be established for each school in which a francophone program is operated by the francophone school board.**

### **21.13 (2) Formation and mandate**

**21.13 (2) The formation, composition and mandate of school committees is to be specified by by-law of the francophone school board.**

S.M. 1993, c. 33, s. 5.

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## **Entitlement to Attend Programs**

### **21.15 (1) Children of entitled persons to be admitted**

**21.15 (1) Subject to subsection (2), the francophone school board shall admit to a program it provides under section 21.5,**

**(a) any resident pupil at least one parent of whom is an entitled person; and**

**(b) if it is reasonably practicable to do so, any non-resident pupil at least one parent of whom is an entitled person.**

### **21.15 (2) Admission of non-fluent children**

**21.15 (2) The francophone school board may require a pupil whose French language skills do not meet the language requirements of the francophone program to attend a programme d'accueil for a period of time determined by the board.**

### **21.15 (3) Board may require information from parent**

**21.15 (3) The francophone school board may require the parent of a child to provide any information the board requests to establish that the parent is entitled to have the child attend a program provided by the board.**

### **21.15 (4) Entitlement of children in transferred program**

**21.15 (4) Even if a parent is not an entitled person, if a child attends a francophone program that is designated for transfer to the francophone school board under section 21.19, the parent of the child is entitled to have that child continue to attend the**

transferred program, and the francophone school board shall admit the child at the parent's request.

#### 21.15 (5) Admission of other children

**21.15 (5) The francophone school board may admit any other child whose parents have made a written request for admission to the board.**

#### 21.15 (6) Non-resident pupils: programs and costs

**21.15 (6) When non-resident pupils attend a program provided by the francophone school board, the home school division shall pay a fee to the francophone school division in an amount prescribed by regulation.**

**S.M. 1993, c. 33, s. 5; S.M. 1996, c. 51, s. 3.**

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#### 21.16 Admissions committee

**21.16 The francophone school board may establish an admissions committee to review and make recommendations to the board about the admission of children to programs provided by the board.**

**S.M. 1993, c. 33, s. 5.**

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#### 21.17 Appeal to minister re admissions

**21.17 Either a parent or the francophone school board may ask the minister to review a decision of the board as to the parent's entitlement under subsection 21.15(1) or (4) to have his or her child attend a program provided by the board, and the minister shall appoint a person or persons to make a final determination as to entitlement.**

**S.M. 1993, c. 33, s. 5.**

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#### 21.23 Agreements re shared use

**21.23 When the use of a school is to be shared, the provider school board and the francophone school board shall enter into an agreement respecting the details of that shared use, and the agreement may include a procedure for periodic review or termination of the shared use arrangement.**

**S.M. 1993, c. 33, s. 5; S.M. 2002, c. 21, s. 13.**

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## 21.24 (1) Disputes

**21.24 (1) If there is a dispute between the francophone school board and the provider school board about**

**(a) what furnishings, equipment, teaching materials and other property are located on or used in connection with a school under subsection 21.22(1);**

**(b) what furnishings, equipment, teaching materials and other property are used primarily in connection with a francophone program under clause 21.22(2)(b);**

**(c) the nature of any other obligations and liabilities that it would be appropriate for the francophone school board to assume as a result of the transfer of property; or**

**(d) the content of an agreement to be entered into under section 21.23;**

**either board may refer the matter to the committee established under this section for its determination.**

## 21.24 (2) Minister may refer a matter

**21.24 (2) In addition, the minister may refer to the committee any other matter related to the transfer or shared use of any school for its advice and opinion or its determination.**

## 21.24 (3) Committee

**21.24 (3) The committee shall consist of three persons, one of whom is named by the francophone school board, one of whom is named by the provider school board and one of whom is named by the minister.**

## 21.24 (4) Authority of committee

**21.24 (4) When a matter is referred to the committee for its determination, the committee shall finally determine the matter and may, if the dispute is about what the terms of an agreement under section 21.23 should be, prescribe those terms.**

## 21.24 (5) Committee's determination binding

**21.24 (5) A determination by the committee is final and binding on the parties.**

## 21.24 (6) Costs

**21.24 (6) Each party is responsible for the fees and expenses of its nominee to the committee and for an equal share of any other fees and expenses related to the determination of the matter by the committee.**

**S.M. 1993, c. 33, s. 5.**

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21.27 (1) Regulation transferring program

**21.27 (1)** If the report under subsection 21.26(4) indicates that the request should be granted, the Lieutenant Governor in Council shall, by regulation, designate the francophone program to be transferred to the francophone school board and specify the matters set out in subsection 21.19(2).

21.27 (2) Transfer of program and property

**21.27 (2)** Subsection 21.19(3) and sections 21.22 to 21.24 apply when a francophone program is designated for transfer under this section. S.M. 1993, c. 33, s. 5; S.M. 2002, c. 21, s. 16.

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21.28 Individual rights preserved

**21.28** For greater certainty, nothing in sections 21.19 to 21.27 limits

(a) the right of an individual entitled person to request the francophone school board to provide French language instruction for his or her child; or

(b) the duty of the francophone school board under section 21.5 to provide such instruction as may be required in the circumstances by section 23 of the Charter.

S.M. 1993, c. 33, s. 5; S.M. 2002, c. 21, s. 17.

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## **Discontinuance of Programs by Provider School Boards**

21.29 Discontinuance of program by provider school board

**21.29** A provider school board shall not discontinue a francophone program unless

(a) the program is transferred to the francophone school board under section 21.27; or

(b) at least 60 days notice of the proposed discontinuance is given to the francophone school board and the minister and the minister consents to the discontinuance based on

(i) a decline in enrollment sufficient to render the continued delivery of the program impracticable, or

(ii) any other reason that the minister considers acceptable.

S.M. 1993, c. 33, s. 5; S.M. 2002, c. 21, s. 18.

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## **Language of Instruction and Administration**

### **21.31 (1) Language of instruction**

**21.31 (1) To ensure that its pupils master the French language, the francophone school board shall provide at least 75% of its classroom instruction in each grade in the French language.**

### **21.31 (2) English as subject of instruction**

**21.31 (2) To ensure that its pupils develop and maintain proficiency in the English language, the francophone school board shall require English to be a subject of instruction in every class in Grades IV to XII in the francophone school division, but the time allotment for English in each grade must not exceed 25% of classroom instruction.**

### **21.31 (3) Exception for first three years**

**21.31 (3) For not more than three years after a francophone program is transferred to the francophone school board, the board**

**(a) [repealed] S.M. 2002, c. 21, s. 19;**

**(b) may, in the case of a program designated for transfer under section 21.27; permit less than 75% of classroom instruction to be provided in the French language for pupils who attended the francophone program before the transfer, if less than 75% of classroom instruction in the transferred program was in the French language.**

### **21.31 (4) Exception for technical and vocational programs**

**21.31 (4) The francophone school board may permit less than 75% of classroom instruction to be provided in the French language for pupils attending a francophone technical or vocational program, if in the opinion of the board there are sound pedagogical and financial reasons to do so.**

**S.M. 1993, c. 33, s. 5; S.M. 2002, c. 21, s. 19.**

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### **21.32 (1) Language of administration**

**21.32 (1) The administration and operation of the francophone school division shall be carried out in the French language.**

### **21.32 (2) Exception**

**21.32 (2) When circumstances warrant, the francophone school division may operate in a language other than the French language.**

**S.M. 1993, c. 33, s. 5.**

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21.37 (2) Qualifications of voters

**21.37 (2) A person is entitled to vote in an election of trustees of the francophone school division if on the day of the election he or she**

**(a) is 18 years of age or older;**

**(b) is a Canadian citizen who has been a resident of Manitoba for at least six months;**

**(c) is a parent**

**(i) whose child is enrolled in a program provided by the francophone school board, or**

**(ii) who resides in an electoral division of the francophone school division, and is an entitled person who in the year before the general election requested the francophone school board to provide instruction for his or her school-age child, but whose child is not yet enrolled in a program provided by the francophone school board; and**

**(d) is not disqualified under this Act or any other Act, and is not otherwise prohibited by law, from voting in school division or school district elections.**

21.37 (3) Additional voters determined by regulation

**21.37 (3) In addition, any other class of entitled persons prescribed by the regulations is entitled to vote in an election of trustees of the francophone school board.**

21.37 (4) Eligibility to vote in other elections

**21.37 (4) A person who is eligible to vote in both**

**(a) an election of trustees for a school board other than the francophone school board; and**

**(b) an election for the francophone school board; may vote in both elections.**

**S.M. 1993, c. 33, s. 5; S.M. 2002, c. 21, s. 21; S.M. 2002, c. 24, s. 50; S.M. 2005, c. 27, s. 162.**

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21.38 (1) Qualifications of francophone school trustees

**21.38 (1) Subject to subsection (2), a person is qualified to be nominated for and elected as a trustee of the francophone school division if**

**(a) the person**

**(i) is entitled to vote under section 21.37, and**

**(ii) is able to participate in the conduct of school division business in the French language; or**

**(b) the person**

**(i) is able to participate in the conduct of school division business in the French language,**

**(ii) is 18 years of age or older on the day of the election, and**

**(iii) is a Canadian citizen who has been a resident of the electoral division for at least six months on the day of the election.**

**21.38 (2) Persons not qualified**

**21.38 (2) A person is disqualified from being nominated for election as a trustee and from being elected or remaining as a trustee of the francophone school division if he or she is**

**(a) a pupil in regular attendance of the francophone school division;**

**(b) elected or appointed as a member of the Legislative Assembly, the Senate or House of Commons of Canada, or the council of a municipality;**

**(c) elected or appointed to the board of another school division or school district; or**

**(d) disqualified under this Act or any other Act, or is otherwise prohibited by law, from being a trustee.**

**21.38 (3) Employee elected as trustee**

**21.38 (3) An employee of the francophone school division is disqualified from serving as a trustee of that division unless he or she takes a leave of absence under subsection 48.1(4) (leave of absence for elected candidate).**

**S.M. 1993, c. 33, s. 5; S.M. 2002, c. 21, s. 21; S.M. 2004, c. 15, s. 5.**

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**21.43 Regulations**

**21.43 For the purpose of this Part, the Lieutenant Governor in Council may make regulations**

**(a) assigning duties to the francophone school board in addition to those described in subsection 21.5(1);**

**(b) [repealed] S.M. 2017, c. 26, s. 22**

**(c) determining the date of transfer of francophone programs and property for the purposes of subsection 21.19(3) and subsections 21.22(1) and (2);**

**(d) for the purpose of clause 21.26(1)(c), respecting the method by which the board of reference is to determine the wishes of entitled persons and respecting any guidelines the board must consider in determining whether a request should be granted;**

(e) respecting the election of trustees of the francophone school board including, but not limited to,

(i) specifying when elections are to be held,

(ii) respecting the nomination of candidates and the conduct of elections,

(iii) for the purposes of subclause 21.37(2)(c)(ii) specifying when and in what manner a person must indicate a wish to have instruction provided for his or her child,

(iv) for the purpose of subsection 21.37(3), specifying additional classes of persons who are entitled to vote in elections, and

(v) respecting elections to fill vacancies;

(f) and (g) [repealed] S.M. 2002, c. 21, s. 23;

(g.1) for the purposes of subsection 21.15(6) and clause 21.34(c), prescribing fees a home school division must pay the francophone school division for non-resident pupils;

(h) respecting any other matter that the Lieutenant Governor in Council considers necessary or advisable.

S.M. 1993, c. 33, s. 5; S.M. 1996, c. 51, s. 5; S.M. 2002, c. 21, s. 23; S.M. 2017, c. 26, s. 22.

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## 24.2 (6) Limitation

24.2 (6) No regulation may be made under this section in respect of

(a) the school divisions established under section 14 (northern school division) and Part I.1 (francophone school division);

(b) a school district; or

(c) a remote school district.

S.M. 2004, c. 15, s. 8; S.M. 2005, c. 27, s. 162.

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## Languages of Instruction

79. (1) English and French as languages of instruction

79. (1) Subject as otherwise provided in this section, English and French are the languages of instruction in public schools.

79. (2) Use of other languages

**79. (2) When authorized by the school board, a language other than English or French may be used in any school in the school division or school district**

- (a) for instruction in religion during a period authorized for such instruction;**
- (b) during a period authorized by the minister for teaching the language;**
- (c) before and after the regular school hours prescribed in the regulations and applicable to that school;**
- (d) in compliance with the regulations as a language of instruction, for transitional purposes;**
- (e) in compliance with the regulations, as a language of instruction for not more than 50% of the regular school hours as determined by the minister.**

79. (3) Use of English or French as language of instruction

**79. (3) Where in any school division or school district, there are 23 or more pupils who may be grouped in a class for instruction and whose parents desire them to be instructed in a class in which English or French is used as the language of instruction, the school board shall group those pupils, and upon petition of the parents of those pupils requesting the use of English or French, as the case may be, as the language of instruction in respect of those pupils, the school board shall group those pupils in a class for instruction and provide for the use of English or French, as the case may be, as the language of instruction in the class.**

79. (4) Minister's discretion for fewer pupils

**79. (4) Where the number of pupils concerned is less than the numbers mentioned in subsection (3) as requirements for the application of that subsection, the minister may require the school board to make arrangements for the use of English or French as the language of instruction in any class.**

79. (4.1) Francophone school division

**79. (4.1) After the first election of the francophone school board,**

- (a) subsection (3) does not apply to a petition by parents who wish to exercise their rights under section 23 of the *Charter*;**
- (b) any school board that receives a petition under subsection (3) for French instruction designed for pupils whose first language is French may refer the petition to the francophone school board instead of providing the French instruction; and**
- (c) where a petition is referred to the francophone school board before it provides programs under section 21.5, the minister, after consulting with the francophone school board, may prescribe any necessary interim measures related to such a petition.**

79. (5) Language of administration

**79. (5) The administration and operation of a public school shall be carried out in the English language or the French language as the minister may, by regulation, provide.**

79. (6) English as subject of instruction

**79. (6) Notwithstanding any other provision of this Act, English**

**(a) may be a subject of instruction in any grade; and**

**(b) shall be a subject of instruction in every class in Grade IV, V, VI, VII, VIII, IX, X, XI or XII where French is used as the language of instruction.**

79. (7) Agreements by boards

**79. (7) A school board may enter into an agreement with another school board for providing jointly classes in which the language used for instruction is English or French, as the case may be, and the pupils in those classes may be included in the numbers required to meet the requirements of any provision of this section or the regulations.**

79. (8) Establishment of Languages of Instruction Advisory Committee

**79. (8) The minister shall establish a committee (hereinafter referred to as the "Languages of Instruction Advisory Committee") composed of nine persons, to which he may refer matters pertaining to the use of languages of instruction in public schools and which shall review those matters and make recommendations thereon to the minister.**

79. (9) Composition of Languages of Instruction Advisory Committee

**79. (9) Of the nine members of the Languages of Instruction Advisory Committee**

**(a) two shall be appointed by the minister from not fewer than four persons who are members of les commissaires d'école franco-manitobains, nominated by the Manitoba School Boards Association;**

**(b) two shall be appointed by the minister from not fewer than four persons who are members of les éducateurs franco-manitobains, nominated by the Manitoba Teachers' Society; and**

**(c) five shall be appointed by the minister;**

**for such term as the minister may determine.**

79. (10) Regulations

**79. (10) For the purpose of carrying out the provisions of this section according to their intent the minister may make such regulations and orders as he may deem necessary.**

**R.S.M. 1987 Supp., c. 26, s. 7; S.M. 1993, c. 33, s. 6; S.M. 2017, c. 11, s. 52.**



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SEE ALSO:

[Renvoi relatif à la Loi sur les écoles publiques \(Man.\), art. 79\(3\), \(4\) et \(7\), \[1993\] 1 RCS 839, 1993 CanLII 119 \(CSC\)](#)

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190.1 Transfer of special levy to francophone school division

190.1 Each year, the school board of the school division in which a pupil of the francophone school division resides, at the times and in the manner prescribed by regulation, shall remit to the francophone school board an amount equivalent to the total raised by the special levy on assessable property, divided by the number of pupils resident in that school division attending public schools, multiplied by the number of pupils resident in that division attending a program provided by the francophone school board as of September 30 in each year.

S.M. 1993, c. 33, s. 8.

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SEE ALSO FOR THE ENTIRE ACT:

[Boundaries Review Commission Establishment Regulation – Public Schools Act, Man. Reg. 163/93](#)

[Education Support Levy and Special Levy Regulation – Public Schools Act, Man. Reg. 371/88](#)

[Francophone Schools Governance Regulation – Public Schools Act, Man. Reg. 202/93](#)

[Funding of Schools Program Regulation – Public Schools Act, Man. Reg. 259/2006](#)

[Languages of Instruction and Study Regulation – Public Schools Act, Man. Reg. 469/88](#)

**[Re-enacted Statutes of Manitoba, 1988, Act, S.M. 1988-89, c. 1](#)**

WHEREAS by judgment of the Supreme Court of Canada dated June 13, 1985, the statutes of Manitoba that were not enacted in English and in French were declared to be invalid subject to a period of temporary validity to permit re-enactment in English and in French;

AND WHEREAS by order of the Supreme Court of Canada dated November 4, 1985, the expiry of the period of temporary validity was fixed at December 31, 1988, for the Acts in the *Continuing Consolidation of the Statutes of Manitoba*;

AND WHEREAS the Attorney General has caused those Acts set out in the roll to be prepared in English and in French;

AND WHEREAS it is expedient to confirm the roll and to give the statutes set out therein the force and effect of law as the *Re-enacted Statutes of Manitoba, 1988*, subject to the limitations herein stated;

NOW THEREFORE HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Manitoba, enacts as follows:

## 1. Definitions

### 1. In this Act,

**"Re-enacted Statutes" or "Re-enacted Statutes of Manitoba, 1988," means the revised and consolidated statutes set out in the roll; («Lois réadoptées» ou «Lois réadoptées du Manitoba de 1988»)**

**"roll" means the statutes contained in the roll, each volume of which has been signed at the beginning by the Attorney General and tabled in the Legislative Assembly. («recueil»)**

### 2. (1) Confirmation of roll as R.S.M. 1988

**2(1) Subject to subsections (2), (3), and (4) and to the exceptions and limitations hereinafter mentioned, the roll and the several parts and sections therein contained, being comprised within the chapters numbered from C120 to W150, both inclusive, as therein set out, are hereby declared to be, and are, law by the designation, the "*Re-enacted Statutes of Manitoba, 1988*", to all intents and purposes as though the roll and those revised and consolidated statutes therein contained, and the several chapters, parts, and sections thereof, were expressly embodied in, and enacted by, this Act.**

### 2. (2) Date of coming into force

**2(2) Subject as herein otherwise provided, the *Re-enacted Statutes of Manitoba, 1988*, shall come into force, and have operation and effect as law, as herein provided on the day this Act receives the royal assent.**

### 2. (3) Acts to be proclaimed

**2(3) Where any Act included in the *Re-enacted Statutes of Manitoba, 1988*, contains a provision stating that the Act or any portion thereof is to come into force only on a day fixed by proclamation, that Act or that portion thereof shall not be deemed to be in force solely by reason of subsection (1) but the Act or portion thereof comes into force only on the day fixed by proclamation for the coming into force thereof as provided in that Act and the power to issue such a proclamation may be exercised at any time after this Act comes into force but no such proclamation has effect prior to the coming into force of the *Re-enacted Statutes of Manitoba*.**

### 2. (4) Effect of power to make regulations

**2(4) Where any Act included in the *Re-enacted Statutes of Manitoba, 1988*, or any provision thereof confers power to make regulations or to prescribe forms, that power, for the purpose of making the Act or the provision effective at the date of its coming into force, may be exercised at any time after this Act comes into force but any regulation or form so made or prescribed does not come into force or have effect until the Act conferring the power comes into force.**

## 3. Citation

**3. Any chapter of the *Re-enacted Statutes of Manitoba, 1988*, may be cited and referred to in any Act or proceeding either by its title as an Act or as "*Re-enacted Statutes of Manitoba, 1988*, Chapter\_\_\_\_" or "*R.S.M. 1988 Cap\_\_\_\_*" (in each case inserting the number of the Act as set out in the roll).**

#### 4. Continuing Consolidation

**4. Every *Re-enacted Statute of Manitoba, 1988*, is part of the *Continuing Consolidation of the Statutes of Manitoba* and may, in addition to the designation set out in section 3, be cited as "*Continuing Consolidation of the Statutes of Manitoba*, Chapter \_\_\_\_" or "*CCSM* Cap. \_\_\_\_" (in each case inserting the number of the Act as set out in the roll).**

#### 5. Repeal

**5. The Acts listed in the Schedule are repealed.**

#### 6. Effect of repeal

**6. The repeal of the Acts listed in the Schedule does not**

- (a) revive any Act or provision of law repealed by them;**
- (b) affect any saving clause in the Acts or parts of Acts so repealed; or**
- (c) prevent the application of any of those Acts or parts of Acts, or of any Act or provision of law formerly in force, to any transaction, matter or thing anterior to the repeal to which they would otherwise apply.**

#### 7. (1) Effect of repeal

**7(1) The repeal of the Acts listed in the Schedule does not defeat, disturb, invalidate, or affect**

- (a) any penalty, forfeiture or liability, civil or criminal, incurred before the time of the repeal or any proceedings for enforcing it had, done, completed, or pending, at the time of the repeal;**
- (b) any indictment, information, conviction, order, sentence, or prosecution, had, done, completed, or pending, at the time of the repeal;**
- (c) any action, suit, judgment, decree, certificate, execution, distress, process, order, or rule, or any proceeding, matter, or thing respecting it had, pending, existing, or in force, at the time of the repeal;**
- (d) any act, deed, right, title, interest, grant, assurance, descent, will, registry, filing, by-law, rule, order-in-council, proclamation, regulation, order, contract, lien, charge, status, capacity, immunity, matter, or thing had, done, made, acquired, established, or existing, at the time of the repeal;**
- (e) any office, appointment, commission, salary, remuneration, allowance, security, or duty, or any matter or thing appertaining thereto at the time of the repeal; or**
- (f) any other matter or thing had, done, completed, existing, or pending, at the time of the repeal.**

#### 7. (2) Continuance of existing conditions

**7(2) Every**

- (a) penalty, forfeiture, and liability to which clause (l)(a) applies;
- (b) indictment, information, conviction, order, sentence, and prosecution to which clause (l)(b) applies;
- (c) action, suit, judgment, decree, certificate, execution, distress, process, order, rule, proceeding, matter, and thing to which clause (l)(c) applies;
- (d) act, deed, right, title, interest, grant, assurance, descent, will, registry, filing, by-law, rule, order-in-council, proclamation, regulation, order, contract, lien, charge, status, capacity, immunity, matter, and thing to which clause (l)(d) applies;
- (e) office, appointment, commission, salary, remuneration, allowance, security, duty, matter, and thing to which clause (l)(e) applies; and
- (f) matter and thing to which clause (l)(f) applies remains and continues as if the repeal of the Acts set out in the Schedule had not taken place, and, so far as necessary, may be continued, prosecuted, enforced, and proceeded with under the *Re-enacted Statutes of Manitoba, 1988*, and other statutes and laws in force in the province, and, subject to the provisions of the several statutes and laws, as if that repeal had not taken place.

## 8. Operation

8. The *Re-enacted Statutes of Manitoba, 1988*, shall not be held to operate as new law but shall be construed and have effect as a consolidation and as declaratory of the law as contained in the Acts repealed by section 5 and for which the *Re-enacted Statutes of Manitoba, 1988*, are substituted.

## 9. (1) Effect of insertion of an Act in Roll

9(1) The insertion of any Act in the roll shall not be construed as a declaration that that Act or any portion of it was, or was not, in force immediately before the coming into force of the *Re-enacted Statutes of Manitoba, 1988*.

## 9. (2) Copies of statutes printed by Queen's Printer

9(2) Copies of the *Re-enacted Statutes of Manitoba, 1988*, purporting to be printed by the Queen's Printer are evidence of the *Re-enacted Statutes of Manitoba, 1988*, in all courts and places whatsoever, without further proof of any kind.

## 10. (1) Interpretation

10(1) Except as otherwise provided in this Act, the rules of construction and interpretation declared by *The Interpretation Act*, being chapter I80 of the *Re-enacted Statutes of Manitoba, 1987*, apply to those statutes and to this Act.

## 10. (2) Public Acts

10(2) Every Act included in the *Re-enacted Statutes of Manitoba, 1988*, is a public act.

11. (1) Effect of other Acts of present session

**11(1) This Act does not give effect to any provision of the *Re-enacted Statutes of Manitoba, 1988*, repealed by, or inconsistent with, any enactment passed at the session of the Legislature during which this Act is passed.**

11. (2) Acts of present session

**11(2) Unless otherwise specifically provided, for the purpose of determining their effect, the enactments passed at the session of the Legislature during which this Act is passed shall be deemed to be enactments subsequent to the *Re-enacted Statutes of Manitoba, 1988*.**

12. Publication of this Act

**12. A copy of this Act may be included and bound in one of the volumes that are published by the Queen's Printer and that contain the *Re-enacted Statutes of Manitoba, 1988*, in addition to being printed, bound, and published, with the statutes enacted at the session of the Legislature during which this Act is passed.**

13. Printing and distribution

**13. The *Re-enacted Statutes of Manitoba, 1988*, shall be printed and bound in the same form as the *Re-enacted Statutes of Manitoba 1987* and copies of the Re-enacted Statutes shall be distributed without charge to such persons or classes of persons as the Lieutenant Governor in Council directs.**

14. Notes and tables

**14. Any explanatory notes and tables inserted by the Legislative Counsel in the Re-enacted Statutes form no part of the said statutes and shall be held to have been inserted for convenience only.**

15. Commencement of Act

**15. This Act comes into force on the day it receives the royal assent.**

**SCHEDULE**

**ACTS IN THE CONTINUING CONSOLIDATION OF THE STATUTES OF MANITOBA THAT ARE REPEALED IN WHOLE ON THE COMING INTO FORCE OF THE RE-ENACTED STATUTES OF MANITOBA, 1988, ACT.**

Cap No.	Title of Act
No chap.	Titre de loi
C120	The Civil Service Superannuation Act
C226	The Corporation Capital Tax Act
C230	The Corrections Act

<b>D100</b>	<b>The Dower Act</b>
<b>I10</b>	<b>The Income Tax Act</b>
<b>I70</b>	<b>The International Peace Garden Act</b>
<b>L160</b>	<b>The Liquor Control Act</b>
<b>M220</b>	<b>The Motive Fuel Tax Act</b>
<b>M225</b>	<b>The Municipal Act</b>
<b>M226</b>	<b>The Municipal Assessment Act</b>
<b>N100</b>	<b>The Northern Affairs Act</b>
<b>P240</b>	<b>The Public Printing Act</b>
<b>R30</b>	<b>The Real Property Act</b>
<b>R160</b>	<b>The Rivers and Streams Act</b>
<b>S50</b>	<b>The Securities Act</b>
<b>T50</b>	<b>The Testators Family Maintenance Act</b>
<b>T80</b>	<b>The Tobacco Tax Act</b>
<b>T125</b>	<b>The Manitoba Trading Corporation Act</b>
<b>T155</b>	<b>The Treasury Branches Act</b>
<b>U30</b>	<b>An Act to provide the appointment of Commissioners for the Promotion of Uniformity of Legislation in Canada</b>
<b>W80</b>	<b>The Water Rights Act / Loi sur les droits d'utilisation de l'eau</b>
<b>W100</b>	<b>The Water Supply Districts Act</b>
<b>W150</b>	<b>The Wills Act / Loi sur les testaments</b>

NOTA – The government of Manitoba adopted various laws between 1998 and 1990 in order to comply with the Supreme Court's decision *Re Manitoba Language Rights*, [1985] 1 SCR 721, 1985 CanLII 33 (SCC). This decision determined that the government of Manitoba was required by the constitution, pursuant to section 23 of the *Manitoba Act, 1870* and section 133 of the *Constitution Act, 1867*, to adopt its laws and regulations in both official languages.

**Statute Re-enactment Act, 1988, S.M. 1988-89, c. 2**

**WHEREAS** by judgment of the Supreme Court of Canada dated June 13, 1985, the statutes of Manitoba that were not enacted in English and in French were declared to be invalid subject to a period of temporary validity to permit re-enactment in English and in French;

**AND WHEREAS** by order of the Supreme Court of Canada dated November 4, 1985, the expiry of the period of temporary validity was fixed at December 31, 1988, for the Acts in the *Continuing Consolidation of the Statutes of Manitoba* and at December 31, 1990 for all other Acts;

**AND WHEREAS** the Attorney General has caused those Acts set out in the Schedule to be prepared in English and in French;

**AND WHEREAS** it is expedient to give the statutes set out in the Schedule the force and effect of law;

**NOW THEREFORE HER MAJESTY**, by and with the advice and consent of the Legislative Assembly of Manitoba, enacts as follows:

1. (1) Confirmation of schedule

**1(1)** The statutes set out in the Schedule and lettered A to E, are hereby declared to be, and are, law to all intents and purposes as though the schedule and those revised and consolidated statutes therein contained, and the several chapters, parts, and sections thereof, were expressly embodied in, and enacted by, this Act.

1. (2) Schedule tabled

**1(2)** The Schedule including the Statutes lettered A to E has been signed at the beginning by the Attorney-General and tabled in the Legislative Assembly.

2. (1) Citation

**2(1)** The Acts in the Schedule may be cited and referred to in any Act or proceeding either by its title as an Act or as "*Statutes of Manitoba, 1988, Chapter \_\_\_\_*" (inserting the number of the Act as determined under subsection (2)).

2. (2) Numbers assigned

**2(2)** The Legislative Counsel shall assign to each statute set out in the Schedule a chapter number and may insert in the volume of statutes enacted at this session of the Legislature such explanatory notes as the Legislative Counsel considers appropriate.

3. Repeal

**3.** The following Acts are repealed:

*The Centennial Projects Tax Status Act S.M. 1974, c. 32*

*The Convention Centre Corporation Act S.M. 1972, c.83*

*The Greater Winnipeg Gas Distribution Act C.C.S.M. cap. G100*

*The Health Sciences Centre Act S.M. 1972, c.80*

*The Succession Duty Act C.C.S.M. cap. S215*

4. Effect of repeal

4. The repeal of the Acts listed in section 3 does not

- (a) revive any Act or provision of law repealed by them;
- (b) affect any saving clause in the Acts or parts of Acts so repealed; or
- (c) prevent the application of any of those Acts or parts of Acts, or of any Act or provision of law formerly in force, to any transaction, matter or thing anterior to the repeal to which they would otherwise apply.

5. (1) Effect of repeal

5(1) The repeal of the Acts listed in section 3 does not defeat, disturb, invalidate, or affect

- (a) any penalty, forfeiture or liability, civil or criminal, incurred before the time of the repeal or any proceedings for enforcing it had, done, completed, or pending, at the time of the repeal;
- (b) any indictment, information, conviction, order, sentence, or prosecution, had, done, completed, or pending, at the time of the repeal;
- (c) any action, suit, judgment, decree, certificate, execution, distress, process, order, or rule, or any proceeding, matter, or thing respecting it had, pending, existing, or in force, at the time of the repeal;
- (d) any act, deed, right, title, interest, grant, assurance, descent, will, registry, filing, by-law, rule, order-in-council, proclamation, regulation, order, contract, lien, charge, status, capacity, immunity, matter, or thing had, done, made, acquired, established, or existing, at the time of the repeal;
- (e) any office, appointment, commission, salary, remuneration, allowance, security, or duty, or any matter or thing appertaining thereto at the time of the repeal; or
- (f) any other matter or thing had, done, completed, existing, or pending, at the time of the repeal.

5. (2) Continuance of existing conditions

5(2) Every

- (a) penalty, forfeiture, and liability to which clause (1)(a) applies;
- (b) indictment, information, conviction, order, sentence, and prosecution to which clause (1)(b) applies;



(c) action, suit, judgment, decree, certificate, execution, distress, process, order, rule, proceeding, matter, and thing to which clause (l)(c) applies;

(d) act, deed, right, title, interest, grant, assurance, descent, will, registry, filing, by-law, rule, order-in-council, proclamation, regulation, order, contract, lien, charge, status, capacity, immunity, matter, and thing to which clause (l)(d) applies;

(e) office, appointment, commission, salary, remuneration, allowance, security, duty, matter, and thing to which clause (l)(e) applies; and

(f) matter and thing to which clause (l)(f) applies remains and continues as if the repeal of the Acts set out in section 3 had not taken place, and, so far as necessary, may be continued, prosecuted, enforced, and proceeded with as if that repeal had not taken place.

## 6. Operation

6. The Acts in the Schedule shall not be held to operate as new law but shall be construed and have effect as a consolidation and as declaratory of the law as contained in the Acts repealed by section 3 and for which the Acts in the Schedule are substituted.

### 7. (1) Effect of insertion of an Act in Schedule

7(1) The insertion of any Act in the Schedule shall not be construed as a declaration that that Act or any portion of it was, or was not, in force immediately before the coming into force of this Act.

### 7. (2) Copies of statutes printed by Queen's Printer

7(2) Copies of the Acts in the Schedule purporting to be printed by the Queen's Printer are evidence of those Acts in all courts and places whatsoever, without further proof of any kind.

## 8. Interpretation

8. Except as otherwise provided in this Act, the rules of construction and interpretation declared by *The Interpretation Act* apply to the statutes in the Schedule and to this Act.

### 9. (1) Publication of this Act

9(1) Subject to subsection (2), a copy of this Act and the Acts set out in the Schedule shall be printed, bound, and published, with the statutes enacted at the session of the Legislature during which this Act is passed.

### 9. (2) Prior publication

9(2) To ensure compliance with the order of the Supreme Court of Canada, the Queen's Printer may print and publish this Act and the Acts set out in the Schedule in a volume separate from the other statutes enacted at the session of the Legislature during which this Act is passed.

## 10. Commencement of Act

10. This Act comes into force on the day it receives the royal assent.

**\*NOTE:** Chapter numbers have been assigned under subsection 2(2) of this Act to the Acts set out in the Schedule as follows:

Schedule	Title	Chapter
A	The Centennial Project Tax Status Act	38
B	The Convention Center Corporation Act	39
C	The Greater Winnipeg Gas Distribution Act	40
D	The Health Sciences Centre Act	41
E	The Succession Duty Act	42

### Statute Re-enactment and By-law Validation (Winnipeg) Act, SM 1989-90, c 9

WHEREAS by judgment of the Supreme Court of Canada dated June 13, 1985, the statutes of Manitoba that were not enacted in English and in French were declared to be invalid subject to a period of temporary validity to permit re-enactment in English and in French;

AND WHEREAS by order of the Supreme Court of Canada dated November 4, 1985, the expiry of the period of temporary validity was fixed at December 31, 1988, for the Acts in the Continuing Consolidation of the Statutes of Manitoba and at December 31, 1990 for all other Acts;

AND WHEREAS the Minister of Justice has caused the Acts set out in the roll to be prepared in English and in French;

AND WHEREAS it is expedient to give the Acts set out in the roll the force and effect of law subject to the limitations stated in this Act;

THEREFORE, HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Manitoba, enacts as follows:

#### 1. Definition of roll

1. In this Act, "roll" means the Acts contained in the roll, which has been signed at the beginning by the Minister of Justice and tabled in the Legislative Assembly and which Acts are listed in Schedule A.

#### 2. Declaration of roll as law

2. Subject to the exceptions and limitations set out in this Act, the roll is declared to be law to all intents and purposes as though the roll and the Acts in the roll were expressly embodied in, and enacted by, this Act.

3. (1) Citation

**3(1) An Act in the roll may be cited and referred to in any Act or proceeding either by its title as an Act, or as "*Statutes of Manitoba, 1989-90*, chapter \_" (inserting the number of the Act as determined under subsection (2)).**

3. (2) Numbers assigned

**3(2) The Legislative Counsel shall assign to each statute set out in the roll a chapter number and may insert in the volume of Acts referred to in section 12 such explanatory notes as the Legislative Counsel considers appropriate.**

4. Validation of by-laws and agreements

**4. The by-laws and agreements set out in Schedule B, and all things done for the purpose of carrying them into effect and done under their authority, are validated and made binding on the municipalities and all parties affected by them, as if the by-laws and agreements were enacted by the Legislature.**

5. Repeal

**5. The Acts listed in Schedule C are repealed.**

6. Effect of repeal

**6. The repeal of the Acts listed in Schedule C does not**

**(a) revive any Act or provision of law repealed by them;**

**(b) affect any saving clause in the Acts so repealed; or**

**(c) prevent the application of an Act or provision of law formerly in force to a transaction, matter or thing anterior to the repeal to which they would otherwise apply.**

7. (1) Further effect of repeal

**7(1) The repeal of the Acts set out in Schedule C does not defeat, disturb, invalidate or affect**

**(a) a penalty, forfeiture or liability, civil or criminal, incurred before the time of the repeal or a proceeding for enforcing it, that is had, done, completed or pending at the time of the repeal;**

**(b) an indictment, information, conviction, order, sentence or prosecution that is had, done, completed or pending at the time of the repeal;**

**(c) an action, suit, judgment, decree, certificate, execution, distress, process, order or rule, or a proceeding, matter or thing respecting it, that is had, pending, existing or in force at the time of the repeal;**

**(d) an act, deed, right, title, interest, grant, assurance, descent, will, registry, filing, by-laws, rule, order-in-council, proclamation, regulation, order, contract, lien,**

charge, status, capacity, immunity, matter or thing that is had, done, made, acquired, established or existing at the time of the repeal;

(e) an office, appointment, commission, salary, remuneration, allowance, security or duty or any matter or thing pertaining to them at the time of the repeal; or

(f) any other matter or thing that is had, done, completed, existing or pending at the time of the repeal.

## **7. (2) Continuance of existing conditions**

### **7(2) Every**

(a) penalty, forfeiture and liability to which clause (1)(a) applies;

(b) indictment, information, conviction, order, sentence and prosecution to which clause (1)(b) applies;

(c) action, suit, judgment, decree, certificate, execution, distress, process, order, rule, proceeding, matter and thing to which clause (1)(c) applies;

(d) act, deed, right, title, interest, grant, assurance, descent, will, registry, filing, by-law, rule, order-in-council, proclamation, regulation, order, contract, lien, charge, status, capacity, immunity, matter and thing to which clause (1)(d) applies;

(e) office, appointment, commission, salary, remuneration, allowance, security, duty, matter, and thing to which clause (1)(e) applies; and

(f) matter and thing to which clause (1)(f) applies;

remains and continues as if the repeal of the Acts set out in Schedule C did not take place and, so far as necessary, may be continued, prosecuted, enforced and proceeded with as if the repeal did not take place.

## **8. Operation**

**8. The Acts set out in the roll shall not be held to operate as new law but shall be construed and have effect as a consolidation and as declaratory of the law as contained in those Acts repealed by section 5 and for which the roll is substituted.**

## **9. (1) Effect of insertion of an Act in Roll**

**9(1) The insertion of an Act in the roll shall not be construed as a declaration that the Act or any portion of it was, or was not, in force immediately before the coming into force of this Act.**

## **9. (2) Copies of Acts printed by Queen's Printer**

**9(2) Copies of the Acts set out in the roll purporting to be printed by the Queen's Printer are evidence of those Acts in all courts and places whatsoever, without further proof of any kind.**

10. (1)) Interpretation

**10(1) Except as otherwise provided in this Act, the rules of construction and interpretation declared by The Interpretation Act apply to the Acts set out in the roll and to this Act.**

10. (2) Public Acts

**10(2) Every Act included in the roll is a Public Act.**

11. (1) Effect of other Acts of present session

**11(1) This Act does not give effect to a provision of an Act set out in the roll that is repealed by, or inconsistent with, an enactment passed at the session of the Legislature during which this Act is passed.**

11. (2) Acts of present session deemed to be later Acts

**11(2) Unless otherwise specifically provided, for the purpose of determining their effect, the enactments passed at the session of the Legislature during which this Act is passed shall be deemed to be enactments subsequent to the coming into force of this Act.**

12. (1) Publication of this Act

**12(1) Subject to subsection (2), a copy of this Act shall be printed, bound and published with the Acts enacted at the session of the Legislature during which this Act is passed.**

12. (2) Publication of Acts in roll

**12(2) The Acts set out in the roll shall**

**(a) be printed by the Queen's Printer in chapter format upon enactment; and**

**(b) be bound and published in a subsequent volume of Re-enacted Statutes.**

13. Notes and tables

**13. Any explanatory notes, headings and tables inserted by the Legislative Counsel in this Act, the Schedules or the roll form no part of the Acts and shall be held to be for convenience only.**

14. Coming into force

**14. This Act comes into force on royal assent.**

**[Statute Re-enactment and By-law Validation \(Municipal\) Act, S.M. 1989-90,  
c. 68](#)**

**WHEREAS by judgment of the Supreme Court of Canada dated June 13, 1985, the statutes of Manitoba that were not enacted in English and in French were declared to be invalid subject to a period of temporary validity to permit re-enactment in English and in French;**

**AND WHEREAS** by order of the Supreme Court of Canada dated November 4, 1985, the expiry of the period of temporary validity was fixed at December 31, 1988, for the Acts in the Continuing Consolidation of the Statutes of Manitoba and at December 31, 1990 for all other Acts;

**AND WHEREAS** the Minister of Justice has caused the Acts set out in the roll to be prepared in English and in French;

**AND WHEREAS** it is expedient to give the Acts set out in the roll the force and effect of law subject to the limitations stated in this Act;

**THEREFORE, HER MAJESTY**, by and with the advice and consent of the Legislative Assembly of Manitoba, enacts as follows:

1. Definition of roll

1. In this Act, "roll" means the Acts contained in the roll, which has been signed at the beginning by the Minister of Justice and tabled in the Legislative Assembly and which Acts are listed in Schedule A.

2. Declaration of roll as law

2. Subject to the exceptions and limitations set out in this Act, the roll is declared to be law to all intents and purposes as though the roll and the Acts in the roll were expressly embodied in, and enacted by, this Act.

3. (1) Citation

3(1) An Act in the roll may be cited and referred to in any Act or proceeding either by its title as an Act, or as "*Statutes of Manitoba, 1989-90*, chapter " (inserting the number of the Act as determined under subsection (2)).

3. (2) Numbers assigned

3(2) The Legislative Counsel shall assign to each statute set out in the roll a chapter number and may insert in the volume of Acts referred to in section 12 such explanatory notes as the Legislative Counsel considers appropriate.

4. Validation of by-laws and agreements

4. The by-laws and agreements set out in Schedule B, and all things done for the purpose of carrying them into effect and done under their authority, are validated and made binding on the municipalities and all parties affected by them, as if the by-laws and agreements were enacted by the Legislature.

5. Repeal

5. The Acts listed in Schedule C are repealed.

6. Effect of repeal

6. The repeal of the Acts listed in Schedule C does not

- (a) revive any Act or provision of law repealed by them;
- (b) affect any saving clause in the Acts so repealed; or
- (c) prevent the application of an Act or provision of law formerly in force to a transaction, matter or thing anterior to the repeal to which they would otherwise apply.

7. (1) Further effect of repeal

7(1) The repeal of the Acts set out in Schedule C does not defeat, disturb, invalidate or affect

- (a) a penalty, forfeiture or liability, civil or criminal, incurred before the time of the repeal or a proceeding for enforcing it, that is had, done, completed or pending at the time of the repeal;
- (b) an indictment, information, conviction, order, sentence or prosecution that is had, done, completed or pending at the time of the repeal;
- (c) an action, suit, judgment, decree, certificate, execution, distress, process, order or rule, or a proceeding, matter or thing respecting it, that is had, pending, existing or in force at the time of the repeal;
- (d) an act, deed, right, title, interest, grant, assurance, descent, will, registry, filing, by-laws, rule, order-in-council, proclamation, regulation, order, contract, lien, charge, status, capacity, immunity, matter or thing that is had, done, made, acquired, established or existing at the time of the repeal;
- (e) an office, appointment, commission, salary, remuneration, allowance, security or duty or any matter or thing pertaining to them at the time of the repeal; or
- (f) any other matter or thing that is had, done, completed, existing or pending at the time of the repeal.

7. (2) Continuance of existing conditions

7(2) Every

- (a) penalty, forfeiture and liability to which clause (1)(a) applies;
- (b) indictment, information, conviction, order, sentence and prosecution to which clause (1)(b) applies;
- (c) action, suit, judgment, decree, certificate, execution, distress, process, order, rule, proceeding, matter and thing to which clause (1)(c) applies;
- (d) act, deed, right, title, interest, grant, assurance, descent, will, registry, filing, by-law, rule, order-in-council, proclamation, regulation, order, contract, lien, charge, status, capacity, immunity, matter and thing to which clause (1)(d) applies;
- (e) office, appointment, commission, salary, remuneration, allowance, security, duty, matter, and thing to which clause (1)(e) applies; and

(f) matter and thing to which clause (1)(f) applies;

remains and continues as if the repeal of the Acts set out in Schedule C did not take place and, so far as necessary, may be continued, prosecuted, enforced and proceeded with as if the repeal did not take place.

## 8. Operation

8. The Acts set out in the roll shall not be held to operate as new law but shall be construed and have effect as a consolidation and as declaratory of the law as contained in those Acts repealed by section 5 and for which the roll is substituted.

## 9. Effect of insertion of an Act in Roll

9(1) The insertion of an Act in the roll shall not be construed as a declaration that the Act or any portion of it was, or was not, in force immediately before the coming into force of this Act.

## 9. (2) Copies of Acts printed by Queen's Printer

9(2) Copies of the Acts set out in the roll purporting to be printed by the Queen's Printer are evidence of those Acts in all courts and places whatsoever, without further proof of any kind.

## 10. Interpretation

10(1) Except as otherwise provided in this Act, the rules of construction and interpretation declared by *The Interpretation Act* apply to the Acts set out in the roll and to this Act.

## 10. (2) Public Acts

10(2) Every Act included in the roll is a public act.

## 11. (1) Effect of other Acts of present session

11(1) This Act does not give effect to a provision of an Act set out in the roll that is repealed by, or inconsistent with, an enactment passed at the session of the Legislature during which this Act is passed.

## 11. (2) Acts of present session deemed to be later Acts

11(2) Unless otherwise specifically provided, for the purpose of determining their effect, the enactments passed at the session of the Legislature during which this Act is passed shall be deemed to be enactments subsequent to the coming into force of this Act.

## 12. (1) Publication of this Act

12(1) Subject to subsection (2), a copy of this Act shall be printed, bound and published with the Acts enacted at the session of the Legislature during which this Act is passed.



12. (2) Publication of Acts in roll

12(2) The Acts set out in the roll shall

(a) be printed by the Queen's Printer in chapter format upon enactment; and

(b) be bound and published in a subsequent volume of Re-enacted Statutes.

13. Notes and tables

13. Any explanatory notes, headings and tables inserted by the Legislative Counsel in this Act, the Schedules or the roll form no part of the Acts and shall be held to be for convenience only.

14. Coming into force

14. This Act comes into force on royal assent.

**Re-enacted Statutes of Manitoba (Private Acts) Act, 1990, S.M. 1990-91, c. 1**

WHEREAS by judgment of the Supreme Court of Canada dated June 13, 1985, the statutes of Manitoba that were not enacted in English and in French were declared to be invalid subject to a period of temporary validity to permit re-enactment in English and in French;

AND WHEREAS by order of the Supreme Court of Canada dated November 4, 1985, the expiry of the period of temporary validity was fixed at December 31, 1988, for the Acts in the Continuing Consolidation of the Statutes of Manitoba and at December 31, 1990 for all other Acts;

AND WHEREAS the Minister of Justice has caused the Acts set out in the roll to be prepared in English and in French;

AND WHEREAS it is expedient to give the Acts set out in the roll the force and effect of law subject to the limitations stated in this Act;

THEREFORE, HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Manitoba, enacts as follows:

1. Definition of roll

1. In this Act, "roll" means the Acts contained in the roll, which has been signed at the beginning by the Minister of Justice and tabled in the Legislative Assembly and which Acts are listed in Schedule A.

2. Declaration of roll as law

2. Subject to the exceptions and limitations set out in this Act, the roll is declared to be law to all intents and purposes as though the roll and the Acts in the roll were expressly embodied in, and enacted by, this Act.

3. Citation

**3(1) An Act in the roll may be cited and referred to in any Act or proceeding either by its title as an Act, or as "*Re-enacted Statutes of Manitoba, 1990*, chapter\_\_" or "*R.S.M. 1990*, c.\_\_" (in each case inserting the number of the Act as determined under subsection (2)).**

3. (2) Numbers assigned

**3(2) The Legislative Counsel shall assign to each statute set out in the roll a chapter number and may insert in the volume of Acts referred to in section 11 such explanatory notes as the Legislative Counsel considers appropriate.**

4. Repeal

**4. The Acts listed in Schedule B are repealed.**

5. Effect of repeal

**5. The repeal of the Acts listed in Schedule B does not**

- (a) revive any Act or provision of law repealed by them;**
- (b) affect any saving clause in the Acts so repealed; or**
- (c) prevent the application of an Act or provision of law formerly in force to a transaction, matter or thing anterior to the repeal to which they would otherwise apply.**

6. (1) Further effect of repeal

**6(1) The repeal of the Acts set out in Schedule B does not defeat, disturb, invalidate or affect**

- (a) a penalty, forfeiture or liability, civil or criminal, incurred before the time of the repeal or a proceeding for enforcing it, that is had, done, completed or pending at the time of the repeal;**
- (b) an indictment, information, conviction, order, sentence or prosecution that is had, done, completed or pending at the time of the repeal;**
- (c) an action, suit, judgment, decree, certificate, execution, distress, process, order or rule, or a proceeding, matter or thing respecting it, that is had, pending, existing or in force at the time of the repeal;**
- (d) an act, deed, right, title, interest, grant, assurance, descent, will, registry, filing, by-laws, rule, order-in-council, proclamation, regulation, order, contract, lien, charge, status, capacity, immunity, matter or thing that is had, done, made, acquired, established or existing at the time of the repeal;**
- (e) an office, appointment, commission, salary, remuneration, allowance, security or duty or any matter or thing pertaining to them at the time of the repeal; or**

(f) any other matter or thing that is had, done, completed, existing or pending at the time of the repeal.

6. (2) Continuance of existing conditions

6(2) Every

(a) penalty, forfeiture and liability to which clause (l)(a) applies;

(b) indictment, information, conviction, order, sentence and prosecution to which clause (l)(b) applies;

(c) action, suit, judgment, decree, certificate, execution, distress, process, order, rule, proceeding, matter and thing to which clause (l)(c) applies;

(d) act, deed, right, title, interest, grant, assurance, descent, will, registry, filing, by-law, rule, order-in-council, proclamation, regulation, order, contract, lien, charge, status, capacity, immunity, matter and thing to which clause (l)(d) applies;

(e) office, appointment, commission, salary, remuneration, allowance, security, duty, matter, and thing to which clause (l)(e) applies; and

(f) matter and thing to which clause (l)(f) applies;

remains and continues as if the repeal of the Acts set out in Schedule B did not take place and, so far as necessary, may be continued, prosecuted, enforced and proceeded with as if the repeal did not take place.

7. Operation

7. The Acts set out in the roll shall not be held to operate as new law but shall be construed and have effect as a consolidation and as declaratory of the law as contained in those Acts repealed by section 4 and for which the roll is substituted.

8. (1) Effect of insertion of an Act in roll

8(1) The insertion of an Act in the roll shall not be construed as a declaration that the Act or any portion of it was, or was not, in force immediately before the coming into force of this Act.

8. (2) Copies of Acts printed by Queen's Printer

8(2) Copies of the Acts set out in the roll purporting to be printed by the Queen's Printer are evidence of those Acts in all courts and places whatsoever, without further proof of any kind.

9. (1) Interpretation

9(1) Except as otherwise provided in this Act, the rules of construction and interpretation declared by *The Interpretation Act* apply to the Acts set out in the roll and to this Act.

9. (2) Private Acts

**9(2) Except where the Act states that it is to be deemed a Public Act, every Act included in the roll is a Private Act.**

10. (1) Effect of other Acts of present session

**10(1) This Act does not give effect to a provision of an Act set out in the roll that is repealed by, or inconsistent with, an enactment passed at the session of the Legislature during which this Act is passed.**

10. (2) Acts of present session deemed to be later Acts

**10(2) Unless otherwise specifically provided, for the purpose of determining their effect, the enactments passed at the session of the Legislature during which this Act is passed shall be deemed to be enactments subsequent to the coming into force of this Act.**

11. (1) Publication of this Act

**11(1) Subject to subsection (2), a copy of this Act shall be printed, bound and published with the Acts enacted at the session of the Legislature during which this Act is passed.**

11. (2) Publication of Acts in roll

**11(2) The Acts set out in the roll shall**

**(a) be printed by the Queen's Printer in chapter format upon enactment; and**

**(b) be bound and published in a subsequent volume of Re-enacted Statutes.**

12. Notes and tables

**12. Any explanatory notes, headings and tables inserted by the Legislative Counsel in this Act, the Schedule or the roll form no part of the Acts and shall be held to be for convenience only.**

13. Coming into force

**13. This Act comes into force on the day it receives royal assent.**

**Re-enacted Statutes of Manitoba (Public General Acts) Act, 1990, S.M.  
1990-91, c. 3**

**WHEREAS by judgment of the Supreme Court of Canada dated June 13, 1985, the statutes of Manitoba that were not enacted in English and in French were declared to be invalid subject to a period of temporary validity to permit re-enactment in English and in French;**

**AND WHEREAS by order of the Supreme Court of Canada dated November 4, 1985, the expiry of the period of temporary validity was fixed at December 31, 1988, for the Acts in**

the Continuing Consolidation of the Statutes of Manitoba and at December 31, 1990 for all other Acts;

AND WHEREAS the Minister of Justice has caused the Acts set out in the roll to be prepared in English and in French;

AND WHEREAS it is expedient to give the Acts set out in the roll the force and effect of law subject to the limitations stated in this Act;

NOW THEREFORE, HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Manitoba, enacts as follows:

1. Definition of roll

1. In this Act, "roll" means the Acts contained in the roll which has been signed at the beginning by the Minister of Justice and tabled in the Legislative Assembly and which Acts are listed in Schedule A.

2. Declaration of roll as law

2. Subject to the exceptions and limitations set out in this Act, the roll is declared to be law to all intents and purposes as though the roll and the Acts in the roll, were expressly embodied in, and enacted by, this Act.

3. (1) Citation

3(1) An Act in the roll may be cited and referred to in any Act or proceeding either by its title as an Act or as "*Re-enacted Statutes of Manitoba, 1990*, chapter\_\_\_\_" or "*R.S.M. 1990*, c.\_\_\_\_" (in each case inserting the number of the Act as determined under subsection (2)).

3. (2) Numbers assigned

3(2) The Legislative Counsel shall assign to each statute set out in the roll a chapter number and may insert in the volume of Acts referred to in section 11, such explanatory notes as the Legislative Counsel considers appropriate.

4. Repeal

4. The Acts listed in Schedules B and C are repealed.

5. Effect of repeal

5. The repeal of the Acts listed in Schedules B and C does not

(a) revive any Act or provision of law repealed by them;

(b) affect any saving clause in the Acts so repealed; or

(c) prevent the application of an Act or provision of law formerly in force, to a transaction, matter or thing anterior to the repeal to which they would otherwise apply.

**6. (1) Further effect of repeal**

**6(1) The repeal of the Acts set out in Schedules B and C does not defeat, disturb, invalidate, or affect**

- (a) a penalty, forfeiture or liability, civil or criminal, incurred before the time of the repeal or a proceeding for enforcing it, that is had, done, completed or pending at the time of the repeal;**
- (b) an indictment, information, conviction, order, sentence or prosecution that is had, done, completed or pending at the time of the repeal;**
- (c) an action, suit, judgment, decree, certificate, execution, distress, process, order or rule, or a proceeding, matter or thing respecting it, that is had, pending, existing or in force at the time of the repeal;**
- (d) an act, deed, right, title, interest, grant, assurance, descent, will, registry, filing, by-laws, rule, order-in-council, proclamation, regulation, order, contract, lien, charge, status, capacity, immunity, matter or thing that is had, done, made, acquired, established or existing at the time of the repeal;**
- (e) an office, appointment, commission, salary, remuneration, allowance, security or duty or any matter or thing pertaining to them at the time of the repeal; or**
- (f) any other matter or thing that is had, done, completed, existing or pending at the time of the repeal.**

**6. (2) Continuance of existing conditions**

**6(2) Every**

- (a) penalty, forfeiture, and liability to which clause (1)(a) applies;**
- (b) indictment, information, conviction, order, sentence, and prosecution to which clause (1)(b) applies;**
- (c) order, rule, proceeding, matter, and thing to which clause (1)(c) applies;**
- (d) act, deed, right, title, interest, grant, assurance, descent, will, registry, filing, by-law, rule, order-in-council, proclamation, regulation, order, contract, lien, charge, status, capacity, immunity, matter, and thing to which clause (1)(d) applies;**
- (e) office, appointment, commission, salary, remuneration, allowance, security, duty, matter, and thing to which clause (1)(e) applies; and**
- (f) matter and thing to which clause (1)(f) applies;**

**remains and continues as if the repeal of the Acts set out in Schedules B and C did not take place and, so far as necessary, may be continued, prosecuted, enforced and proceeded with as if the repeal did not take place.**

7. Operation

**7. The Acts set out in the roll shall not be held to operate as new law but shall be construed and have effect as a consolidation and as declaratory of the law as contained in the Acts listed in Schedule B and repealed by section 4 and for which the Acts set out in the roll are substituted.**

8. (1) Effect of insertion of an Act in roll

**8(1) The insertion of an Act in the roll shall not be construed as a declaration that the Act or any portion of it was, or was not, in force immediately before the coming into force of this Act.**

8. (2) Copies of Acts printed by Queen's Printer

**8(2) Copies of the Acts set out in the roll purporting to be printed by the Queen's Printer are evidence of those Acts in all courts and places whatsoever, without further proof of any kind.**

9. (1) Interpretation

**9(1) Except as otherwise provided in this Act, the rules of construction and interpretation declared by *The Interpretation Act* apply to the Acts set out in the roll and to this Act.**

9. (2) Public Acts

**9(2) Every Act included in the roll is a public act.**

10. (1) Effect of other Acts of present session

**10(1) This Act does not give effect to a provision of an Act set out in the roll that is, repealed by, or inconsistent with, an enactment passed at the session of the Legislature during which this Act is passed.**

10. (2) Acts of present session deemed to be later Acts

**10(2) Unless otherwise specifically provided, for the purpose of determining their effect, the enactments passed at the session of the Legislature during which this Act is passed shall be deemed to be enactments subsequent to the coming into force of this Act.**

11. (1) Publication of this Act

**11(1) Subject to subsection (2), a copy of this Act shall be printed, bound and published with the Acts enacted at the session of the Legislature during which this Act is passed.**

11. (2) Publication of Acts in roll

**11(2) The Acts set out in the roll shall**

**(a) be printed by the Queen's Printer in chapter format upon enactment; and**

**(b) be bound and published in a subsequent volume of Re-enacted Statutes.**

12. Notes and tables

**12. Any explanatory notes, headings and tables inserted by the Legislative Counsel in this Act, the Schedules or the roll, form no part of the Acts and shall be held to be for convenience only.**

13. Coming into force

**13. This Act comes into force on the day it receives royal assent.**

**Reciprocal Enforcement of Judgments Act, CCSM c. J-20**

6. Where judgment not in English or French

**6. Where a judgment sought to be registered under this Act is in a language other than the English or French language, the judgment or the exemplification or certified copy thereof, as the case may be, shall have attached thereto, for all purposes of this Act, a translation in the English or French language approved by the court and, upon such approval being given, the judgment shall be deemed to be in the English or French language, as the case may be.**

**S.M. 1989-90, c. 90, s. 21.**

**Regional Health Authorities Act, CCSM c. R-34**

59. Regulations by Lieutenant Governor in Council

**59. The Lieutenant Governor in Council may make regulations**

**[...]**

**(p.1) respecting the obligations of regional health authorities in relation to the provision of health services in the French language, including without limitation, the designation of those regional health authorities which must fulfill the obligations;**

**Bilingual and Francophone Facilities and Programs Designation Regulation  
– Regional Health Authorities Act, Man. Reg. 131/2013**

1. Definitions

**1. The following definitions apply in this Regulation.**

**"bilingual", in relation to a facility or program, means a facility or program in which services are provided in both English and French, and whose primary language of operation is English. (« *bilingue* »)**



**"francophone", in relation to a facility or program, means a facility or program in which services are provided in both English and French, or in French only, and whose primary language of operation is French. (« *francophone* »)**

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## 2. Designation of bilingual facilities and programs

**2. (1) Each health corporation and health care organization listed in Schedule 1 is designated as a bilingual facility.**

**2. (2) Each program listed in Schedule 1 is designated as a bilingual program.**

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## 3. Designation of francophone facilities

**3. Each health corporation and health care organization listed in Schedule 2 is designated as a francophone facility.**

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## 4. French Language Services Policy

**4. A bilingual or francophone facility or program designated under this regulation must comply with the government's French Language Services Policy.**

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## 5. Posting a notice

**5. A bilingual or francophone facility or program designated under this regulation must post a notice of the designation in accordance with guidelines approved by the minister.**

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# **French Language Services Regulation – Regional Health Authorities Act, Man. Reg. 46/98**

## 1. Definitions

### 1. In this regulation,

**"bilingual and francophone facilities and programs" means the health corporations, health care organizations and programs designated under the Bilingual and Francophone Facilities and Programs Designation Regulation; (« *établissements et programmes francophones et bilingues* »)**

**"plan" means the French Language Services Plan of a regional health authority; (« *Plan* »)**

"regional health authority" means a regional health authority listed in the Schedule.  
(« *office régional de la santé* »)

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## 2. Requirement for French Language Services Plan

2. (1) A regional health authority shall, at the time and in the form required by the minister, submit a proposed plan of French language services to the minister for his or her approval.

2. (2) In a proposed plan, the regional health authority shall

(a) describe its policy respecting French language services;

(a.1) list the bilingual and francophone facilities and programs that it operates;

(b) describe the measures it will implement to ensure that health services are available and accessible in French to residents of the health region;

(c) describe the communication strategy it will use to publicize the availability and accessibility of its French language services;

(d) describe how it will consult with and ensure the involvement of French-speaking communities and bilingual and francophone facilities and programs in the health region in

(i) developing proposed amendments to the plan under section 4, and

(ii) preparing reports to the minister under section 6; and

(e) deal with any other matter and contain any other information that the minister requires.

2. (3) In preparing a proposed plan and as part of its assessment of the health needs of the health region, a regional health authority shall consult with

(a) French-speaking communities in the region;

(b) health care providers, health corporations and health care organizations in the region, including bilingual and francophone facilities and programs;

(c) other regional health authorities; and

(d) any other person the regional health authority considers appropriate.

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## 5. Appointment of coordinator

**5. Except where the minister determines otherwise, if a health region includes one or more areas that are designated areas under the government's French Language Services policy, the regional health authority shall appoint a bilingual employee to coordinate the development and implementation of the plan.**

---

### 5.1 Posting a notice

**5.1 For each of the bilingual and francophone facilities and programs operated by a regional health authority, the authority must post a notice of the designation as a bilingual or francophone facility or program in accordance with guidelines approved by the minister.**

**M.R. 135/2013**

## **Society of Jesus Incorporation Act, R.S.M. 1990, c. 183**

## 2. Objects

### 2. The objects of the corporation are

[...]

**(b) to engage in and encourage investigation in languages, history, philosophy, mathematics, sciences and all other branches of learning;**

## **Statutes and Regulations Act, CCSM c. S-207**

## 1. Definitions

### 1. The following definitions apply in this Act.

[...]

**“bilingual version” of legislation means a version that contains both the English text and the French text of the legislation. (“*version bilingue*”)**

---

## 5. (1) Publication of original Act

### 5(1) As soon as practicable after a bill receives royal assent,

**(a) the Clerk of the Assembly must provide a certified copy of it to the legislative counsel;**

**(b) the legislative counsel must**

- (i) assign a chapter number to it in accordance with subsection (2),**
  - (ii) arrange for a bilingual version of the Act to be published on the Manitoba Laws website, and**
  - (iii) make a bilingual version of the Act available to the Queen's Printer, who may print and sell or distribute copies of it.**
- 

**16. (1) Publication of registered regulations**

**16. (1) As soon as practicable after a regulation is registered, the registrar must**

- (a) arrange for it to be published on the Manitoba Laws website; and**
- (b) make a copy of it available to the Queen's Printer, who may print and sell or distribute copies of it.**

**The regulation must show its registration number and date of registration.**

**16. (2) Bilingual version**

**16. (2) If the regulation was made in English and French, the registrar must ensure that the bilingual version of it is published.**

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**25. (1) Correction of consolidation or publication error**

**25. (1) On discovering an error made in the process of consolidating or publishing a consolidated Act or regulation, the legislative counsel must arrange for the corrected version to be published on the Manitoba Laws website.**

**25. (2) Editorial changes and corrections**

**25. (2) The legislative counsel may, before or after a consolidated Act or regulation is published, but without altering its legal effect, make any change or correction that**

**[...]**

- (d) is a minor change required to make a form of expression in English or French more compatible with its form of expression in the other language;**
- 

## **Part 5 – Proof of Legislation**

**27. (1) Official copy of Act or regulation**

**27. (1) Subject to subsection (2), a copy of**

- (a) the bilingual version of an original or consolidated Act or regulation; or
- (b) the English version of a regulation that was made in English only;

is an official copy of that law if the copy

- (a) is printed by or under the authority of the Queen's Printer; or
  - (b) is accessed from the Manitoba Laws website in a prescribed for or format.
- 

### 30. Re-enacted regulation

30. If "R" is appended to the registration number of a regulation registered in 1987 or 1988, the regulation is a re-enactment, in English and French, of a regulation that was first enacted in English only. The re-enacted provisions do not operate as new law, but are a consolidation of, and are declaratory of, the law contained in the regulation immediately before the registration of the re-enacted regulation.

## [Travel Manitoba Act, CCSM c. T-150](#)

### Board of Directors

#### 7. (3) Other directors

7. (3) In appointing the remaining directors, the Lieutenant Governor in Council is to consider

- (a) the public interest and the cultural diversity of the population of Manitoba, including the aboriginal and francophone populations;

## [Université de Saint-Boniface Act, CCSM c. U-50](#)

### Preamble

**WHEREAS** a French-language educational institution with ties to the educational activities of the Catholic Church was founded in Saint-Boniface in 1818;

**AND WHEREAS** the institution was incorporated as Le Collège de Saint-Boniface in 1871, and was continued as le Collège de Saint-Boniface in 1990 and le Collège universitaire de Saint-Boniface in 2005;

**AND WHEREAS** le Collège universitaire de Saint-Boniface, as Manitoba's only French-language post-secondary institution, plays a vital role in the linguistic, cultural, social and economic development and growth of Manitoba's francophone community;

**AND WHEREAS** the province considers it important to promote and enhance the development and growth of its francophone community;

**THEREFORE HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Manitoba, enacts as follows:**

---

### 3. Purposes

#### 3. The purposes of the university are

- (a) the advancement of learning and the creation, preservation and dissemination of knowledge;
  - (b) the intellectual, social, cultural, educational and physical development and training of persons, and of society as a whole and in all spheres of activities, in the French language; and
  - (c) the linguistic, cultural, social, economic and educational well-being and development of its students, employees and the francophone community.
- 

### 26. (1) Audit

**26. (1) The Auditor General, or any other auditor appointed by the Lieutenant Governor in Council, must audit the accounts of the university at least once a year and make a written report on the audit to the board and to the Lieutenant Governor in Council.**

### 26. (2) Conduct of the audit

**26. (2) The audit required under subsection (1) must be conducted in the language in which the board normally conducts its affairs.**

---

### 27. (1) Language

**27. (1) The working language of the university shall be French.**

### 27. (2) Examinations

**27. (2) An examination for a degree, certificate or diploma to be conferred by the university must be answered by the candidate in the French language, unless otherwise approved by the senate.**

## **University College of the North Act, CCSM c. U-55**

### 25. Language of examinations

**25. An examination for a degree, certificate or diploma to be conferred by the university college may be answered by the candidate in the English language, the French language or an Aboriginal language that has been specified by the Governing Council.**

**University of Manitoba Act, CCSM c. U-60**

64. Examinations in English or French

**64. The examination for any degree to be conferred by the university may be answered by the candidate in either the English or French language.**

**University of Winnipeg Act, CCSM c. U-70**

33. Examinations either in English or French

**33. An examination for a degree to be conferred by the university may be answered by the candidate in either the English or French language.**

**Vital Statistics Act, CCSM c. V-60**

3. (9.1) Name of child

**3. (9.1) The following applies to the name of a child shown on the registration of the child's birth:**

**(a) there must be both a given name and a surname;**

**(b) the given name and the surname must consist only of the letters "a" to "z" and accents from the English or French languages, but may include hyphens and apostrophes;**

**(c) the surname may consist of up to four names, combined with or without hyphens.**

**Wills Act, CCSM c. W-150**

**Schedule – Convention Providing a Uniform Law on the Form of an International Will**

**Article XVI**

**1. The original of the present Convention, in the English, French, Russian and Spanish languages, each version being equally authentic, shall be deposited with the Government of the United States of America, which shall transmit certified copies thereof to each of the signatory and acceding States and to the International Institute for the Unification of Private Law.**

## **Annex to the Convention – Rules Regarding An International Will**

### **Article 3**

- 1. The will shall be made in writing.**
- 2. It need not be written by the testator himself.**
- 3. It may be written in any language, by hand or by any other means.**

## **Manitoba – Other Regulations**

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### **Business Names Registration Regulation – Business Names Registration Act, Man. Reg. 381/87 R**

#### **8. Application**

**8. (2) Where the business name has been set out in two language forms, one language form shall be a direct translation of the other language form, although minor changes may be made to ensure that the name is idiomatically correct.**

**[...]**

**8. (4) Where a proposed name is in more than one language form, and the forms of the name are phonetically dissimilar, a separate printed search report fulfilling the requirements of clause 3(a) shall be provided for each form of the name.**

---

#### **9. (1) Content of names**

##### **9. (1) A business name shall not be**

**[...]**

**(b) only descriptive, in any language, of the quality, function or other characteristic of the goods or services in which the business deals or intends to deal;**

---

**11. (2) For the purposes of subsection 12(2) of the Act, a word or expression is deceptively misdescriptive if it misdescribes, in any language,**

**(a) the business, goods or services in association with which the business name is proposed to be used;**

**(b) the conditions under which goods or services will be produced or supplied or the persons to be employed in the production or supply of those goods or services; or**

**(c) the place of origin of those goods or services.**



M.R. 27/2003

**General Regulation – Chiropractic Act, Man. Reg. 66/86**

**2. (2) Registration of applicants**

**2. (2) Subject to the provisions of clause (3)(b) and subsections (13) and (15) any person who furnishes evidence satisfactory to the licensing committee that he**

**[...]**

**(d) is reasonably fluent in English or French;**

**[...]**

**is entitled to become a member of the association, to be entered in the register and to be issued a licence.**

**College of Audiologists and Speech-Language Pathologists of Manitoba  
General Regulation – Regulated Health Professions Act, Man. Reg.  
192/2013**

**Registration Requirements**

**2.6 Registration requirements – regulated members**

**2.6 For the purposes of clause 32(1)(g) of the Act, an applicant for registration as a regulated member must also**

**(a) establish that he or she meets the English or French fluency criteria established by the council;**

**Community Councils Election Regulation – Northern Affairs Act, Man. Reg.  
71/2009**

**Special Voting Situations**

**74. Interpreter**

**74. (1) A senior election official may appoint a language or sign language interpreter to assist election officials in communicating to a voter any information that is necessary to enable the voter to vote.**

**74. (2) An election official may act as an interpreter.**

**74. (3) Before acting as an interpreter, a person who is not otherwise an election official must take an oath that he or she**

(a) is able to make the translation and will do so to the best of his or her abilities;  
and

(b) will not attempt to influence how the voter votes.

**Correctional Services Regulation – Correctional Services Act, Man. Reg.  
128/99**

10. (1) Entitlement of inmate at disciplinary hearing

10. (1) An inmate who is charged with a disciplinary offence is entitled to

(a) the assistance of an interpreter, where the inmate is deaf or does not understand or speak the language in which the hearing is conducted;

**Court of Queen's Bench Rules – Court of Queen's Bench Act, Man. Reg.  
553/88**

4.07(8) By a person who does not understand the language

4.07 (8) Where it appears to a person taking an affidavit that the deponent does not understand the language used in the affidavit, the person shall certify in the jurat that the affidavit was interpreted to the deponent in the person's presence by an interpreter, named in the jurat, who took an oath or made an affirmation before the person to interpret the affidavit correctly.

---

34.09 (1) Oath of interpreter

34.09 (1) Where the person to be examined does not understand the language or languages in which the examination is to be conducted or is deaf or mute, a competent and independent interpreter shall, before the person is examined, take an oath or make an affirmation to interpret accurately the administration of the oath or affirmation and the questions to and answers of the person being examined.

34.09 (2) Who provides the interpreter

34.09 (2) Where an interpreter is required by subrule (1) for the examination of,

(a) a party or a person on behalf of a party, the party shall provide the interpreter;

(b) any other person, the examining party shall provide the interpreter.

---

### 53.01 (3) Interpreter

**53.01 (3) Where a witness does not understand the language or languages in which the examination is to be conducted or is deaf or mute, a competent and independent interpreter shall, before the witness is called, take an oath or make an affirmation to interpret accurately the administration of the oath or affirmation to the witness, the questions put to the witness and the answers of the witness.**

### 53.01 (4) Who provides interpreter

**53.01 (4) Where an interpreter is required under subrule (3), the party calling the witness shall provide the interpreter.**

## **Defibrillator Public Access Regulation – Defibrillator Public Access Act, Man. Reg. 150/2012**

### **Posting of Signs**

#### **9. (1) Form and content of signs**

##### **9. (1) A sign required to be posted under section 8**

**(a) must include the graphic symbol set out in Schedule C, or a similar graphic symbol,**

**(i) depicting a heart containing a lightning bolt, and**

**(ii) containing**

**(A) the words “Automated External Defibrillator” or the acronym “AED”,**

**(B) the French equivalent of the words or acronym referred to in paragraph (A), or**

**(C) both English and French words or acronyms referred to in paragraphs (A) and (B);**

**(b) must, except for a sign required under clause 8(b), contain wording, graphics or both – or be adjacent to a second sign containing wording, graphics or both – that directs a person to the location of the nearest defibrillator; and**

**(c) must be of the size that makes it clearly discernible to persons to whom it is directed.**

**Dental Health Workers Regulation – Dental Health Workers Act, Man. Reg. 448/88 R**

**Schedule – Forms**

**Form 1 [Subsection 13(1)]**

**Application for Registration**

[...]

**Instructions to Applicants:**

[...]

5. An initial application should be accompanied by documents, diplomas, affidavits, etc. readable in English or French that support the applicant's request to be registered as a dental health worker.

**Dental Hygienists Regulation – Dental Hygienists Act, Man. Reg. 80/2008**

**Registration**

8. (1) Eligibility for registration as a dental hygienist

8. (1) In addition to the requirements of section 9 of the Act, the requirements for registration as a dental hygienist are as follows:

[...]

(c) if the applicant's first language is not English or French, the applicant must be able to speak and write either English or French in accordance with the language fluency criteria established by the council;

**Reduced-Speed School Zones Regulation – Highway Traffic Act, Man. Reg. 136/2013**

8. Specific requirements about signage

8. (7) A traffic control device purporting to conform to Drawing 5 in the Schedule and erected for the purpose of subsection 6(7) or 7(2) must

[...]

(d) be white in colour and display, in black letters and numerals, the times, days and months at or during which the reduced speed is in effect under the by-law made for the purpose of section 98.1 of the Act;

[...]

**8. (8) A traffic control device purporting to conform to Drawing 5B in the Schedule and erected for the purpose of subsection 6(7) or 7(2)**

**(a) must**

[...]

**(iii) display in English and French, in black letters and numerals, the information required by clause (7)(d), and**

**Traffic Control Devices Order – Highway Traffic Act, Man. Reg. 264/88**

**3.1 (2) Flag person's paddle (MC–44) (MC–44B)**

**3.1(2) A flag person's paddle shall be displayed so that the text on one side is horizontal and shall**

[...]

**(c) in both unilingual and bilingual format, be on red on one side and display the word "STOP" in white letters not less than 150 mm in height on that side in a standard stop sign format;**

[...]

**(e) in bilingual format (MC–44B), be black on the other side and display the word "SLOW" in black letters not less than 90 mm high and the word "LENTEMENT" in black letters not less than 45 mm high within an orange square, having diagonal dimensions not less than 450 mm and displayed with one diagonal vertical;**

---

**23. (2) Pedestrian Information signs (MI–106 and MI–106A)**

**(23) (2) A "Pedestrian Information" sign shall**

[...]

**(d) be available in a bilingual format and displayed where appropriate as shown in the illustration;**

---

**24. (2) Pedestrian Information signs (MI–107 and MI–107A)**

**24. (2) A "Pedestrian Information" sign shall**

[...]

**(d) be available in a bilingual format and displayed where appropriate as shown in the illustration;**

---

25. (2) Pedestrian Information signs (MI-108 and MI-108A)

**25. (2) A "Pedestrian Information" sign shall**

**[...]**

**(d) be available in a bilingual format and displayed where appropriate as shown in the illustration;**

---

26. (2) Pedestrian Information signs (MI-109 and MI-109A)

**26. (2) A "Pedestrian Information" sign shall**

**[...]**

**(d) be available in a bilingual format and displayed where appropriate as shown in the illustration;**

---

27. (2) Pedestrian Information signs (MI-110 and MI-110A)

**27. (2) A "Pedestrian Information" sign shall**

**[...]**

**(d) be available in a bilingual format and displayed where appropriate as shown in the illustration;**

---

46. (1) Bilingual dechargement/loading (MR-34TB)

**46(1) A bilingual "Dechargement" "Loading" sign may be used only in conjunction with and erected immediately below a bilingual or symbolic "No Parking" sign to indicate what is permissible during certain hours and certain days.**

**46(2) A bilingual "Dechargement" "Loading" sign shall**

**[...]**

**(c) be white in color and display the words "Dechargement" and "Loading" in black letters not less than 20 mm in height;**

---

55.2 (2) Exemptions by Permit Only sign tab (MR–94T and MR–94TF)

55.2 (2) An "Exemptions by Permit Only" sign tab shall

[...]

(d) be available in a bilingual format and displayed where appropriate as shown in the illustration;

---

65.5 (1) Bilingual "Compulsory/Obligatoire" (MR–108TA)

65.5(1) A "Compulsory/Obligatoire" sign tab may be used directly below the symbolic "Seat belt" sign (MR–108), as an educational tab in designated bilingual zones to inform the driver that the use of seat belts is mandatory.

65.5(2) The "Compulsory/Obligatoire" sign shall

[...]

(c) be white in colour and display the word "Compulsory/Obligatoire" in black upper case letters not less than 75 mm in height;

---

65.7 (2) On Sidewalk sign tab (MR–109T and MR–109TA)

65.7(2) An "On Sidewalk" sign tab shall

[...]

(c) be white in colour and display the words "On Sidewalk" in black upper case letters not less than 75 mm in height and in bilingual form display the words "On Sidewalk"/"Sur le Trottoir" in black upper case letters not less than 65 mm in height;

---

65.8 (2) Cyclists Yield to Pedestrians sign (MR–110 and MR–110A)

65.8(2) A "Cyclists Yield to Pedestrians" sign shall

[...]

(c) be white in colour and display in black a design consisting of a standard symbolic bicycle and display the words "Yield to Pedestrians" in upper case letters not less than 60 mm in height and in bilingual form display the words "Yield to Pedestrians"/"Cédez aux Piétons" in uppercase letters not less than 50 mm in height;

---

65.9 (2) Not a Truck Route sign tab (MR-111T and MR-111TA)

**65.9(2) A "Not a Truck Route" sign tab shall**

(a) be rectangular in shape so that the long dimension is horizontal and in bilingual form be square in shape;

[...]

(c) be white in colour and display the words "Not a Truck Route" in black upper case letters not less than 75 mm in height and in bilingual form display the words "Not a Truck Route"/"Non Désigné aux Camions" in uppercase letters not less than 65 mm in height;

---

65.9.1 (2) Engine Retarder Brakes Prohibited sign (MR-112 and MR-112 F)

**65.9.1(2) An "Engine Retarder Brakes Prohibited" sign shall**

[...]

(d) be available in a bilingual format as shown in the illustration;

---

65.9.2 (2) Manitoba Municipality sign tab (MR-112TA and MR-112TA F)

**65.9.2(2) A "Manitoba Municipality" sign tab shall**

[...]

(d) be available in a bilingual format as shown in the illustration;

---

65.9.3(2) Distance Advisory sign tab (MR-112TB and MR-112TB F)

**65.9.3(2) A "Distance Advisory" sign tab shall**

[...]

(e) be available in a bilingual format as shown in the illustration;

---

65.9.4(2) Within Town Limits sign tab (MR-112C and MR-112TC F)

**65.9.4(2) A "Within Town Limits" sign tab shall**

[...]

(d) be available in a bilingual format as shown in the illustration;



---

65.11 (2) Stop for School Bus When Signals Flashing sign (MR-120 & MR-120A)

**65.11(2) A "Stop for School Bus When Signals Flashing" sign shall:**

[...]

**(e) be available in a bilingual format not less than 1200 mm in width and 2550 mm in height and displayed where appropriate as shown in the illustration;**

---

65.13(1) ARRÊT STOP sign (MR-125)

**65.13(1) An "ARRÊT STOP" sign may be used in place of a "STOP" sign in designated bilingual service areas.**

---

65.18 (2) Maximum 40 When Meeting Traffic sign (MR-136 and MR-136F)

**65.18(2) A "Maximum 40 When Meeting Traffic" sign shall**

[...]

**(d) be available in a bilingual format as shown in the illustration;**

---

65.19(2) Pay and Display Parking Limit Control sign (MR-143 and MR-143B)

**65.19(2) A "Pay and Display Parking Limit Control" sign shall**

[...]

**(d) be available in a bilingual format as shown in the illustration;**

---

65.20(2) Do Not Block Tracks sign (MR-144)

**65.20(2) A "Do Not Block Tracks" sign shall**

[...]

**(d) be available in a bilingual format as shown in the illustration;**

---

65.24(2) Disabled Designation sign (MR-166 and MR-166B)

**65.24(2) A "Disabled Designation" sign must**

[...]

**(d) be available in a bilingual format as shown in the illustration labelled "MR-166B";**

---

65.25(2) Time-Limited Loading sign (MR-167 and MR-167B)

**65.25(2) A "Time-Limited Loading" sign must**

[...]

**(d) be available in a bilingual format as shown in the illustration labelled "MR-167B";**

---

65.46 (4) Taxi Stand sign (MR-173, MR-174, MR-175, MR-176, MR-177, MR-173B, MR-174B, MR-175B, MR-176B and MR-177B)

**65.26(4) A "Taxi Stand" sign MR-173 must**

[...]

**(d) be available in a bilingual format as shown in the illustration labelled "MR-173B";**

---

65.46 (5) Taxi Stand sign (MR-173, MR-174, MR-175, MR-176, MR-177, MR-173B, MR-174B, MR-175B, MR-176B and MR-177B)

**65.26(5) A "Taxi Stand" sign MR-174, MR-176 or MR-177 must**

[...]

**(d) be available in a bilingual format as shown in the applicable illustration labelled "MR-174B", "MR-176B" or "MR-177B";**

---

65.46 (6) Taxi Stand sign (MR-173, MR-174, MR-175, MR-176, MR-177, MR-173B, MR-174B, MR-175B, MR-176B and MR-177B)

**65.26(6) A "Taxi Stand" sign MR-175 must**

[...]

(d) be available in a bilingual format as shown in the illustration labelled "MR-175B";

---

65.27 (2) Sunday/Holiday Bicycle Route Street Closure sign (MR-178 and MR-178F)

65.27 (2) A "Sunday/Holiday Bicycle Route Street Closure" sign MR-178 must

[...]

(d) be available in a French version as shown in the illustration labelled "MR-178F";

**Licensed Practical Nurses Regulation – Licensed Practical Nurses Act,  
Man. Reg. 27/2002**

**Registration as a Licensed Practical Nurse**

6. (1) Eligibility for registration as a licensed practical nurse

6. (1) The requirements for initial registration as a licensed practical nurse are as follows:

[...]

(c) if the applicant's first language is not English or French, the applicant must be able to speak and write either English or French with reasonable fluency;

**Medical Laboratory Technologists Regulation – Medical Laboratory  
Technologists Act, Man. Reg. 179/2006**

4. (1) Eligibility for registration as a medical laboratory technologist

4. (1) In addition to the requirements of subsection 9(1) of the Act, the requirements for registration as a medical laboratory technologist are as follows:

[...]

(c) if the applicant's first language is not English or French, the applicant must be able to speak and write either English or French in accordance with the language fluency criteria established by the council;

---

6. (1) Eligibility for conditional registration

6. (1) An applicant is eligible for registration on the conditional register if he or she

[...]

(f) having a first language that is neither English nor French, is able to speak and write either English or French in accordance with the language fluency criteria established by the council; and

[...]

**On-Farm Food Safety Regulation – Livestock and Livestock Products Act,  
Man. Reg. 41/2003**

3. Qualifications of an auditing organization

3. In order to qualify to be an auditing organization under section 24 of the Act, an organization must, at a minimum,

[...]

(m) be able to process applications for unit recognition from any part of Manitoba in both official languages.

**Personal Care Homes Standards Regulation – Health Services Insurance  
Act, Man. Reg. 30/2005**

3. What the bill of rights must contain

3. The bill of rights must be consistent with the Act and this regulation and must, at a minimum, reflect the following principles:

[...]

4. Subject to safety requirements and the privacy rights of other residents, residents are to be encouraged to exercise their freedom of choice whenever possible, including the freedom to do the following:

(a) exercise their choice of religion, culture and language;

**Personal Property Registry Regulation – Personal Property Security Act,  
Man. Reg. 80/2000**

15. (1) Debtor name – corporation

15. (1) If the debtor is a corporation, the financing statement shall set out the name of the corporation in the field designated for the name of the business debtor.

15. (2) Multiple forms of name

15. (2) The financing statement shall set out all forms of the debtor's name if the debtor is a corporation whose name is in more than one of the following forms:

- (a) an English form;
- (b) a French form;
- (c) a combined English and French form.

### **Pharmaceutical Regulation – Pharmaceutical Act, Man. Reg 185/2013**

#### **Part 3 – Registration**

##### **4. Registration of pharmacists**

**4. (1) In addition to the requirements of subsection 11(1) of the Act, an applicant for registration as a pharmacist must**

**[...]**

**(d) be able to speak and write either English or French in accordance with the language fluency criteria established by the council;**

---

##### **10. Registration of students**

**10. (1) In addition to the requirements of section 19 of the Act, an applicant for registration as a student must**

**[...]**

**(d) be able to speak and write either English or French in accordance with the language fluency criteria established by the council;**

### **Physician Profile Regulation – Medical Act, Man. Reg. 104/2005**

#### **Content of Physician Profiles**

##### **5. Voluntary information**

**5. A member may provide information to the council about any or all of the following matters, for inclusion in his or her profile:**

**[...]**

**(c) languages spoken (including American Sign Language), and availability of interpretation;**

## **Physiotherapists Regulation – Physiotherapists Act, Man. Reg. 204/2001**

### **Registration as a Physiotherapist**

#### **4. (1) Eligibility for registration as a physiotherapist**

**4. (1) In addition to the requirements of section 9 of the Act, the requirements for registration as a physiotherapist are as follows:**

**[...]**

**(c) if the applicant's first language is not English or French, the applicant must be able to speak and write either English or French in accordance with the language fluency criteria established by the council;**

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### **Registration as an Examination Candidate**

#### **6. (1) Eligibility for registration as an examination candidate**

**6. (1) An applicant is eligible for registration on the register of examination candidates if he or she**

**[...]**

**(e) whose first language is neither English or French, is able to speak and write either English or French in accordance with the language fluency criteria established by the council; and**

## **Occupational Therapists Regulation – Occupational Therapists Act, Man. Reg. 174/2005**

#### **4. (1) Eligibility for registration as an occupational therapist**

**4. (1) In addition to the requirements of subsection 9 of the Act, the requirements for registration as an occupational therapist are as follows:**

**[...]**

**(b) if the applicant's first language is not English or French, the applicant must be able to speak and write either English or French in accordance with the language fluency criteria established by the council;**

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7. (4) Eligibility for provisional registration: supervised practice candidate

**7. (4) An applicant is eligible for provisional registration as a supervised practice candidate if he or she**

**(a) intends to begin,**

**[...]**

**(ii) mandatory supervised practice while achieving language fluency, or**

### **Optometry Regulation – Optometry Act, Man. Reg. 456/88 R**

4. (1) Eligibility for registration as an optometrist

**4. (1) The requirements for registration as an optometrist are as follows:**

**[...]**

**(d) if the applicant's first language is not English or French, the applicant must be able to demonstrate, in accordance with policies set by the board, appropriate skills in oral and written English or French with reasonable fluency;**

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4.3 Eligibility for registration as an optometrist student

**The eligibility requirements for registration as an optometric student are as follows:**

**[...]**

**(d) if the applicant's first language is not English or French, he or she must be able to demonstrate, in accordance with the policies set by the board, appropriate skills in oral and written English or French with reasonable fluence;**

### **Podiatrists Regulation – Podiatrists Act, Man. Reg. 99/2006**

## **Registration as a Podiatrist**

4. Eligibility for registration as a podiatrist

**4. In addition to the requirements of section 9 of the Act, the requirements for registration as a podiatrist are as follows:**

**[...]**

**(d) if the applicant's first language is not English or French, the applicant must be able to speak and write either English or French in accordance with the language fluency criteria established by the council.**

**Public Libraries Allocation of Grants Regulation – Public Libraries Act,  
Man. Reg. 279/87**

3. (3) Annual operating grant

3. (3) The amount of the grant payable to the public library under this section shall be calculated individually for each municipality that operates a municipal public library or that is a member of a regional public library, on the following basis:

[...]

(c) an additional collection development grant of \$1,000. for the purchase of library collection materials for each branch or bookmobile of a public library that is located

[...]

(ii) in a designated area as set out in the government's French Language Services Policy.

M.R. 140/94; 2/2004

**Registered Dietitians Regulation – Registered Dietitians Act, Man. Reg.  
234/2004**

4. Eligibility for registration as a registered dietitian

4. In addition to the requirements of subsection 9(1) of the Act, the requirements for registration as a registered dietitian are as follows:

[...]

(c) if the applicant's first language is not English or French, the applicant can speak and write either English or French in accordance with the language fluency criteria established by the council.

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6. (1) Eligibility for registration as a graduate dietitian

6. (1) In addition to the requirements of subsection 9(3) of the Act, the requirements for registration as a graduate dietitian are as follows:

[...]

(e) if the applicant's first language is not English or French, the applicant can speak and write either English or French in accordance with the language fluency criteria established by the council.

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11. Eligibility for registration as a dietetic intern

**11. An applicant is eligible for registration on the register of dietetic interns if he or she meets the following requirements:**

[...]

**(d) if the applicant's first language is not English or French, the applicant can speak and write either English or French in accordance with the language fluency criteria established by the council.**

**Registered Nurses Regulation – Registered Nurses Act, Man. Reg. 128/2001**

**Registration as a Registered Nurse**

4. (1) Eligibility for registration as a registered nurse

**4. (1) The requirements for initial registration as a registered nurse are as follows:**

[...]

**(d) if the applicant's first language is not English or French, the applicant must be able to speak and write either English or French with reasonable fluency.**

**Registered Psychiatric Nurses Regulation – Registered Psychiatric Nurses Act, Man. Reg. 57/2002**

**Registration as a Registered Psychiatric Nurse**

5. (1) Eligibility for registration as a registered psychiatric nurse

**5. (1) The requirements for initial registration as a registered psychiatric nurse are as follows:**

[...]

**(d) if the applicant's first language is not English or French, the applicant must be able to demonstrate, in accordance with policies set by the board, appropriate skills in oral and written English or French;**

[...]

**Sustainability Guidelines for Local Governments, School Divisions, Universities, Colleges and Regional Health Authorities Regulation – Sustainable Development Act, Man. Reg. 4/2004**

**Schedule B – Guidelines for Sustainable Procurement**

**1. (1) Definitions**

**1. (1) In this Schedule**

“social well-being” means the extent to which

[...]

(b) cultures, such as Aboriginal peoples, are able to satisfy their needs, and realize their aspirations, in relation to their languages and their cultural beliefs, customs and traditions. (« *bien-être social* »)

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**2. Guidelines for sustainable procurement**

**2. When a local public sector organization makes procurement decisions, it should be guided by the following considerations:**

[...]

(c) promoting environmentally sustainable economic development, including, but not limited to, recognizing and considering

(i) the impact that procurement processes and decisions can have on the needs and goals of the people of the various geographic regions of Manitoba and the various Aboriginal and non-aboriginal cultures in Manitoba

**Traffic Control Devices on Crown Lands, Vehicle Identification Devices and Offence Notices Regulation – Public Works Act, Man. Reg. 90/89**

**2. Interpretation**

**2. Despite anything in this regulation, traffic control devices in English or French, or both, may be used on Crown property.**

**Workplace Safety and Health Regulation – Workplace Safety and Health Act, Man. Reg. 217/2006**

**35.12 Laboratory samples**

**35.12 (1) An employer who receives at a workplace a laboratory sample that is subject to a labelling exemption under the *Hazardous Products Regulations* must ensure that a label provided by the supplier is affixed to, printed on or attached to the sample's container.**

**35.12 (2) A label under subsection (1) must**

**[...]**

**(b) contain the following statement, in both English and French: "Hazardous Laboratory Sample. For hazard information or in an emergency, call:" followed by an emergency telephone number to be used to obtain the information that must be provided on the safety data sheet of the hazardous product.**

