



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

44th PARLIAMENT, 1st SESSION

Standing Committee on Official Languages

EVIDENCE

NUMBER 025

Monday, June 6, 2022

Chair: Mr. René Arseneault



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• (1530)

[*Translation*]

The Chair (Mr. René Arseneault (Madawaska—Restigouche, Lib.)): I call this meeting to order.

Good afternoon, everyone.

Welcome to meeting number 25 of the House of Commons Standing Committee on Official Languages.

[*English*]

Today's meeting is in a hybrid format. Members will attend in person or with the Zoom application.

[*Translation*]

In light of the recommendations from health authorities regarding the pandemic, all those attending the meeting in person should follow the directives of the Board of Internal Economy.

I thank the members in advance for their cooperation.

[*English*]

Should any technical challenges arise, please advise me immediately. We may need to suspend for a few minutes as we need to ensure all members are able to participate fully.

[*Translation*]

Pursuant to the order of reference of Monday, May 30, 2022, the committee is undertaking its study of Bill C-13, An Act to amend the Official Languages Act, to enact the Use of French in Federally Regulated Private Businesses Act and to make related amendments to other Acts.

Before welcoming the witnesses, I want to give the floor to Mr. Drouin, who wishes to speak.

Go ahead, Mr. Drouin.

Mr. Francis Drouin (Glengarry—Prescott—Russell, Lib.): I would like to introduce a motion that pertains to what we're studying today. This motion is in the same spirit as the discussions we've had since April.

I'll read it so it appears in the minutes. Then it can be distributed.

That, in relation to the consideration of Bill C-13, An Act to amend the Official Languages Act, to enact the Use of French in Federally Regulated Private Businesses Act and to make related amendments to other Acts:

a. the Minister of Official Languages, the Minister of Canadian Heritage, the President of the Treasury Board and the Minister of Immigration, Refugees and Citizenship be invited to appear;

b. the Commissioner of Official Languages be invited to appear for a one-hour meeting on Wednesday, June 15, 2022;

c. the clerk invite witnesses to appear during the meetings on the weeks of June 6, 2022, and June 13, 2022;

d. amendments to Bill C-13 be submitted to the clerk in both official languages no later than 12:00 p.m. ET on Friday, June 17, 2022, or 48 hours before the start of clause-by-clause review of the bill, whichever comes first;

e. the committee commence clause-by-clause consideration of the bill no later than Monday, June 20, 2022, at 3:30 p.m. ET;

f. if the committee has not completed the clause-by-clause consideration of the Bill by 5:30 p.m. ET on Tuesday, June 21, 2022, all remaining amendments submitted to the committee shall be deemed moved, the Chair shall put the question, forthwith and successively, without further debate on all remaining clauses and proposed amendments, as well as each and every question necessary to dispose of clause-by-clause consideration of the Bill, as well as all questions necessary to report the Bill to the House and to order the Chair to report the Bill to the House as soon as possible;

g. the clerk of the committee write immediately to each member who is not a member of a caucus represented on the committee and any independent members to inform them of the study of Bill C-13 by the committee and to invite them to prepare and submit any proposed amendments to Bill C-13 which they would suggest that the committee consider during the clause-by-clause study of the Bill; and

h. as agreed to on Wednesday, June 1, 2022, subject to the approval of the recognized parties' whips, and the availability of meeting slots from the House of Commons, the committee hold as many additional meetings as possible with the goal of accomplishing a maximum of 15 hours of study prior to the beginning of clause-by-clause consideration of the bill.

I'm aware my honourable colleague has also introduced a motion. If we must move forward, I'm receptive to the idea of including the Office of the Parliamentary Budget Officer.

• (1535)

The Chair: Thank you, Mr. Drouin.

Does anyone wish to speak to the motion?

Go ahead, Mr. Godin.

Mr. Joël Godin (Portneuf—Jacques-Cartier, CPC): Mr. Chair, we don't have the text of the motion to hand.

Our colleague read it, but it contains a lot of elements. What I understand from the motion is that we want to speed up the process. However, I don't necessarily agree on the way my colleague, or probably the representatives of the party in power, want to go about it. The Liberal Party has been in power for seven years, and we now find ourselves in a funnel.

The bill was introduced on March 1, 2022, then sent to the committee last Monday, and we've constantly been rushed since then.

This is a very important bill for official languages. We need to take the time to study it and to have the resources to study it.

As I understand the motion read by my colleague, this is an attempt to limit our time. I'm going to wait until I have the text of the motion in hand before making any more specific comments.

The Chair: That's good, Mr. Godin.

While we wait for the text of the motion to be distributed, I will turn the floor over to Ms. Ashton.

Go ahead, Ms. Ashton.

Ms. Niki Ashton (Churchill—Keewatinook Aski, NDP): Good afternoon, everyone.

First, I'd like to say that it's troubling that committee members didn't receive the motion in advance. We're all here to work in good faith and to move things along quickly.

As I previously said, we want to add meeting hours. We want to hear from key ministers and witnesses. We've just suggested some witnesses.

We think we need more meeting hours. We agree with the first part of the motion, but we find several parts of it unacceptable because they limit the committee's democratic ability to do a good job with this historic bill.

The Chair: Thank you, Ms. Ashton.

Mr. Beaulieu, the floor is yours.

Mr. Mario Beaulieu (La Pointe-de-l'Île, BQ): It seems to me we're supposed to receive motions in advance. Now we can't vote on this motion right away. My understanding is that it's been introduced.

The Chair: No 48-hour notice is required for a study. The motion concerns the current study.

Mr. Mario Beaulieu: I see.

I also think it's incredible that a gagging order has been applied to expedite second reading of the bill and to limit debate as much as possible, and this situation will continue. This major bill will have a significant impact on francophones in Quebec, and a lot of work needs to be done to make it acceptable to Quebec. I don't understand why we want to bulldoze this bill through.

We've been discussing it for years, and suddenly we have to do a quick second reading. Today is June 7, and we have two weeks to go until the summer break. We're being told we have to ram it through and see all the witnesses. We have a lot of bills to consider, and I don't think this makes any sense.

We have to take the time to do things right, as was said at the last meeting. I don't know whether it's possible to introduce contrary motions, but it seems to me we had agreed to take the necessary time to listen to the witnesses. We can ultimately do the clause-by-clause consideration in September.

I don't think this makes any sense.

• (1540)

The Chair: Thank you, Mr. Beaulieu.

Ms. Ashton, is your hand still raised or have you just forgotten to lower it?

Ms. Niki Ashton: I raised it again.

The Chair: All right.

In that case, the next speakers will be Mr. Drouin, Ms. Ashton and Mr. Généreux.

Mr. Drouin, the floor is yours.

Mr. Francis Drouin: I just want to remind members of the committee that, through Mr. Serré, we asked to do a pre-study in April and you rejected the idea. I introduced a similar motion. You rejected it, and debate stopped. After that, I was accused of wanting to speed up testimony and bulldoze the process.

I would remind you that 15 hours represent one month or even five weeks of committee meetings, and that's not including clause-by-clause consideration. We'd be holding meetings that are usually spread over six or seven weeks in the space of two weeks. That's significant. There are never any guarantees for a minority government. The official language minority communities want us to pass the bill as soon as possible.

Yes, there will be amendments, but if we don't set a limit, we'll still be here in December hearing the same things from all the witnesses. We're refusing to allow Bill C-13 to be passed in the House of Commons, and, unfortunately, my community will once again pay the price.

I've been an MP long enough to understand the tactics used in Parliament. I find this appalling. Fifteen hours of meetings to hear testimony represent five weeks, and that doesn't even include clause-by-clause consideration. That takes us up to six or seven weeks.

No one should think we don't want to hear testimony; that's not at all what we're saying. We wouldn't be having this discussion if we had simply adopted Mr. Serré's motion in early April. We would have started the work already.

Mr. Joël Godin: I have a point of order, Mr. Chair.

The Chair: Go ahead, Mr. Godin.

Mr. Joël Godin: Mr. Chair, I don't like our colleague criticizing us for decisions we've made in the past. I understand his arguments and I respect...

The Chair: Pardon me, Mr. Godin, but that's not a point of order. I believe criticism is a two-way street..

Ms. Ashton, you have the floor. Then it will be Mr. Généreux' turn.

Ms. Niki Ashton: During our debate last Monday, I believe we all discussed our expectations for the coming weeks. Personally, Mr. Chair, I'm eager to hear what you have to say about the possibility of adding study time, actually not just theoretically. I know you've already sent out an email concerning a possible meeting. I agreed to that proposal, but I don't know what's happened with the other members of the committee. I think we need to know what we're going to work on.

In light of last week's debate and the idea of adding study time, I'm moving an amendment to the motion, that we retain paragraph a) concerning the appearance of ministers, paragraph b) concerning the appearance of the Commissioner of Official Languages, whose comments we of course want to hear, and paragraph c) concerning the appearance of witnesses during the weeks of June 6, 2022, and June 13, 2022.

I move that we delete paragraphs d), e), f) and g). As for paragraph h), I move that we delete all mention of the 15 hours of study and that we amend the paragraph to read as follows:

as agreed to on June 1, 2022, subject to the approval of the recognized parties' whips, and the availability of meeting slots from the House of Commons, the committee hold additional meetings.

I think that reflects our wish to add hours of study and to hold additional meetings, but we mustn't bulldoze the process, as Mr. Beaulieu put it.

The government had promised to introduce this bill in the first 100 days of its mandate, but that didn't happen. We're working based on the government's timeframe. We want to add hours of study and do a serious job, which doesn't limit our ability, as a committee, to improve this bill.

The Chair: Ms. Ashton, you've moved an amendment. We have to focus on that now. I don't want to make you work too hard, but would you please summarize your amendment since everyone has the document in front of them?

As I understand it, you said paragraphs a), b) and c) would remain unchanged.

Ms. Niki Ashton: That's correct.

The Chair: What do you propose next?

Ms. Niki Ashton: I move that paragraphs d), e), f) and g) be deleted.

As for paragraph h), I move that the mention of 15 hours of study be deleted. I would retain everything else, and the new paragraph would read as follows:

as agreed to on June 1, 2022, subject to the approval of the recognized parties' whips, and the availability of meeting slots from the House of Commons, the committee hold additional meetings.

The idea is thus to delete the mention of 15 hours of study.

• (1545)

The Chair: Mr. Gourde, Mr. Godin and Ms. Lattanzio would like to comment on the amendment.

Just a moment, please, Mr. Gourde.

For those of you who are looking at me and who already had their hands raised, I mentioned the speaking list earlier. As we are

debating an amendment to the motion, we will start over from the top of that list.

Consequently, speakers will address their remarks solely to the amendment moved by Ms. Ashton.

Mr. Gourde and Mr. Godin raised their hands at the same time, and Ms. Lattanzio also raised her hand.

Mr. Gourde, the floor is yours.

Mr. Jacques Gourde (Lévis—Lotbinière, CPC): Thank you very much, Mr. Chair.

I also want to make my voice heard because we want to work hard on this bill. It's a historic bill that has been awaited for nearly 50 years. Consequently, I wouldn't want us to settle the matter in haste, over two or three weeks, because that would really be sad for us and for all Canadians. Its content could very well be established for the next 50 years.

I would also like to move a subamendment, but parts of it are similar to Ms. Ashton's proposal. First, in paragraph d), I'd like to delete the words "no later than 12:00 p.m. ET on Friday, June 17, 2022, or 48 hours before the start of clause-by-clause review".

The lack of a fixed date could cause a problem.

The Chair: Mr. Gourde, I apologize for interrupting, but Ms. Ashton has moved that paragraph d) be deleted.

Mr. Jacques Gourde: That's great. I have no objection to that.

I'm reading my notes because I don't have the motion in front of me, so if we have similar proposals, so much the better.

I move that we delete all of paragraph e) and paragraph f) as well. As a result, there would be no immediate vote. In paragraph h), I propose "a minimum of 15 hours of study".

The Chair: Mr. Gourde, the clerk tells us we'll have Ms. Ashton's amendments in a moment. What you just said is important, but these are paragraphs that will be deleted under the proposed amendment. We'll come back to this if you have any questions, but, for the moment, I give Mr. Godin the floor.

Mr. Jacques Gourde: All right.

Mr. Joël Godin: Mr. Chair, I ask that we adjourn debate so we can hear witness testimony.

We've summoned witnesses, and we want to work on Bill C-13.

The Chair: This motion isn't subject to debate, and we must vote immediately.

The vote is on adjournment of debate on the amendment.

Mr. Joël Godin: Then we'll vote on adjournment of debate on the amendment.

The Chair: It's more a vote on adjournment of debate on the motion.

I'd like to state clearly for all those listening in, both virtually and in person, that Mr. Godin is requesting that we adjourn debate on Ms. Ashton's motion.

Madam Clerk, we may proceed with the vote.

(Motion negatived: nays 6; yeas 5)

The Chair: Now we will return to the amendments.

The next person wishing to speak is Mr. Généreux, and then it will be Mr. Beaulieu's turn.

Mr. Bernard Généreux (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, CPC): Mr. Chair. I'm extremely disappointed with what's happening today. This government has had an opportunity to introduce a reform of the Official Languages Act for the past six years, and we're still debating it nearly seven years later. We're trying to change an act that's been around for 50 years and will probably be in force for the next 50 years once it's been revised. It's also not just one act, but two. The second act hasn't been studied by anyone.

We clearly have a duty as parliamentarians to ensure we take the necessary time to study this bill and to hear the testimony of all stakeholders. I understand that associations will be represented in groups to save time. However, some associations want to make their voices heard. We should also be listening to the provinces about this bill, particularly Quebec.

Based on the witness list that was submitted by all parties, my impression is that we'll need more than 15 hours. I'm all for having the Liberals try to proceed more quickly with the assistance of all concerned. We're definitely ready to move forward, but let's be logical, and I'd like to ensure that everyone understands that we aren't involved in a partisan battle because we all agree we should pass this new act as soon as possible. The reality is that the math doesn't work.

Besides, we don't even know if we'll be sitting during the week of June 18 to 23. If we are, it'll be impossible. I wouldn't want Canadians watching us or the witnesses here today to think that, once again, one of us or another has spoiled the whole thing. I think it's important to work together on this 50-year-old bill in a friendly and respectful way. The new act will be in force for the next 50 years, perhaps more.

Unless Mr. Drouin tells me the bill will be revised starting next year because, once it's passed, it will have to be amended again, I think we really must do things properly. In the time allotted us until the end of the parliamentary session, it is mathematically impossible to pass this bill. So let's work immediately with the witnesses and move the bill forward as quickly as possible by the end of the session. We'll resume our work early in the fall, and we'll work in a friendly manner to ensure the bill is the best possible bill for everyone.

• (1550)

The Chair: Thank you, Mr. Généreux.

I would like to point out for members of the committee that this debate concerns the amendment moved by Ms. Ashton.

Go ahead, Mr. Beaulieu.

Mr. Mario Beaulieu: May I introduce a subamendment?

The Chair: Yes, you may. You have that right.

Mr. Mario Beaulieu: I would amend paragraph c) to read as follows: “the clerk invite witnesses to appear during the meetings

starting in the weeks of June 6, 2022, and June 13, 2022;” and I would delete paragraph h). I also think it's important for us to take the time it takes.

Each side can question the other's motives. In the past month, we've sensed a desire to bulldoze this through, to hurry, to conduct a pre-study and to pile on the studies.

I think the Official Languages Act has a major impact in Quebec and promotes anglicization. It's important to take the time to debate this in Quebec, and that hasn't yet been done.

The Chair: Mr. Beaulieu, I'm going to repeat your subamendment so everyone clearly understands it.

In paragraph c) of the principal motion that Mr. Drouin has introduced, you move that the clerk invite witnesses to appear “starting on the weeks of June 6, 2022, and June 13, 2022”, and you propose to delete all of paragraph h).

So I will repeat the speaking order from the top on this subamendment.

Ms. Lattanzio, the floor is yours.

Ms. Patricia Lattanzio (Saint-Léonard—Saint-Michel, Lib.): Thank you, Mr. Chair.

Perhaps you didn't see me when I wanted to speak earlier. I wanted to ask that Ms. Ashton's amendments be distributed to us.

Would the clerk please send them to us or confirm that they've been sent to us in both official languages?

The Chair: They've already been sent, Ms. Lattanzio.

Ms. Patricia Lattanzio: Do you want us to start with the amendment and then debate the subamendment, or the reverse?

• (1555)

The Chair: According to the rules of procedure, we must discuss the subamendment moved by Mr. Beaulieu now.

Ms. Patricia Lattanzio: All right.

Would you please repeat it to us?

The Chair: If you have in front of you what the clerk sent out about a minute ago, you will see the amendment moved by Ms. Ashton, which appears in red. You can also see that Mr. Beaulieu proposes to amend paragraph c) as follows: “starting on the weeks of June 6, 2022, and June 13, 2022”. He also moves that all of paragraph h) be deleted.

Mr. Drouin, you now have the floor. Then, it will be Mr. Godin's turn.

Mr. Francis Drouin: Mr. Beaulieu, I want to be sure I understand what you're saying about the subamendment. If I refer back to the June 1 meeting, you said we should take the time to study the bill properly.

Are you referring to calendar time or parliamentary time?

Parliamentary time is the only way we can move forward and gather testimony. By deleting paragraph h), you exclude parliamentary time. I don't think that makes any sense, and that's why I'm asking the question. Paragraph h) enabled us to bring in the whips, negotiate together and ensure we had more parliamentary time to examine the matter. Now you're depriving the committee of that option.

I'm trying to understand. Is it calendar time you want so we can take advantage of the summer?

Mr. Mario Beaulieu: I don't think it's my turn.

The Chair: I gave Mr. Godin the floor first. You will be next, Mr. Beaulieu.

Mr. Joël Godin: Mr. Chair, thank you for following the procedure.

I'd like to move the following subamendment: "That, in relation to the consideration of Bill C-13, the committee instruct the clerk and the—

The Chair: Just a moment, Mr. Godin.

We have to finish considering another subamendment. We will move on to yours after that, if you have one.

Mr. Joël Godin: But we hadn't finished with Ms. Ashton's amendment, and we started debating Mr. Beaulieu's subamendment.

The Chair: Mr. Beaulieu moved a subamendment to amend Ms. Ashton's amendment.

Mr. Joël Godin: That's what I want to do too. I'm also moving a subamendment to amend Ms. Ashton's amendment.

The Chair: I understood that, but we are going to deal with the first subamendment before dealing with yours.

Mr. Joël Godin: All right.

Mr. Mario Beaulieu: I want to subamend mine.

The Chair: It would be right to do that.

Mr. Joël Godin: I'm a bit lost here.

The Chair: Please wait a few minutes.

Mr. Drouin, I think you challenged Mr. Beaulieu over paragraph h).

Mr. Beaulieu, you have the floor on this point.

Mr. Mario Beaulieu: Here's what really bothers me. Paragraph h) reads as follows:

h. as agreed to on Wednesday, June 1, 2022, subject to the approval of the recognized parties' whips, and the availability of meeting slots from the House of Commons, the committee hold as many additional meetings as possible...

I'm ultimately okay with the first part. However, it goes on as follows:

...with the goal of accomplishing a maximum of 15 hours of study prior to the beginning of clause-by-clause consideration of the bill.

It seems to me that suggests that parliamentary debate should be limited to 15 hours.

Ms. Niki Ashton: Mr. Chair, may we clarify my amendment?

The Chair: Ms. Ashton, would you please tell us whether you are actually referring to 15 hours in paragraph h)?

Ms. Niki Ashton: Yes, that's correct.

The Chair: Go ahead, Mr. Godin.

Mr. Mario Beaulieu: In her amendment, Ms. Ashton would already delete the last part of the motion.

The Chair: Go ahead, Mr. Godin.

Mr. Joël Godin: I want to draw the attention of all the members to the following point. Paragraph h) states, "as agreed to on Wednesday, June 1, 2022". However, it was never agreed to on June 1, 2022 that we would have a maximum of 15 hours before commencing clause-by-clause consideration.

I think that Ms. Ashton's proposal is very appropriate. We can't accept a motion that contains a falsehood. We don't even have to use Ms. Ashton's amendment since there's an error in its wording.

The Chair: Thank you, Mr. Godin.

Mr. Drouin, you have the floor.

Mr. Francis Drouin: Once again, I'd like to clarify a point. The motion refers to 15 hours, but how many hours would you like to have, Mr. Beaulieu?

How many hours would you like the committee to have? I'd simply like to have an idea of the number. We're talking about a number of hours, but the committee doesn't sit in the summer. We'll reconvene in late September, when we'll have four or perhaps eight hours. There's a parliamentary recess during Thanksgiving week, in October.

As I said earlier, that'll take us up to December. I'm just trying to see—

• (1600)

Mr. Joël Godin: I have a point of order, Mr. Chair.

I believe that all remarks must be addressed to the chair.

The Chair: Go ahead, Ms. Ashton.

Ms. Niki Ashton: I want to make it clear that that the proposal to remove this limit is contained in my amendment. Thank you for the clarification, but we never proposed that. I think there's a desire—although definitely not on our part—to add more hours, but the idea is also not to limit our democratic committee work.

The Chair: Would you please repeat your last sentence, Ms. Ashton?

Ms. Niki Ashton: We agree with the idea of adding hours, but we don't want the mention of 15 hours of study to limit the committee's democratic work. That's why we're moving an amendment deleting those words.

The Chair: Thank you, Ms. Ashton.

Go ahead, Mr. Beaulieu.

Mr. Mario Beaulieu: I'm prepared to side with the members of the committee on Ms. Ashton's amendment regarding paragraph h), but I would retain my proposal to amend paragraph c) to read "during the meetings starting on the weeks". I don't necessarily want us to limit the time reserved for witnesses.

I don't know if I'm authorized to do so, but I would delete part of my subamendment, the part concerning paragraph h).

The Chair: Mr. Beaulieu, you must obtain unanimous consent to amend the subamendment to Ms. Ashton's amendment.

As I understand it, you would like the wording of the amendment to remain as is, but what would you do about the 15 hours of study in question?

Mr. Mario Beaulieu: I wouldn't delete paragraph h). I would retain Ms. Ashton's proposed wording, which would remove the maximum limit of 15 hours of study.

The Chair: That's great.

Mr. Mario Beaulieu: However, I retain the amendment to paragraph c): "... starting on the weeks..."

The Chair: You want to add "starting", but what does that change?

Mr. Mario Beaulieu: The idea is for us to avoid being compelled to hear witnesses only in the weeks of June 6 and 13 of this year.

The Chair: Then you want us to say "starting on the week of June 6" and to delete "and June 13".

We would then simply be saying "starting on the week of June 6". Is that what you mean?

Mr. Mario Beaulieu: Yes, that's it.

The Chair: So to clarify the subamendment that Mr. Beaulieu moves to amend Ms. Ashton's amendment, paragraph c) would read as follows: "the clerk invite witnesses to appear starting on the week of June 6".

The wording of paragraph h) would remain as proposed by Ms. Ashton.

Go ahead, Mr. Godin.

Mr. Joël Godin: Mr. Chair, following the Bloc Québécois' deletion of the wording of the end of paragraph h) and its correction by the clerk, you said "fixe", but what I'm reading is this: "la greffière invite des témoins à comparaître lors de réunions à partir du 6 juin 2022".

I request a vote on the subamendment.

The Chair: I'm sorry, Mr. Godin, but you may not request a vote.

I didn't quite understand. Mr. Godin, what did you say about paragraph c)?

Mr. Joël Godin: Mr. Chair, you said, "la greffière fixe les comparutions des témoins", whereas the wording now reads "la greffière invite des témoins à comparaître lors de réunions à partir du 6 juin 2022". I think that's what Mr. Beaulieu mentioned.

The Chair: I see.

Mr. Joël Godin: I requested a vote, and you told me I could request it. Is that correct?

The Chair: That's correct. You have to wait for debate to end to request it.

Go ahead, Mr. Drouin.

Mr. Francis Drouin: I suggest that we suspend for five minutes so we can come to an agreement rather than just argue back and forth among speakers. Then we can resume without needing to introduce subamendments, subsubamendments and so on.

The Chair: I agree.

We will suspend for a few minutes.

• (1600) _____ (Pause) _____

• (1615)

The Chair: My apologies to our colleagues and to our guests who are participating in the meeting through the Zoom app.

We were discussing Mr. Beaulieu's subamendment. Is there any further debate on the subamendment?

Go ahead, Mr. Drouin.

Mr. Francis Drouin: Thank you, Mr. Chair.

I know it requires unanimous consent, but I'd like to withdraw my entire motion because there doesn't appear to be any agreement. We can debate the motion and proceed with all the votes, but it won't matter because we don't agree on the duration of the work. We have to work on Bill C-13. I need unanimous consent to withdraw my motion. If we have to vote, let's vote.

The Chair: Do you propose to withdraw the entire motion?

Mr. Francis Drouin: My motion is the root of the problem. If I remove the root of the problem, we won't need to deal with the subamendments.

The Chair: I will consult the clerk because an amendment has been introduced to amend the principal motion, since a subamendment was introduced to amend the amendment. It seems to me that, if we withdraw the principal motion, that will end debate, but I will confirm that.

I suggest we request unanimous consent to withdraw Mr. Beaulieu's subamendment to amend Ms. Ashton's amendment, to withdraw Ms. Ashton's amendment to amend the principal motion and to withdraw Mr. Drouin's motion.

That would be the simplest way to proceed if all parties around the table are in agreement.

Do we have unanimous consent?

I see there are some questions.

Go ahead, Ms. Ashton.

• (1620)

Ms. Niki Ashton: My amendment reflects my wish to add more meetings. As I said, I don't want to limit the committee's work by restricting the number of hours of study that should be scheduled. It would be a good idea to clarify the process regarding the amendments. I'd like to know how we can agree to add more formal meetings to the committee's schedule.

The Chair: That raises a question, Ms. Ashton.

Mr. Drouin said that, if we had unanimous consent, he would withdraw his motion so we could hear the witnesses' presentations and proceed with our study of Bill C-13.

You introduced an amendment, and Mr. Beaulieu moved a subamendment to your amendment. I must therefore request the committee's unanimous consent to withdraw all that, that is to say, so we can withdraw Mr. Beaulieu's subamendment, your amendment and Mr. Drouin's motion. So we would be starting all over again.

That's what I suggest, with the committee's unanimous consent, of course.

Is anyone opposed to that?

Ms. Niki Ashton: I'm opposed to it, Mr. Chair.

The Chair: All right.

Ms. Ashton wants the motion to be upheld.

We will now move on to Mr. Beaulieu's subamendment.

Ms. Niki Ashton: Yes, that's correct.

I can't discuss that aspect.

The Chair: That's fine.

Mr. Gourde, you have the floor on the subamendment moved by Mr. Beaulieu. Then it will be Ms. Lattanzio's turn.

Mr. Jacques Gourde: I had a point of order concerning what happened a few moments ago.

When you suspended, negotiations were under way, but five members of the committee attending the meeting via the Zoom app were unable to take part. That limits things. The committee should have gone in camera so everyone could participate in the discussion.

Ms. Ashton was in the same position as I was: we were in limbo, even though we could see you gesticulating. Now you're making a proposal, but we didn't take part in the debate. That's really not constructive. We're going backward instead of forward.

I'll stop there, Mr. Chair, but I'd like to bring it to your attention that we may have made a mistake.

The Chair: You are absolutely right, Mr. Gourde.

Allow me to be the first to apologize. We didn't realize that our colleagues attending the meeting via Zoom were excluded once we suspended. We learned that a few moments later. My apologies. We will know for the next time.

Ms. Lattanzio, you have the floor on Mr. Beaulieu's subamendment.

[English]

Ms. Patricia Lattanzio: Thank you, Mr. Chairman.

I will permit myself to say the following: We've invited guests to appear before us today. They've been patiently waiting. I understand that the matter we're discussing is equally important, as the committee does want to be able to hear many witnesses and do its work diligently on this very important piece of legislation.

That being said, I think that discussions may well pursue beyond the time of today's committee. I would propose at this point, Mr. Chairman, that we please adjourn the debate and possibly leave the opportunity for members to speak to one another perhaps after today's session, as we will reconvene on Wednesday. To hold up the witnesses for all the time we have to this point is undue. I think that my proposal would be a reasonable one, if I can permit myself to say that at this point in time, Mr. Chairman.

I submit to my colleagues that we adjourn the debate on this issue and possibly take it up again another time, and that we start listening to our witnesses who have been patiently waiting now for an hour.

• (1625)

The Chair: Madame Lattanzio, thanks for your comments.

I understand that you're proposing we cease the debate on the subamendment. Is that right?

[Translation]

Then we'll go straight to the question.

Mr. Joël Godin: Mr. Chair, before we vote, I have a point of order.

I made exactly the same request half an hour ago.

The Chair: Mr. Godin, we were discussing the amendment earlier, but we had to finish discussing the subamendment.

Mr. Joël Godin: Is my colleague requesting that we adjourn debate on the subamendment?

The Chair: Yes, that's correct.

Mr. Joël Godin: I was just going to say that perhaps Mr. Beaulieu intended to withdraw his subamendment.

The Chair: All right. Now we agree on that.

No further debate is possible because we have to vote.

Mr. Mario Beaulieu: I'm prepared to withdraw my subamendment.

The Chair: Mr. Beaulieu has informed us that he is withdrawing his subamendment.

Do we have unanimous consent for Mr. Beaulieu to withdraw his subamendment?

Everyone appears to agree on that.

(Subamendment withdrawn)

The Chair: We will now go back to Ms. Ashton's amendment.

As no one wishes to ask questions, I call the question.

Ms. Patricia Lattanzio: Mr. Chair...

The Chair: Go ahead, Ms. Lattanzio.

Ms. Patricia Lattanzio: The request to end debate, to adjourn debate, concerns the entire debate on procedure. You proceeded step by step, and my colleague Mr. Beaulieu withdrew his subamendment. I would do the same for the amendments moved by my colleague Ms. Ashton in her amendment. We must therefore adjourn debate on this matter and proceed with the hearing of our witnesses who, I repeat, have been waiting very patiently for more than an hour.

The Chair: Thank you, Ms. Lattanzio.

That concludes all debate.

We are now on Ms. Ashton's amendment. It is moved that debate cease and that we call the question on this amendment.

Madam Clerk, you have the floor.

The Clerk of the Committee (Ms. Ariane Gagné-Frégeau): You are voting to adjourn debate on Ms. Ashton's amendment.

The Chair: I'm lost in this procedural maze.

Ms. Lattanzio, we voted on the motion and it was negatived. We cannot revisit it.

We now have Ms. Ashton's amendment, which we must vote on to determine whether it is adopted.

Go ahead, Mr. Godin.

Mr. Joël Godin: I request that we adjourn debate on Ms. Ashton's amendment.

The Chair: Mr. Godin, we've already voted to continue debate on Ms. Ashton's amendment.

Mr. Joël Godin: That changes the entire motion.

The Chair: Mr. Godin, the first vote we had concerned the resumption of debate on Ms. Ashton's amendment and the amendments she was proposing. We voted six to five to continue debate.

• (1630)

Mr. Joël Godin: I move to adjourn debate.

The Clerk: We've already decided on adjournment of the debate. The motion was negatived earlier in the meeting. You may not vote again on the same matter, Mr. Godin.

Mr. Joël Godin: I trust you, Madam Clerk.

The Chair: Ms. Lattanzio is signaling that she has no further questions.

Mr. Beaulieu, the floor is yours.

Mr. Mario Beaulieu: I just want to go back to paragraph c), which reads as follows, "the clerk invite witnesses to appear during the meetings on the weeks of June 6, 2022, and June 13, 2022". It doesn't say "only" on the weeks of June 6, 2022, and June 13, 2022. That doesn't preclude us from continuing to hear from witnesses after that.

The Chair: The clerk invite—

Mr. Mario Beaulieu: That's why I deleted it. The wording "the clerk invite witnesses to appear during the meetings on the weeks of June 6, 2022, and June 13, 2022" doesn't say "only" the weeks of June 6, 2022 and June 13, 2022.

The Chair: That's what's written.

Mr. Mario Beaulieu: It doesn't exclude the option of subsequently continuing to hear witnesses.

The Chair: Is there any further debate on Ms. Ashton's amendment?

Go ahead, Mr. Godin.

Mr. Joël Godin: Mr. Chair, I just want us to consult the clerk.

I sense around the table that an individual who introduced a motion wishes to withdraw it if we have unanimous consent.

The Chair: Ms. Ashton didn't consent.

Mr. Joël Godin: How can we vote on a subamendment once the motion is withdrawn?

The Chair: We will return to the motion once we have concluded debate on Ms. Ashton's amendment.

Mr. Joël Godin: All right, but the amendment concerns the motion, and we're going to reject it.

The Chair: That's correct.

Mr. Joël Godin: Got it.

The Chair: Is there any further debate? I see there is none.

Madam Clerk, the vote on the Ms. Ashton's amendment.

(Motion agreed to: yeas 6; nays 5)

The Chair: In accordance with procedure, we now return to the principal motion as amended as a result of the vote.

Is there any further debate on the amended motion?

Go ahead, Mr. Godin.

Mr. Joël Godin: I'd like us to adjourn debate.

I now have the right to request it.

The Chair: Madam Clerk, please proceed with the vote.

The vote concerns adjournment of debate on the amended motion.

(Motion agreed to: yeas 11; nays 0)

• (1635)

The Chair: We will now resume debate with the witnesses.

Mr. Godin, I'm going to give the floor to you and then to Mr. Beaulieu. However, we must then resume the discussion with the witnesses.

Mr. Joël Godin: Mr. Chair, I'd just like to introduce a motion concerning Bill C-13.

That, in relation to the consideration of Bill C-13, the committee instruct the clerk and the analyst to draft a letter intended for the Premiers of the provinces and territories, in order to invite them to testify and submit any brief providing information for this study.

The Chair: Thank you, Mr. Godin.

The clerk is distributing the text of the motion as read in both of official languages.

Go ahead, Mr. Beaulieu.

Mr. Mario Beaulieu: Is this adjournment of debate on the amended motion that was agreed to?

The Chair: Are you talking about the vote held earlier?

Mr. Mario Beaulieu: Yes, that's it. It wasn't the motion that was adopted, but rather adjournment of debate on the motion.

Is that correct?

The Chair: Yes, it's the motion on adjournment of debate that was adopted.

Mr. Mario Beaulieu: Thank you.

Pardon me. I misunderstood.

The Chair: Mr. Beaulieu, we adopted the motion on adjournment following a motion introduced on that subject. We called the question and agreed to the motion on adjournment of debate on the amended principal motion.

The motion introduced by Mr. Godin is now under study.

Is there any debate on the motion?

Go ahead, Mr. Drouin.

Mr. Francis Drouin: I read the motion carefully and I see no problem with it. However, I don't see the point of inviting the premiers, and I'm sure the premier of Quebec is paying attention to this issue. However, we'll support this motion if it helps to save time.

I just want to remind all Canadians following this debate that they're free to submit testimony and that they don't require an invitation from the committee to do so. I find nothing wrong with this motion.

The Chair: Is there any further debate?

There appears to be unanimous consent.

(Motion agreed to)

The Chair: As regards the rest of the meeting, I suggest that we advise the witnesses who are to appear in the second hour of the meeting that they will be invited to join the committee later on. We will thus be able to hear the presentations of the representatives of the Quebec Community Groups Network, or QCGN, first because they were to appear in the first hour of the meeting.

I'm told that everyone is connected, including the witnesses who are to appear in the second hour. I therefore suggest that we continue with all the witnesses.

We have, from the Quebec Community Groups Network, Marlene Jennings, President; the Hon. Joan Fraser, Director of the Board of Directors; and Marion Sandilands, Counsel; as well as Michel Doucet, Emeritus Professor, Faculty of Law, Université de Moncton; and Janice Naymark, Lawyer.

I wish to inform the witnesses that they will have five minutes to make their presentations. Then there will be a period of questions.

Ms. Jennings, you have the floor for five minutes.

Hon. Marlene Jennings (President, Quebec Community Groups Network): Thank you, Mr. Chair.

[*English*]

I am Marlene Jennings, president of the Quebec Community Groups Network. I am joined today by QCGN board member and former senator the Honourable Joan Fraser and our legal counsel Maître Marion Sandilands.

Thank you for the invitation to appear in your committee's study of this seminal legislation. Committee members have received the QCGN's brief, so we will focus our opening comments on the essentials.

[*Translation*]

The QCGN is proud to support the protection and promotion of the French language in Canada. No other English-speaking community in Canada can claim to have our level of bilingualism and proficiency in French, nor the personal commitment required.

The QCGN acknowledges the demographic decline of francophone minorities outside Quebec. Our organization also actively supports the protection and advancement of language rights through a long tradition of court interventions on behalf of francophone minority communities.

Before addressing Bill C-13, I feel obliged to mention a related bill that was recently adopted in Quebec, Bill 96. The Act Respecting French, the Official and Common Language of Quebec, weighs heavily on the English-speaking community of Quebec because it transforms the Charter of the French Language and protects it under the notwithstanding clause. It also claims to be amending the Constitution Act, 1867.

It makes obvious incursions into two areas of federal jurisdiction, and on the language rights set out in the Constitution. Its application will also have serious impacts on the English-speaking community of Quebec in terms of public services, education and access to justice.

We believe that it is impossible for this committee to study Bill C-13 without a thorough knowledge and understanding of Bill 96.

• (1640)

[*English*]

The QCGN has studied Bill C-13. In our brief, we set out four strategic concerns. First is the revolutionary change in the purpose of the Official Languages Act and the effects this may have on the interpretation of this quasi-constitutional law. Second is the references to the Charter of the French Language, which, as amended by Bill 96, operates notwithstanding the Canadian Charter of Rights and Freedoms. Third is the failure of Bill C-13 to address the well-known accountability challenges surrounding part VII of the OLA. Finally, fourth is the historic proposition of creating new language rights in federal legislation for only one official language, initially in only one province.

I would like to express our community's profound disappointment that the federal government would recognize Quebec's Charter of the French Language, as amended by Bill 96, within the Official Languages Act. Bill C-13 proposes to include two references to the Charter of the French Language in the Official Languages Act and proposes to allow federally regulated private businesses to choose to be subject to the Charter of the French Language.

It is the only provincial language regime to be so honoured, but I repeat that it operates notwithstanding the fundamental rights and freedoms guaranteed in the Canadian Charter of Rights and Freedoms. It beggars belief that the Government of Canada would contemplate recognizing such legislation. The QCGN strongly recommends that all references to legislation that operates notwithstanding the Canadian Charter of Rights be removed from Bill C-13.

I turn it over to my colleague Joan.

The Chair: You have 30 seconds.

[*Translation*]

Hon. Joan Fraser (Director, Board of Directors, Quebec Community Groups Network): Up until now, the purpose of the Official Languages Act has been to make Canada officially bilingual, to bring constitutional language rights to life and to enshrine federal obligations with respect to Canada's official languages.

[*English*]

The act focused first on the official language of government and, from 1988, on advancing the equality of status or use of English and French in Canadian society. Bill C-13 radically changes that approach. It has as its central purpose the protection and promotion of only one official language: French. C-13 embraces asymmetry in the relationship between Canada's two official languages. The approach was expressly rejected by the B and B commission. It is offensive to the constitution and antithetical to the principle of linguistic duality in law.

Asymmetry is appropriate in the practical application of—

● (1645)

The Chair: Ms. Fraser, I'm sorry to interrupt, but your five minutes has passed.

We'll continue with the questions after a while, and you can answer through the questions. If not, I'd like to remind every witness that they can provide any written information they think would be of importance to the committee.

Right now, we'll wait for the questions.

[*Translation*]

I'm now giving the floor to Mr. Michel Doucet, of the Université de Moncton's Faculty of Law.

Mr. Doucet, you have the floor for five minutes.

Mr. Michel Doucet (Emeritus Professor, Faculty of Law, Université de Moncton, As an Individual): Good afternoon.

Before giving my address, I'd like to point out that I am not representing the Université de Moncton's Faculty of Law. I have in fact been in retirement for some time and am self-employed. I would also like to tell the members of the committee that I'm not speaking

on behalf of an educational institution, the Faculty of Law or any other group. I am speaking as an individual.

I'd like to thank the members of the committee for having invited me to give a presentation this afternoon on a matter that I care deeply about and on which I have spent much of my adult and professional life. Those who know me are familiar with my interest in protecting language rights in Canada generally, and in New Brunswick in particular.

Canada's Official Languages Act, and New Brunswick's, play an important role in the development and vitality of linguistic minority communities, including French-language minority communities not only in their respective provinces, with the exception of Quebec of course, but also across the country and the continent. These communities need the federal and provincial governments to recognize their vulnerability and the active support they need if they are to survive.

Of course, recognizing that a linguistic minority community has rights entails a fundamental obligation, which is to promote the achievement of substantive equality. That community must be able, under certain circumstances, to demand to be treated differently from the majority so that their specific needs can be addressed. The concept of substantive equality is often misunderstood. Language rights tend to be thought of as representing a response to a straightforward request for accommodation. Under an interpretation like that, these rights would be eliminated or limited to the right to communicate with public authorities and to receive services in the official language of your choice. This approach would instrumentalize language rights and ignore the group's need for linguistic security, which is one of the fundamental reasons for acknowledging these rights.

The main objective of language rights is to foster the vitality and development not only of people speaking in isolation, but also of the entire group of these speakers. If this were not the case, we could rightly question the imperative need of recognizing these rights. In fact, since members of a minority community, taken individually, can generally express themselves in the language of the majority, what purpose would be served by language rights, if not as mayor tools of accommodation for the isolated instances in which a person is unable to speak the language of the majority? Consequently, language rights must necessarily serve to promote both the primary goal of achieving substantive equality for official language minority communities, and their continued growth and vitality in political and social harmony.

I know that such an acknowledgement is not enough to change people's mindset. The wording of the act itself cannot alone guarantee the survival of a linguistic community. The determining factor lies rather with the members of that community. It's up to them to shoulder this responsibility. They are the ones who need to ensure that these rights are respected.

In any event, I will have the opportunity later to answer any questions the members of the committee may have about Bill C-13. First of all, I would say that I consider the bill to be a step in the right direction. It's true that it might go into certain issues more thoroughly, but as Charles de Montesquieu put it so well, "The better is the mortal enemy of the good."

I'll go over all the positive aspects of the act with you, namely the recognition of the diversity of provincial and territorial language regimes that contribute to progress toward equal status in the use of French and English in Canadian society, and a specific acknowledgement of New Brunswick from the linguistic standpoint. I know that it is in the preamble to the act, but it needs to do a better job of defining the measures that the federal government will take. Later on, I will no doubt have an opportunity to discuss matters such as the appointment of a bilingual Lieutenant Governor in New Brunswick.

The intent of the new bill is also to set out legal obligations with respect to official languages and to ensure that they apply in emergencies. It's a step in the right direction.

It's important for section 16 of the act to apply to the Supreme Court of Canada. I should, however, point out that this straightforward amendment will not be enough to ensure that Supreme Court judges will always be able to understand what lawyers are saying in both official languages.

I'd now like to point out that the federal government will make commitments to protect and promote French. We can only hope that these commitments will be acted upon.

- (1650)

Francophone communities need to do something about a number of negative demographic trends, and concrete and effective measures are needed before it's too late. The federal government and the provincial governments must take action to support francophone communities across Canada.

The Chair: Thank you, Mr. Doucet.

You will be able to pick up where you left off in the round of questions.

[*English*]

Now we'll hear Ms. Naymark.

Ms. Naymark, you have five minutes.

Ms. Janice Naymark (Lawyer, As an Individual): Thank you.

Given the short delay between my invitation and this appearance, I prepared my speech in English.

[*Translation*]

And I want you to know that I'll be able to answer your questions in French as well.

[*English*]

I also prepared a letter to this committee, which I will send to the chair later this week, in which I more fully introduce myself. In it I will expand upon the points I'm going to highlight today and respond in more detail to any questions you may raise.

I appear here as an individual and not the representative of any organization. I was a member of the expert panel that made recommendations on official languages last year. I am certainly not what people like to refer to as an "angryphone", a derogatory term used to ridicule members of the anglophone community so that their concerns don't have to be taken seriously.

I am here to discuss the importance of symmetry in official languages, the rights of minority-language communities in each province and procedural fairness in the application of the laws created or amended by Bill C-13.

The recent adoption of Bill 96 in Quebec has struck a significant blow to the English-speaking community in Quebec and has prompted many of our younger members to seriously contemplate moving out of the province after many years of relative linguistic peace. Some have already put those wheels in motion. The rights and vitality of our community are under threat. The adoption of Bill C-13 could not come at a more sensitive or difficult moment. Our community looks to the federal government to protect its rights and assure us equal treatment as a minority-language community in Canada.

While I certainly recognize that the French language is in need of protection in Canada, especially outside of Quebec given the overwhelming use of English in North America, it must still be recognized that the anglophone community in Quebec is, in fact, a minority-language community itself, which is also in need of protection by the federal government, not because English is threatened in North America but because the survival and vitality of our community are far from certain. We are Canadians who deserve equal rights within our own country.

I will move directly to my three areas of comment. First, the quasi-constitutional Official Languages Act has special status over other legislation. It can be used to interpret other federal laws. The Official Languages Act, like the constitutional provisions it brings to life, has always enshrined equal treatment of minority-language speakers. That thread is carefully woven throughout the act. As mentioned by others, Bill C-13 effects a dangerous paradigm shift, moving the Official Languages Act from a carefully crafted, well-balanced act that recognizes two official languages and two minority communities to an act that promotes unequal linguistic rights for its citizens based on their language and location.

I am also very troubled by references to the Quebec Charter of the French Language in Bill C-13, which thereby blur federal and provincial spheres of competency. Most egregious, however, is that this charter, as amended by Bill 96, purports to operate notwithstanding constitutionally protected fundamental rights and freedoms. By including references to the Charter of the French Language in the Official Languages Act, the federal government is supporting and implicitly legitimizing Bill 96, a law about which the Minister of Justice, David Lametti, recently indicated he had concerns and even certain fears. These references simply cannot be allowed to remain in the Official Languages Act.

With regard to the use of French in federally regulated businesses act, the problem here is that it treats English as the language of the majority but ignores the reality that English-speaking Quebecers are themselves a minority-language community. These provisions, insofar as they apply to French-language minority communities outside Quebec, will promote the use of French in those regions and be positive for the rights of such communities and their members, but in Quebec they will instead be positive for the rights of the majority-language community and be detrimental to the rights of the minority-language community and its members.

This act will eliminate jobs for anglophones and reduce the services available to them in English in Quebec. It may also backfire and result in an exodus of federally regulated businesses from Quebec, given how easy it is to relocate in today's virtual world. Businesses will choose the path of least resistance and the least costly means of operating. If a business in Quebec is required to have certain materials available in French but is also permitted to have them available in English, the English materials will disappear over time. If a business is required to hold meetings and create internal communications in French but is also permitted to do so in English, the number of employees who prefer to communicate in English will be reduced through attrition. If a business is required to provide services in French but is also permitted to provide them in English, all the while restricted from making knowledge of a language other than French a job requirement, they will simply stop hiring non-francophone employees. While most of the young people in the English-speaking community in Quebec are functionally if not fluently bilingual, this will reduce the job opportunities available to them.

• (1655)

I will skip over my comments about fairness in the Official Languages Act—procedural fairness—and you will find those in my letter to the committee. My letter will—

The Chair: Ms. Naymark, can you wrap up, please?

Ms. Janice Naymark: Yes.

My letter will contain a number of recommendations, and here I will highlight four.

First of all, all one-sided provisions in the Official Languages Act that promote and protect only the French language should be eliminated. Alternatively, wherever Bill C-13 refers to the “protection and promotion” of the French language, the words “without causing undue prejudice to the English language minority community in Quebec” should be added.

[Translation]

The Chair: Thank you very much.

[English]

Ms. Janice Naymark: Secondly, all references to—

The Chair: I'm sorry, Ms. Naymark. Thank you. We'll proceed with questions and maybe you can continue your remarks through the answers to the questions that you get.

[Translation]

We will now go to the first round of questions. The first four speakers will have the floor for six minutes each.

We'll begin with the first vice-chair of this committee, Mr. Joël Godin.

You have six minutes, Mr. Godin. Please go ahead.

Mr. Joël Godin: Thank you, Mr. Chair.

I'd like to thank all the witnesses for being so patient. We're sorry about what happened earlier, but that's part of parliamentary life. I think they'll understand our penchant to debate our convictions and ideas.

My first question is for the representatives of the Quebec Community Group Network.

I'd like to hear what they have to say about the situation they are experiencing on the ground in Quebec with respect to French and English.

What's the current situation?

I might just decide to interrupt if the answer is taking too long, because I have only a limited amount of speaking time.

Hon. Marlene Jennings: For the situation in Quebec, we will refer...

Mr. Joël Godin: Sorry to interrupt, but I'd like to word my question more specifically.

According to you, is the use of English increasing or decreasing in Quebec?

Is the use of French increasing or decreasing in Quebec?

Hon. Marlene Jennings: Our figures are based on a report published in 2021 by the Office québécois de la langue française, which noted an increase in the use of other languages, but no decline regarding the use of French in public settings.

Reports from the Office québécois de la langue française also show that in terms of immigration, French is adopted more often by children of newcomers to Quebec. These results corroborate the findings of demographers like Calvin Veltman and Jean-Pierre Corbeil.

Mr. Joël Godin: Thank you, Ms. Jennings. I'm satisfied with your answer.

Would you agree that we should give more power to the Commissioner of Official Languages in connection with part VII of the act?

Hon. Marlene Jennings: Yes, I'm in agreement with that. In our brief, we underscored the importance of strengthening the powers of the Commissioner of Official Languages in part VII. We are fully in favour of that.

Mr. Joël Godin: Do you think that the language clauses should be negotiated respectfully with the provinces and territories?

Given that the federal government is responsible for enforcing the Official Languages Act, would you be receptive to the idea of having language clauses included in Bill C-13 as an amendment?

Hon. Marlene Jennings: Yes. The QCGN Has been talking about it for years, because the federal-provincial agreements have never before contained provisions like that. We are in favour of it.

• (1700)

Mr. Joël Godin: In your address, you said that there was only one official Language in Quebec.

Could you tell us more about that, because I don't get the same impression of the situation when I walk around in Montreal.

Hon. Marlene Jennings: I turned 70 in November and will be 71 this coming November. I can tell you that the status of the French language and other languages hasn't really changed in Montreal, but I'm speaking from anecdotal observation.

Serious demographic studies have reported that the use of French at work has increased, that the use of French as a common language in the public sphere has increased, and that the only area where there is a decline is in the use of French at home.

Mr. Joël Godin: Thank you, Ms. Jennings.

Then what you're saying is that there is no decline in the French language in Quebec. That's what I infer from your answers.

Hon. Marlene Jennings: That's not what I was saying. I said that according to reports from the Office québécois de la langue française...

Mr. Joël Godin: Ms. Jennings, unfortunately, I have to interrupt you. I've taken note of your answer and will interpret it in my own way.

Thank you very much.

My next question is for Mr. Doucet.

Mr. Doucet, You spoke about the need to ensure the security of minority groups.

Could you tell us more about this?

Mr. Michel Doucet: My position differs somewhat from what was presented earlier. I believe that one of the most important aspects of Bill C-13 pertains to the protection of French. We know that the status of the French language in Canada is vulnerable in the provinces.

What I am very often unhappy about is that the problems experienced by the minority communities outside Quebec are often forgotten in the debate between anglo-Quebecers and French-speaking Quebecers. The language debate in Quebec is important. It's a debate between what I often call "two majorities and two minorities", depending on the point of view. In Quebec, this debate is certainly not viewed in the same way as it is in francophone communities outside Quebec. These communities need a major change in direction if their development is to be supported.

Mr. Joël Godin: Thank you, Mr. Doucet.

I'd like to ask you another brief question.

The Chair: You have 20 seconds left.

Mr. Joël Godin: Do you believe that Bill C-13 should be amended to require that the lieutenant governors of all the

provinces, and the Governor General of Canada, be bilingual and capable of expressing themselves in English and French?

Mr. Michel Doucet: Yes I do. If the federal government were ever to believe that this was inconsistent with the Constitution, we could always ask the Supreme Court to rule on the matter. I believe it's important. It could be done fairly straightforwardly through an amendment to the act requiring that the selection committee for candidates ensure that the person recommended be bilingual. It's important to avoid the kind of chaos that occurred in New Brunswick and...

Mr. Joël Godin: Thank you.

The Chair: Thank you, Mr. Doucet and Mr. Godin.

Mr. Iacono, you have the floor for six minutes.

Mr. Angelo Iacono (Alfred-Pellan, Lib.): Thank you, Mr. Chair.

I'd like to thank the witnesses for being with us today.

Ms. Fraser, why are you recommending that the linguistic minority be defined in relation to the province or territory?

Hon. Joan Fraser: We are making this recommendation largely because there is, in the wording of Bill C-13, a degree of ambiguity with respect to what constitutes a national linguistic community compared to a regional or provincial one. This is explained in greater detail in our brief. However, we believe that it is always preferable in any legislation, and particularly in a quasi-constitutional act like this one, that things be as clear as possible.

Mr. Angelo Iacono: What would be the impact of a definition like that from the legal and national standpoints?

Hon. Joan Fraser: I'm not a lawyer, and would therefore like to ask our legal counsel, Ms. Sandilands, to give you an appropriate answer.

Ms. Marion Sandilands (Counsel, Quebec Community Groups Network): Thank you.

Of course, we want to avoid problems. For example, if there is a francophone minority nationally, we want to avoid confusion between the assistance and support given to linguistic minorities in each province, which is what the QCGN wants to define as a linguistic minority, and the fact that the French language is a minority language within Canada. We would therefore like to have an equitable definition for linguistic minorities in each province.

• (1705)

Mr. Angelo Iacono: Thank you.

Ms. Jennings, can you tell us how the Court Challenges Program supports your rights as members of an official language minority community?

Hon. Marlene Jennings: First, the QCGN would like the program to become permanent to make it difficult to discard, as a previous government once did.

Second, I'd like to take a few moments to say that the QCGN fully supports Mr. Doucet's comments about supporting and assisting francophones outside Quebec, and the fact that these minority language communities are often not included in the discussion. We would like them to be central to the debate.

And we also believe that the Court Challenges Program should become permanent and its budget increased significantly. We are all well aware of the fact that defending a court challenge all the way to the Supreme Court of Canada, as we saw recently in the case between the francophone school board and the Government of British Columbia, costs well over \$1 million. The funding available under this program is currently inadequate.

Mr. Angelo Iacono: Thank you, Ms. Jennings.

My next question is for all the witnesses.

Although Quebec is the only province in Canada with a francophone majority, many of the speakers mentioned the decline in the use of French resulting from the increased use of English. But in Quebec, the anglophone community is the linguistic minority.

What compromises do you feel could be reached to ensure that legislative provisions protect and promote linguistic minorities while safeguarding and promoting the use of French?

Mr. Doucet, would you like to make a start on answering the question?

Mr. Michel Doucet: I'd rather let the people of Quebec answer this question. I believe that francophone communities outside Quebec have enough problems already.

Mr. Angelo Iacono: Okay.

Over to you, Ms. Jennings.

Hon. Marlene Jennings: I'd like my colleague, the Honourable Joan Fraser, to answer the question.

Hon. Joan Fraser: I believe that it's altogether possible to promote, encourage and enrich the use of the French language in Quebec without impinging upon the anglophone community.

For example, according to the provisions of Bill C-13 that pertain to the use of French in federally regulated private businesses, services must be provided in French, and may be provided in English.

For federally regulated private businesses, it would be desirable, and perhaps consistent with the official languages principle, to provide customer services in French. However, if someone were to request service in English, that person should have the right to receive it in English. French as a second language, for people from elsewhere who come here...

The Chair: Thank you, Ms. Fraser.

Mr. Beaulieu, the second vice-chair of the committee, will ask the next question.

Mr. Beaulieu, you have the floor for six minutes.

Mr. Mario Beaulieu: Thank you, Mr. Chair.

My first question is for the representatives of the Quebec Community Groups Network.

Ms. Jennings, you said that Bill 96 was a recipe for the eradication of Quebec's anglophone community. You also drew a parallel between Bill 96 and the invasion of Ukraine by Russia.

Isn't that a little over the top?

• (1710)

Hon. Marlene Jennings: I sent a tweet to congratulate Premier François Legault for his assistance and very clear support of the Ukrainian people during the horrible invasion by Putin. He was praising the Ukrainian people, who were defending democratic principles. I asked Mr. Legault why it would be necessary to suspend fundamental rights guaranteed by the Quebec Charter of Human Rights and Freedoms and by the Canadian Charter of Rights and Freedoms.

I then sent another tweet because I thought I had expressed myself poorly or perhaps drawn a tactless parallel related to democracy and rights...

Mr. Mario Beaulieu: Thank you for acknowledging that you expressed yourself poorly.

Was your mention of the eradication of English or the anglophone community also poorly expressed?

Hon. Marlene Jennings: I definitely did not express myself poorly.

I was not talking about the English language, but the English-speaking minority community, one of Canada's official language communities.

Mr. Mario Beaulieu: You're afraid that it will be eradicated.

Are you not?

Hon. Marlene Jennings: When you restrict employment opportunities, access to government services in English and all the possibilities...

Mr. Mario Beaulieu: Ms. Jennings, I don't have a lot of speaking time to ask my questions.

You're not answering my questions.

Hon. Marlene Jennings: As speaking time is very limited, I would suggest that the QCGN answer all the questions in writing. That would enable us to go into greater depth. We'd be happy to do that.

Mr. Mario Beaulieu: You could certainly do that.

I have another question for you, Ms. Jennings.

Do you agree that Quebec is a minority within Canada.

Hon. Marlene Jennings: Yes, I agree with that.

Mr. Mario Beaulieu: So you should be in agreement with the United Nations Human Rights Committee. According to this UN committee: "A group may constitute a majority in a province [like French-speaking Quebec] but still be a minority in a State and thus be entitled to the benefits of article 27 [which is about minorities]. English-speaking citizens of Canada cannot be considered a linguistic minority."

In Quebec, anglophones are part of the majority. It's as a result of this majority that they can enact legislation like the Official Languages Act and make it applicable to the Quebec, francophone and Acadian minority, even though it is anglicizing Quebec.

Hon. Marlene Jennings: Canada's Official Languages Act recognizes two official languages and English-speaking and French-speaking minority communities everywhere in Canada. Recognition is through a quasi-constitutional Canadian statute, the Official Languages Act, or the OLA.

Mr. Mario Beaulieu: The brief presented by the QCGN says that the Charter of the French Language is incompatible with the policy objectives of the OLA.

I think that we are going to have to agree on the fact that newcomers have to be integrated to assure the future of French in Quebec.

Researchers and the government say that 90% of language transfers would have to be towards French. And yet you believe that you have the right to assimilate newcomers.

You use the first official language spoken criterion, and include newcomers to Quebec who speak English and who will have to be taught French to assure the future of French in Quebec.

You are therefore against French as a common language.

• (1715)

Hon. Marlene Jennings: No, that's not the case Mr. Beaulieu.

To begin with, we said that the Charter of the French Language, as amended by Bill 96, a Quebec bill which is now an act, was incompatible with the Official Languages Act, a quasi-constitutional statute. The reason we said that was because its use...

Mr. Mario Beaulieu: Ms. Jennings, my speaking time is nearly up.

Quebec is trying to make French the only official and common language for the integration of newcomers. According to the Official Languages Act, there are two official languages. This therefore prevents the francization of immigrants.

The Chair: Thank you, Ms. Jennings and Mr. Beaulieu.

That's all the time we have.

Ms. Ashton, you have the floor for six minutes.

Ms. Niki Ashton: Thank you very much, Mr. Chair.

I'd like to welcome all the witnesses.

My questions will be for Mr. Doucet.

Mr. Doucet, we think that if the language clauses were systematically negotiated in agreements between the federal government and the provinces and territories, they might have a considerable impact on the availability of services in French across Canada. If language clauses had been negotiated for the provision of early childhood education services to francophones and francophiles in Canada...

The Chair: Ms. Ashton, I apologize for interrupting.

[English]

The technicians are telling me that your mike isn't working well. They're suggesting that you should unplug your mike and plug it back in.

Don't worry. I stopped the clock.

[Translation]

Ms. Niki Ashton: Okay.

If language clauses had been negotiated for the provision of early childhood education services to francophones and francophiles in Canada, we could have sustainably altered Canada's social fabric and built bridges.

Manitoba is coping with the same challenge. We need to make sure that our children can attend day care services in French. These kinds of missed opportunities must be avoided in future.

Do you think that the government should systematically negotiate language clauses with the provinces and territories in agreements of this kind?

Mr. Michel Doucet: I believe that it's absolutely essential for the federal government to make sure that the provinces, and the anglophone provinces of Canada in particular, respect the francophone communities. You mentioned early childhood. In my view—and I have been saying so since the 1990s—for francophone communities outside Quebec, early childhood is the heart of the matter. Without tools to enable young children to have access to French-language day care services and programs that will prepare them for French-language school attendance, the francophone communities may lose the battle. It's therefore an essential factor.

The federal government needs to make sure that the funds earmarked for francophone communities are indeed used for that purpose, and not something else. We need clauses, but we also need to make sure that they are binding on the provincial governments, which must be made accountable for how they have used these funds.

Ms. Niki Ashton: Thank you.

The Commissioner of Official Languages still does not have the power to issue orders under part VII of the Official Languages Act. But we believe that the commissioner should have everything he needs in his toolbox to do his work properly and to protect the language rights of Canadians.

What do you think? Should the Commissioner of Official Languages be given the power to issue orders in part VII?

Mr. Michel Doucet: I think it's absolutely essential. For a long time, unfortunately, part VII remained a provision of the Official Languages Act that was not a matter for the courts. I myself have appeared in court, all the way to the Supreme Court, to argue otherwise.

Fortunately, an amendment has made it possible for issues to be decided in court, but I don't think it's enough. The Commissioner of Official Languages needs to have the power to require institutions to fulfil their positive measures obligations under part VII.

These new compliance orders now included in part VII should also be expanded. I believe that too many institutions are still disregarding their obligations under part VII. Expanding the commissioner's powers would be a major step forward for official languages in Canada.

• (1720)

Ms. Niki Ashton: Mr. Doucet, In the past, you've proposed that the Commissioner of Official Languages should have the power to impose administrative monetary penalties.

Do you believe that this power should be broadened as part of what is being proposed in Bill C-13?

Mr. Michel Doucet: There was a time when I sincerely believed that the power to impose monetary penalties was the best way to force institutions to comply with the act. Now, I am very keen on the mechanism that is being put forward, namely compliance orders. If monetary penalties are only symbolic, I doubt that they would force institutions to comply with the act. Compliance orders, which establish commitments and timelines for institutions, are more important than monetary penalties.

Right now, I feel that the monetary penalties proposed in the act are only symbolic. The amount levied on certain institutions will not force them to comply with the Official Languages Act. I have much more hope for the alternative compliance orders measure.

Ms. Niki Ashton: Thank you.

For the time I have remaining, I would like to point out that during the pandemic, there were serious shortcomings throughout the federal government with respect to communications in French, both within the public service and with the general public. Government departments clearly need a central agency to bring offending ministers back in line.

Do you think that the Treasury Board should perform this central agency role?

Mr. Michel Doucet: Yes, I think that the Treasury Board should perform this role. It would be helpful to have a central agency, but as I was saying earlier, even with the best possible legislation, if the message is not sent from on high, meaning at the political level, from the Prime Minister, the ministers and the senior public officials, it will not be understood at the base.

I believe that it's important to have a central agency, but that it's just as important to have clear political leadership from the federal government to ensure that the act is complied with. Without such leadership, I don't believe that the foot soldiers in the various departments will fall in line.

The Chair: Thank you, Mr. Doucet and Ms. Ashton.

We're now moving on to the second round of questions, which will be brief.

Mr. Joël Godin: May I interject here, Mr. Chair?

The Chair: Go ahead, Mr. Godin.

Mr. Joël Godin: I have something to propose to the members of the committee.

Would it be possible to extend the meeting by 10 minutes so that...

The Chair: No, it's not possible. We need to make the most of the time remaining to us.

Mr. Joël Godin: Why can't we?

The Chair: The services will no longer be available.

Mr. Joël Godin: Okay.

The Chair: I'm allowing the representatives of the Liberal party and the Conservative party three minutes each, and a minute and a half for each representative of the other two opposition parties.

Mr. Gagné, you have the floor for precisely three minutes.

Mr. Bernard Gagné: Thank you, Mr. Chair.

Ms. Jennings, could the current version of Bill C-13 perhaps lead to all kinds of court cases?

If so, could you give us an example?

Hon. Marlene Jennings: I'll ask my colleague, Marion Sandilands, to take this question.

Ms. Marion Sandilands: We can't know what the future holds in store. That's all I can say about it at the moment.

Mr. Bernard Gagné: Mr. Naymark, do you, like the Quebec Community Groups Network, agree that Bill C-13 should be amended to increase the Commissioner of Official Languages' power to issue orders under part VII of the Official Languages Act?

Ms. Janice Naymark: I don't have any comments to make on that. That's not my field and I'm not a member of the QCGN. You may have mistaken me for someone else.

Mr. Bernard Gagné: No, I haven't mistaken you for someone else. I said "like" the QCGN. I may have expressed it poorly.

Ms. Janice Naymark: I have no comments to make on that.

Mr. Bernard Gagné: Okay.

Mr. Doucet, you told the media that digging a little deeper into the bill might reveal a few gaps here and there. What gaps were you alluding to?

If there are in fact any gaps, what amendments should we be proposing to deal with them?

Mr. Michel Doucet: I also mentioned this in a short document I took the time to prepare for the committee. I wrote it over the weekend, because it was only last Friday that I knew I was going to appear before you.

I point out, for example, that section 16 of the Official Languages Act, which concerns the Supreme Court of Canada, does not really guarantee that all Supreme Court judges will be bilingual. There could be a group of five bilingual judges when francophones appear, and nine judges who would not necessarily be bilingual for other cases. These are things that could certainly be changed.

I also spoke earlier about a possible amendment to ensure that future lieutenant governors of New Brunswick be bilingual. That's another amendment that could be added.

I'd like to note that even though this bill is important, it will not solve everything. Even with the best possible legislation, unless there is the political will to implement it, nothing will change. I would like to see some political leadership and more awareness of the enormous challenges being faced by all francophone communities in Canada, and which are threatening their survival.

• (1725)

The Chair: Thank you, Mr. Doucet,

Ms. Lattanzio, you have the floor for three minutes.

[English]

Ms. Patricia Lattanzio: Thank you, Mr. Chairman.

Maybe in the same light as my colleague, I would submit for consideration, seeing as the witnesses were cut off for an hour, that maybe we can reconvene them for another hour.

My question is for Ms. Jennings.

Since Bill C-13 includes the reference to the Charter of the French Language specifically, can you elaborate on the effects of the recent adoption of Bill 96 on English-speaking Quebec and how it ties in with those concerns?

Hon. Marlene Jennings: You only have three minutes for the question and answer. Clearly, I would not be able to provide a full answer to that. I can highlight a number of things, which are, one, it puts restrictions on or makes it extremely difficult for employers, and that includes in public institutions, to hire individuals who speak a language other than French. It reduces the level of services, both in the health and social services sectors. It makes access to services in English in justice much more difficult. It's put a cap on the student enrolment in the CEGEPs. There is a whole list.

Ms. Patricia Lattanzio: I don't mean to cut you off, but maybe you can provide all of this in writing as I go on to the next question.

Hon. Marlene Jennings: Will do.

Ms. Patricia Lattanzio: You said that Bill C-13 does not go far enough to fix the historical problems of part VII of the act. Can you please provide a specific recommendation for how you think part VII should be amended?

My last question is more of a judicial one. What impacts would recognizing a provincial law, such as the Quebec charter, in a federal act have on the interpretation of the latter? Could this reference negatively affect the interpretation of the recognized rights of Quebec's anglophone communities?

Hon. Marlene Jennings: Those are excellent questions.

I'm going to ask Maître Sandilands to respond.

[Translation]

The Chair: You have 50 seconds.

[English]

Ms. Marion Sandilands: Thank you.

I'll start with your second question first. Legally the impacts of acknowledging the Charter of the French Language in federal legislation are simply not known. Could they negatively affect the rights of English-speaking Quebecers? Yes, they certainly could.

On part VII, we've expressed two main concerns, and our recommendations four, five, six and seven speak to the improvements to part VII that we're asking for, first, to make it legally enforceable and, second, to make it work better for English-speaking Quebec. Those are elaborated on in our brief.

Ms. Patricia Lattanzio: Thank you.

[Translation]

The Chair: Thank you, Ms. Lattanzio.

We will now go to the Bloc québécois.

It's over to you now, Mr. Beaulieu, for no more than a minute and a half.

Mr. Mario Beaulieu: Thank you very much, Mr. Chair.

Once again, my question is for Ms. Jennings.

Ms. Jennings, the federal government considers anglophones to be the official language minority in Quebec, just as francophone and Acadian communities are in the minority in the rest of Canada. However, in Quebec, all funding for official languages programs goes to the anglophone community.

Do you find that acceptable?

Hon. Marlene Jennings: That's not the case.

Mr. Mario Beaulieu: That is the case, more or less.

Hon. Marlene Jennings: I don't believe it is.

Mr. Mario Beaulieu: For example, your organization receives perhaps \$1 million per year, in addition to funds from the Court Challenges Program and from official language access to justice programs.

These programs were established under the Official Languages Act. The money that goes to the French schools is used to teach English to francophones. The rest goes entirely to the anglophone side of things.

Do you think that's reasonable?

• (1730)

Hon. Marlene Jennings: You are well aware of the fact that the application of the Official Languages Act is currently asymmetrical. We find that perfectly appropriate. Let's look at Canadian Heritage spending in 2018.

[English]

Their mean expenditure by province for official language programming was \$308.88 per official language minority citizen. It was \$48.65 for each English-speaking Quebecer.

[*Translation*]

Mr. Mario Beaulieu: I'm sorry, but I'm talking about Quebec.

The Chair: Mr. Beaulieu and Ms. Jennings, there is no more speaking time.

Thank you, Ms. Jennings. You can get back to what you were saying later on.

Hon. Marlene Jennings: Can we...

The Chair: I'm sorry, but the speaking time was for a minute and a half.

I'll be suggesting a little later on that you send your answers in writing.

The final speaker is Ms. Ashton.

Ms. Ashton, please go ahead for a minute and a half.

Ms. Niki Ashton: Thank you.

My question is for Mr. Doucet.

Mr. Doucet, for the past few weeks we have been conducting a study on francophone immigration. Many witnesses, including people from New Brunswick, have told us that the issue of francophone immigration is a matter of survival.

Do you think that the government should develop a proper francophone immigration policy and work with the Société nationale de l'Acadie and other similar organizations that have links abroad?

Do you believe that the government should promote our francophone minority communities to those we want to welcome here as new Canadians in francophone communities, and particularly in minority communities?

Mr. Michel Doucet: I could not have expressed that any better than you have just done. Yes, francophone communities need more support in terms of immigration. Right now, the survival of these communities depends on it.

In New Brunswick, newcomers mainly integrate into the anglophone community. We are still not meeting either the provincial or federal targets.

The 4% target for Canada and the 33% target for New Brunswick are inadequate to maintain the demographic weight of francophone communities. The percentages would probably have to be reversed. It's essential for francophones to meet a francophone immigration target that is much higher than 4%.

If we believe in the survival of francophone communities across Canada, then the federal and provincial governments need to take this issue seriously.

The Chair: Thank you, Mr. Doucet and Ms. Ashton.

I apologize to the witnesses. I know that things were hurried. There are some days when, as part of our duties as parliamentarians, we have to deal with motions. So we're sorry, but that's just a fact of parliamentary life.

I'd like to ask the witnesses to send the committee clerk any additional information they consider important. She will get this information to us quickly.

Once again, thanks to everyone.

We have to leave, because another committee meeting is going to be held in this room.

The meeting is adjourned.

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