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• (1535)

[Translation]

The Chair (Yvan Baker (Etobicoke Centre, Lib.)): Welcome to meeting number 19 of the Standing Committee on Official Languages.

Pursuant to the order of reference of November 26, 2025, we are continuing our study on the proposed official languages administrative monetary penalties regulations.

I'd now like to welcome the witnesses.

As an individual, we have Érik Labelle Westin-Eastaugh, associate professor at the faculty of law of Université de Moncton, appearing by video conference. We also have three officials from the Canadian Airports Council, namely, James Bogusz, chair of the small airports caucus; Chris Phelan, senior vice-president, policy, industry and government affairs; and Julie Pondant, senior director of communications. We have two officials from the Canadian Air Transport Security Authority, namely, Eric Fortier, general manager of corporate affairs, and Marc-André O'Rourke, senior legal counsel. And finally, from Marine Atlantic Inc., we have Patti Merrigan, vice-president of human resources, by video conference.

Once again, I want to welcome all the witnesses.

Each organization will have five minutes for their opening statements. Then we'll move on to questions and answers with the committee members.

Mr. Westin-Eastaugh, you have the floor.

Érik Labelle Westin-Eastaugh (Associate Professor, Faculty of Law, Université de Moncton, As an Individual): Thank you, Mr. Chair.

Members of the committee, thank you for inviting me to testify today on the proposed regulations.

Since I only have five minutes, I will get straight to the point. Overall, I believe the proposed regulations represent an important step forward in the implementation of the Official Languages Act.

That said, having reviewed the committee's previous meetings, I note that certain concerns have been raised about it. Three of these concerns seem to me to be the most important. First, there is the possibility that the maximum amount of \$50,000 may prove insufficient to achieve the desired objective. Second, there is concern about the administrative burden of the program, which could unduly bog down the process and leave it open to legal challenges.

Third, there is concern about the exclusion of certain entities that play an important role in the traveller experience.

Each of these concerns seems reasonable, but in my opinion, only the second and third warrant the committee's consideration of immediate amendments to the proposed regulation. The \$50,000 cap may seem small when compared to the overall revenue of a company like Air Canada, but in my view, the relevant point of comparison is rather the activities carried out, such as operating aircraft. At first glance, it seems plausible to me that such an amount would be sufficient to bring about behavioural changes on this scale. That said, I find it regrettable that the government doesn't appear to have conducted, or at least presented, quantitative analyses on this subject to better justify the reasonableness of the chosen limit.

The administrative burden of the process is more concerning, particularly for the reasons raised by the Commissioner of Official Languages before this committee. In my opinion, it is not necessary to impose such detailed criteria for notices of violation. Well-established principles of administrative law already allow for review based on the rationality of a measure, while recognizing that the requirements for justification may vary from one context and case to another. That's why I don't believe that adding such detailed criteria significantly enhances the transparency or fairness of the system. On the contrary, it risks adding an undue burden to the work of the commissioner's office and opening the door to challenges based on purely formal irregularities. In my opinion, it would therefore be preferable to adopt a more flexible framework and allow best practices to develop as cases are handled.

Finally, the exclusion of the Canada Border Services Agency and the Canadian Air Transport Security Authority seems questionable to me, given the intensity of their interactions with the public and the fact that, according to the commissioner's annual reports, these organizations have received a significant number of complaints over the years. We have heard the objection that imposing a penalty on a publicly funded entity amounts to shifting funds from one pocket to another. It has also been suggested that compliance agreements may sometimes be more effective for federal entities. Nevertheless, in my view, this in no way diminishes the relevance of monetary penalties in the overall arsenal of available measures.

As section 65.3 of the Official Languages Act states, “The purpose of a penalty is to promote compliance with Part IV and not to punish.” So this is a tool designed to change behaviours and incentive structures, not to make organizations pay for moral reasons. However, despite their public funding, these organizations are subject to budgetary discipline, so monetary penalties could influence their operational priorities. In this regard, I think it is worth noting that the federal government already uses cost recovery and allocation mechanisms for internal services for a similar purpose.

That concludes my opening statement. I'm happy to answer any questions you may have.

The Chair: Thank you very much.

Now let's move on to the Canadian Airports Council.

Julie Pondant (Senior Director of Communications, Canadian Airports Council): Thank you, Mr. Chair.

I also want to thank the committee members for the opportunity to address them today.

My name is Julie Pondant and I am the senior director of communications for the Canadian Airports Council, or CAC. I'm here on behalf of the council and the 65 member airports that comprise—

Joël Godin (Portneuf—Jacques-Cartier, CPC): I have a point of order, Mr. Chair.

The Chair: You have the floor, Mr. Godin.

Joël Godin: I can't hear my colleague. When we switch to English, I won't be able to understand.

Is it possible to check the interpretation?

The Chair: Absolutely.

I'll ask the clerk to follow up on that with the team.

It seems the issue's been fixed.

Ms. Pondant, the floor is yours.

• (1540)

Julie Pondant: As I was saying, I'm here on behalf of the council and its 65 member airports, which comprise all of the airports that are subject to the Official Languages Act. I'm speaking today about the proposed regulations to establish a system of administrative monetary penalties in the event of violations of this act.

Canadian airports subject to the Official Languages Act are strongly committed to providing the highest levels of customer service, including services to travellers in both of Canada's official languages. In fact, several small airports recently wrote to the Minister of Transport asking for assistance in better complying with the Official Languages Act. Airports want to fully comply with their obligations under the act, but the penalty regime proposed by the government won't help airports comply with the regulations. It will only financially penalize those who fail to meet certain requirements.

The CAC submitted a brief during the pre-consultation phase of these regulations. Among our recommendations was a request that this regime apply only to airports with more than four million pas-

sengers per year. It is extremely difficult, if not impossible in some cases, to recruit qualified bilingual staff for customer service positions at competitive salaries. In many small communities, and particularly in the airport environment, the main competitor for bilingual talent is the federal government.

The CAC also has serious concerns about the timing of the implementation of these regulations. The council is currently involved in a case before the Supreme Court of Canada. This case will determine the entities covered by the Official Languages Act and the requirements they must meet. So, although the regulations define the penalties to be imposed, the exact obligations of airports remain unclear and must still be clarified by the courts. To put things in context, 150 million passengers passed through Canadian airports in 2024, and only 77 complaints were filed nationwide. In a frontline service sector, it is always difficult to achieve perfect compliance at all times.

Language rights are of fundamental importance, and airports are fully committed to them. Therefore, rather than punishing airports when certain situations do not fully meet the requirements, we would like to see the government take proactive measures to help airports achieve compliance with this act, including scheduled financial support and greater clarity regarding specific expectations and obligations.

I will now turn the floor over to Mr. Bogusz.

The Chair: You have about one minute and 45 seconds left.

[English]

James Bogusz (Chair, Small Airports Caucus, Canadian Airports Council): Good afternoon, members of the committee.

My name is James Bogusz. I am the president and CEO of the Regina airport. I'm also the chair of the small airports caucus for the CAC. I've worked in airports for over two decades and have direct experience with both the Victoria airport and the Regina airport when it comes to the obligations of official languages in airports and serving the travelling public.

I want to put on record that up until 2018, our obligations for official languages for travellers that met a specific demand were very clear. The Office of the Commissioner of Official Languages actually posted these obligations on its website, in public for all to see. These included things like wayfinding signage, preprinted restaurant menus, security notices and a host of other items that were very specific to the traveller.

However, from 2018 until now, it's my opinion that the office changed the very nature of these obligations dramatically, expanding the scope to touch almost every area of our airport's business, well beyond the essential needs of the travelling public, as intended. They're now validating a wide range of compliance issues, which is of great concern to us now that there's consideration for a regime of potential monetary penalties. This new regime has also enabled legal challenges from a few members of the public who are looking to monetize airports like Regina's as if we're not complying with the regulations.

• (1545)

The Chair: Mr. Bogusz, I apologize. Your time is complete. I'll ask you to wrap up, if possible.

James Bogusz: We're asking you to consider amending this regulation to exempt airports with under four million passengers. We want to avoid downloading more costs to the travelling public.

I want to assure this committee that it is our commitment in Regina to sensibly and commercially ensure that we have both official languages served for the traveller.

Thank you.

The Chair: Thank you.

[Translation]

Up next, we have Eric Fortier from the Canadian Air Transport Security Authority. You have five minutes.

Eric Fortier (General Manager, Corporate Affairs, Canadian Air Transport Security Authority): Good afternoon, Mr. Chair and honourable members of the committee.

My name is Eric Fortier and I'm the general manager of corporate affairs at the Canadian Air Transport Security Authority, often referred to by its acronym, CATSA. Joining me today is my colleague, Marc-André O'Rourke, senior legal counsel.

Thank you for inviting us to appear before the committee as part of your important study of the proposed official languages administrative monetary penalty regulations.

[English]

CATSA was the centrepiece of the Government of Canada's response to the events of September 11, 2001, and was formally established on April 1, 2002, to oversee and strengthen aviation security in Canada.

[Translation]

Our organization is a Crown corporation funded entirely by parliamentary appropriations. It reports to Parliament through the Minister of Transport and is regulated by Transport Canada.

Our mission is to protect air travellers by providing the highest level of aviation security screening while ensuring a positive experience. CATSA is specifically responsible for providing security screening services at 89 designated Canadian airports. This mandate is carried out through two Canadian service providers that employ approximately 9,000 officers across the country. Our responsibilities include pre-boarding screening, checked baggage screening,

non-passenger screening and ID card management in restricted areas.

In 2024-25, CATSA alone screened nearly 70 million passengers. I'd like to emphasize that CATSA takes its official language obligations very seriously. We are committed to ensuring that passengers travelling through designated bilingual airports see an active offer and receive service in the official language of their choice.

[English]

This commitment is also embedded in our contractual arrangements with screening contractors and is supported by ongoing performance measurement related to active offer, service of demand and staffing levels. This is in addition to having specific procedures, action plans, training and ongoing awareness initiatives.

[Translation]

In addition, CATSA works closely with the Office of the Commissioner of Official Languages. For example, we've taken the initiative to set up monthly meetings with representatives from the office to discuss complaints and possible solutions to improve our operations.

Improving the customer experience is a key pillar of CATSA's strategic plan. This includes facilitating an inclusive screening experience for all passengers. To achieve this goal, CATSA has deployed more than 170 bilingual facilitators at screening checkpoints in the 16 busiest airports to assist passengers who may have questions or need additional help with the process. CATSA also regularly conducts passenger surveys on various service indicators, including service in the official language of their choice. In the third quarter of this fiscal year, nearly 96% of respondents indicated that they were served in their preferred language. This result demonstrates that our measures and initiatives are having a positive impact on strengthening services to travellers.

Thank you once again for allowing me to address you today. We look forward to answering any questions you may have.

The Chair: Thank you very much, Mr. Fortier.

Next up is Patti Merrigan from Marine Atlantic Inc. You have five minutes.

[English]

Patti Merrigan (Vice-President, Human Resources, Marine Atlantic Inc.): Thank you, Mr. Chair and honourable members of the committee, on behalf of Marine Atlantic, for the invitation to appear before you today and for the opportunity to comment on the draft regulations.

Before starting, I would like to respectfully acknowledge that Marine Atlantic operates in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq peoples, and on the island of Ktaqmkuk, the unceded traditional territory of the Beothuk and Mi'kmaq peoples.

By way of brief context, Marine Atlantic is a Crown corporation that operates the federally mandated ferry service between the island of Newfoundland and Nova Scotia. This connection is constitutionally significant. It was entrenched in the terms of union when Newfoundland and Labrador joined Canada, and it remains a vital transportation link for passengers, commercial traffic and communities.

At the outset, I want to state clearly that Marine Atlantic recognizes the importance of the Official Languages Act, including the recent amendments intended to reinforce substantive equality between Canada's two official languages. We take compliance seriously, and we continue to make meaningful investments to strengthen official languages capacity across our organization.

Our appearance before the committee today is not to diminish the importance of the act or our official languages responsibilities. However, we question whether these administrative penalties will achieve the desired outcomes, specifically in more rural areas such as ours.

There is a contradiction between the purpose of the draft regulations and their effect. Though the amendments to the act suggest that the purpose of a penalty is to “promote compliance” and “not to punish”, a penalty is by definition a form of punishment.

For administrative penalties to go beyond punishment and lead to compliance, the threat of the penalty must encourage change at an institution that is non-compliant. The logic is that priorities will shift if it is more cost-effective to be compliant, thereby leading the institution to invest the resources that allow it to comply with its obligations.

However, that logic does not necessarily hold true in all circumstances, particularly for organizations like Marine Atlantic operating in areas with limited markets for bilingual talent. Even after the administrative penalties come into force, Marine Atlantic will struggle to recruit bilingual talent despite ongoing investment and effort, which creates risk.

Similarly, we're concerned that penalties for type A violations may inadvertently result in reduced services to the travelling public in some circumstances. Third party businesses operating on our premises include small, sometimes family-run businesses such as food services and gift shops at our terminals. Marine Atlantic will likely be forced to eliminate such services if there is a risk of monetary penalties for non-compliance by those third parties.

We also have concerns about how these penalties may affect organizations like Marine Atlantic, which are heavily subsidized by public funds. We are a public service, and we do not operate on a profit-generating model. Any penalties imposed would ultimately reduce the funds that are otherwise directed toward delivering essential public service operations.

Compliance in rural regions is not simply a matter of money. Imposing penalties to promote compliance incorrectly assumes that the issue is a lack of investment in official languages, a lack of desire to recruit or retain bilingual talent or a lack of prioritization of official languages obligations.

Marine Atlantic welcomes measures that will help increase our ability to offer services in both official languages and promote linguistic duality in Canada. However, we fail to understand how these penalties will achieve those objectives.

With that in mind, we respectfully offer some recommendations for the committee's consideration if monetary penalties are imposed.

First, we suggest exploring flexible approaches that allow small, independent businesses in rural regions additional time and support to adapt to the regulatory requirements. We would also recommend that there be no mandatory minimum penalty for type C violations, allowing the commissioner to determine whether monetary penalties are appropriate in the circumstances for any type of violation, ensuring that the focus is on compliance and not punishment.

Finally, we respectfully recommend that funds from monetary penalties be reinvested directly into the affected organization for dedicated official languages education and training, which would more effectively strengthen bilingual service capacity than a punitive payment.

Once again, thank you for the opportunity to speak with the committee today. I would be pleased to respond to any questions you may have.

• (1550)

The Chair: Thank you very much, Ms. Merrigan.

[*Translation*]

We will now move on to question period with members.

Let's begin with Mr. Godin for six minutes.

Joël Godin: Thank you, Mr. Chair.

I would like to thank the witnesses for being here, whether virtually or in person.

I believe this is an important issue. I've been working on modernizing the Official Languages Act for several years, and what we've come up with are regulations. Incidentally, Bill C-13 received royal assent in June 2023. It is now 2026, and I have to say that I'm a little disappointed with the improvisation going on.

Someone mentioned something in their testimony. As I speak to you, I'm looking through my notes to find out who it was.

Mr. Westin-Eastaugh, you mentioned that there was no quantitative analysis of these regulations. I'd like to hear more about that.

• (1555)

Érik Labelle Westin-Eastaugh: My comment aligned with Ms. Merrigan's reasoning in her presentation. Monetary penalties are meant to change the internal incentive structure of the organizations targeted. However, in order to know whether the penalty will have the desired effect, we need to have some idea of the cost structure, profit margins and so on, otherwise it's difficult to determine whether the penalty will have the desired effect or whether the cost can easily be absorbed without having to change the way things are done. In my opinion, it would have been logical to conduct some quantitative analysis in this regard to guide the choice of penalty amounts. I don't think I've seen this kind of analysis, but I may have missed something.

Joël Godin: Thank you, Mr. Westin-Eastaugh.

I will now turn to the Canadian Air Transport Security Authority.

You mentioned that your organization is a Crown corporation funded by government appropriations. Where do those appropriations come from?

Eric Fortier: Security fees are billed for each flight.

Joël Godin: For each ticket.

Eric Fortier: They go into government coffers. Then, the government decides what percentage we get to keep.

Joël Godin: That means that part of these fees are kept by the government, and the other part is paid for by travellers.

Eric Fortier: No. Technically, the fund that funds us is paid for by travellers.

Joël Godin: So it's not a government grant. Travellers are the ones who—

Eric Fortier: The money paid by travellers goes to the CRA, the Canada Revenue Agency.

Joël Godin: There's a useless middle man in this picture, and it's the government.

Do we agree on that?

Eric Fortier: I won't speak to that.

Joël Godin: It's my opinion.

I wanted it to be clear, because it's important. You're a Crown corporation and you say you're funded by government appropriations, but the fact is that you're funded by the travellers themselves.

Eric Fortier: Exactly.

Joël Godin: It's an important distinction, because there is a difference.

Thank you for clarifying that.

I will now turn to Mr. Bogusz and Ms. Pondant.

Mr. Bogusz, you mentioned that there was no confusion before 2018 and that providing services was easy. Then things started going downhill in 2018. You're drowning in all the regulations and the red tape.

I'd like to hear your thoughts on that.

[English]

James Bogusz: I've grown up in airports. When I first started in airports, official languages, in my view, were not being implemented in a way that you would expect today. There's no doubt.

I'm glad to see that industry worked with the government to come up with a very clear and concise traveller-specific mandate that applied to airports for many years. For the committee's interest, I brought a copy so that you can all see it. It's not on the public website any longer—it's been removed—but I have it here, and I'm happy to share it with the committee.

It's very reasonable. It ensures that travellers can receive essential services in the official language of their choice, as they can today at my airport in Regina, Saskatchewan, which, by the way, has a very low demographic of French speakers compared to English speakers, per the census.

In 2018, that all changed, and that's the concern with compliance today.

[Translation]

Joël Godin: Thank you, Mr. Bogusz. I must interrupt you again, because I only have six minutes.

Here's what I found reasonable in the message from your colleague, Ms. Pondant.

Ms. Pondant, you suggested something very important. We cannot treat the Regina or Victoria airports the same as the Toronto airport. These airports are governed by the same rules, but they don't have the same resources. You've clearly shown how important both official languages are to you.

Is it realistic and feasible for your organization to comply with regulations that aren't very clear, that are somewhat vague, and that could be challenged?

Julie Pondant: We're really looking for clarity on the matter so we know how to prepare for the regulations being discussed.

• (1600)

Joël Godin: Since my time is limited, would it be possible for you to send the clerk your clearly worded recommendations, such as exemptions for airports that handle fewer than four million passengers annually, and other proposals that would enable us to create realistic regulations and encourage you to continue promoting both official languages to the best of your ability and within the capacity of your regions?

Julie Pondant: Yes absolutely. We can get those for you.

The Chair: Thank you, Mr. Godin.

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

Madeleine Chenette (Thérèse-De Blainville, Lib.): I'd like to thank the witnesses for joining us today to talk about this very important issue, the reality of the airports they represent, and Marine Atlantic. It's important that we all understand this.

I'd like to ask the representatives from the Canadian Airports Council and the Canadian Air Transport Security Authority a question about the four million passenger limit.

In government, we don't look at what has been done in the past, but at what needs to be done for the future. In this context, if we take into account the Canadian reality and the fact that SMEs and industries work better together from east to west, it is clear that this will inevitably lead to more francophones travelling around our beautiful country.

Furthermore, as part of our mandate relating to education, we've learned that there is indeed a desire for our provinces and regions to better recognize the importance of having more bilingual staff and to take the necessary steps to achieve this, both to develop the vitality of francophone communities and to encourage anglophones to speak French, and vice versa. So, going forward, the reality is that we need more bilingual talent and services in both official languages, both for the Canadian business community and for all the foreign investment we're going to pursue.

So, with regard to the four million passenger limit you mentioned, I understand that things have changed since 2018, but we're now in 2026, and by 2030, we're going to need a lot more bilingual services across our beautiful country.

In this context, without necessarily saying that the four million passenger limit should be removed, what transition do you need to ensure that you have the talent you need?

[English]

James Bogusz: Every region of Canada is different in terms of its demographics, per the census. I'm representing our small airports, but I'm also representing my own airport in Regina.

Based on census data in 2021, I would have to have literally one quarter of the entire French-speaking population of my city work at my airport to comply with what's expected of me today. We put sensible solutions in the airport to support bilingualism, specifically a 24-hour-a-day, seven-day-a-week phone line that my staff can use to translate if someone chooses to speak in French or English.

The challenge I have is that's not acceptable in the eyes of the regulator. This is the problem, not a lack of desire to comply or to promote. I feel strongly about this, as I'm sure the committee does. It is a very important issue for us, especially as an airport in a capital city. I take that very seriously.

[Translation]

Madeleine Chenette: I'd also like to hear from Ms. Merrigan on her organization's experiences with all this.

What kind of transition do you need, what kind of mechanisms could be put in place to help you?

[English]

Patti Merrigan: We have similar issues with respect to bilingual talent in the area we operate in, particularly in small towns in Nova Scotia and Newfoundland. It has been an ongoing issue for us. We have invested significant effort and money into French training for our employees and into attempts to recruit. We will continue to do that to try to grow our ability to provide better service in both official languages.

However, we will continue to be at risk of complaints under the Official Languages Act simply because we have a limited talent

pool of bilingual individuals in this area. We continue to invest in education and training. We currently have employees in full-time French-language training, for example, but it is an ongoing struggle that we don't see a solution for at any time in the near future.

• (1605)

[Translation]

Madeleine Chenette: I understand your concern about finding bilingual staff. However, once again, what we've heard is that we need to provide more support in the regions and invest in programs to promote bilingualism.

That said, I'll turn to Mr. Westin-Eastaugh.

You mention detailed criteria and the burdensome nature of the process. How can we streamline it in a practical way, knowing that we also want to ensure accountability so that organizations meet their obligations rather than giving a host of excuses for not doing so?

What do you recommend in this regard?

The Chair: Ms. Chenette, you have about 45 seconds left.

Madeleine Chenette: That's enough for the witness to respond.

Érik Labelle Westin-Eastaugh: I was referring specifically to paragraph (c) of section 6 of the draft regulations, which sets out a very detailed list of items that must be included in notices of violation for the purpose of providing justification. In my opinion, this could be eliminated. We could simply require the commissioner to explain his or her decision to impose a fine. The determination of what constitutes sufficient justification will vary depending on the context, the amount of the fine and so on. This would greatly simplify matters.

Madeleine Chenette: Thank you very much.

The Chair: Thank you, Ms. Chenette.

Mr. Beaulieu, you have six minutes.

Mario Beaulieu (La Pointe-de-l'Île, BQ): Thank you.

Mr. Westin-Eastaugh, you said that we need a more flexible framework and that it should be expanded to include security services. Indeed, it seems a little illogical to me that the regulations apply to airport restaurants, among other things, but not to security services.

Could you elaborate on that? Should the scope of the regulations be broadened?

Érik Labelle Westin-Eastaugh: My comment is based on the idea that, fundamentally, the same principles or the same regime should apply to all aspects of the traveller experience. The two agencies I mentioned play an important role in the traveller experience. I recognize the legitimacy of the points raised by the government in this regard. These agencies aren't quite in the same situation as some of the other entities involved, but they are still in the picture and have received a number of complaints.

It should also be noted that fines aren't issued automatically. It depends on the circumstances and how the situation develops, but it is a tool that should still be available to intervene with these entities if other tools can't fix the problem.

Mario Beaulieu: I'm aware of some pretty serious problems with security services at Dorval Airport, for example. It would be important to enforce the regulations in such cases.

We met with Air Canada representatives, who told us that the regulations should apply to all entities under federal jurisdiction and even to private aviation companies. They said that their obligation to comply gave their private competitors an advantage.

What do you think?

Érik Labelle Westin-Eastaugh: I would say that this is an idea that deserves serious consideration.

Mario Beaulieu: Okay.

Furthermore, we've been told that the bureaucracy involved will complicate matters considerably. There's also the fact that it will only start to apply when part 2 of the regulations comes into force, and we haven't seen that yet.

So, isn't there a risk that it will be a long time before it applies?

Do you think it should apply as soon as the regulations are passed?

Érik Labelle Westin-Eastaugh: That's quite possible. I can't claim to be familiar with all the details of the implementation. I recognize that rushing to implement a new system can be risky. We're not talking about modifying an existing system, but rather implementing a new system that the stakeholders aren't familiar with. So I understand the instinct to proceed slowly.

My comment was specifically aimed at the burdensome nature of the process set out in the regulations themselves, not the implementation of the entire system. I think other people are better qualified than I am to comment on this issue.

• (1610)

Mario Beaulieu: Thank you.

My next question is for the other witnesses.

The Official Languages Act has been around for a long time. There have been offences related to signage, for example, and other offences that can be easily corrected, in my opinion. Given that the Commissioner of Official Languages is going to continue issuing warnings and notices and that he is only going to fine people if they do not want to comply with the act, do you still maintain that there should not be any fine and that it would be too harsh?

Eric Fortier: Our position is that we understand why we were not included, and that is because of the way we are funded. We respect the role of government and Parliament in determining what the regulations should look like at the end. Whatever form it takes, we will continue to take the necessary steps to comply with the Official Languages Act. I know that the commissioner's office has other mechanisms at its disposal, but we respect the role of Parliament and the government in deciding how the regulations should apply.

Mario Beaulieu: Thank you.

I will now move a motion. All committee members have received it. I will read it and explain it to you.

That, pursuant to Standing Order 108(3)(f) and in light of a recent speech by Prime Minister Mark Carney in which he stated that the Plains of Abraham mark the place where Canada began to make its founding choice of accommodation over assimilation and the beginning of a great partnership, this speech having been described as revisionist by numerous columnists in French-language media...

The Bloc Québécois is proposing two meetings, where we would invite historians and experts to present the facts on history, on assimilationist measures, from the Battle of the Plains of Abraham to the present day, and on the evolution of the assimilation of francophones.

Mr. Chair, to suggest that Canada's history is marked by collaboration and partnership with francophones rather than domination and assimilationist measures is to distort history. From the Royal Proclamation of 1763, which made New France the Province of Quebec, to the British North America Act of 1867, and for much of the 20th century, the British and Canadian governments used military repression, anglophone immigration, the ban on French schools and a series of measures to assimilate and make francophones a minority.

Prime Minister Carney's speech amounts to an attempt to make people forget, on the one hand, all the violence at the Battle of the Plains of Abraham, all the victims of the Conquest War, which killed 10% of the population of New France, as well as the villages, the burned down farms, the deportation of the Acadians, the military garrisons, the francophone Métis, the hanging of Louis Riel, the bloody repression of the patriots of 1837-38, the Durham report and the Act of Union to assimilate francophones. We can think of the British North America Act, still in force, which was followed by laws that prohibited the teaching of French in all the now anglophone provinces, without the federal government lifting a finger. There is the underfunding of French-language education that continues to this day, even in Quebec. The result is that, outside Quebec, according to the latest estimates from Statistics Canada, the cumulative assimilation of citizens of French origin was 70%. There are still 2.1% of individuals in Canada, outside Quebec, who mainly use French at home. There were as many as 4.3% in 1971, when the Official Languages Act first came into force. In Quebec, we are now below 80%, and according to Statistics Canada's projections, we will fall below 74% within the next 10 years, or by 2036.

So, the impact of revisionist history as conveyed by Prime Minister Carney is partly what allows the English Canadian majority to continue to turn a blind eye, not only to the right of reparation that is not being respected, but also by allowing assimilation to continue. We have seen it here at the committee. There was a study on the education continuum. School associations outside Quebec came, one by one, to tell us that there were not enough schools. There is not enough transportation. They get the antiquated schools from anglophones. Francophones are still treated as second-class citizens. In Quebec, the federal government continues to fund anglicization and overfund anglophone institutions. That is why it is important to know our history and to establish an objective picture of the situation. If we want to know where we are going, we have to know where we came from.

• (1615)

The Chair: Thank you, Mr. Beaulieu.

Colleagues, I am just going to make a procedural clarification. Debate has now started, if you want to debate the motion that was just brought forward by Mr. Beaulieu.

Is there any discussion on this?

Mr. Godin, you have the floor.

Joël Godin: Thank you, Mr. Chair.

I thank my Bloc Québécois colleague for bringing this subject to the Standing Committee on Official Languages.

I agree with a number of his comments. I find it hard to say that a battle has triggered a collaborative process. Honestly, it is not in my definition. When you fight, the best one wins. I think that being told that the two belligerents co-operated is to be imposed a certain vision, and that is what the French-Canadian people experienced at the time.

In my opinion, what the idea that the Prime Minister conveyed does not represent the actual historical events, but that may just be my interpretation. I do not have all the answers, I do not claim to know everything and I am not a historian, except that the Prime Minister's interpretation of the events during the speech delivered at his caucus meeting in Quebec City, just in front of the doors of the Governor General's secondary residence located on the Plains of Abraham, was borderline twisted. I find that quite peculiar and opportunistic, but I will let people judge for themselves.

I will leave it at that for now. I would like to hear the opinion and comments of my colleagues from the party in power. I may speak again later.

The Chair: Thank you, Mr. Godin.

Does any other member wish to speak?

Ms. Mingarelli, you have the floor.

Giovanna Mingarelli (Prescott—Russell—Cumberland, Lib.): Mr. Chair, I would ask for a suspension to confer with my colleagues.

The Chair: Okay.

I will suspend the meeting for four minutes.

• (1615)

(Pause)

• (1655)

The Chair: I call the meeting back to order.

For the benefit of the witnesses and the people watching us on television, I would point out that, as soon as a motion is moved by a member, a debate begins. Until that issue is resolved, and there are a number of ways to resolve it, we cannot go back to testimony. During the suspension of the meeting, I consulted with my colleagues. They asked to continue the debate.

Unfortunately, I have to let the witnesses go. I apologize to them on behalf of the committee. I am sorry that we had to interrupt them, but they were still able to observe democracy in action and how it works here at the Standing Committee on Official Languages.

On behalf of the committee, thank you.

Mr. Godin, you have the floor.

Joël Godin: Mr. Chair, I have something important to say to the witnesses. I invite them to send us the recommendations needed for us to do a good job as legislators and for their concerns to be expressed. We hope the government will take your recommendations into account after we put them in the report.

The Chair: That is an excellent suggestion, Mr. Godin.

I would ask the witnesses to send us their—

Mario Beaulieu: Thank you to the witnesses. I am sorry to—

The Chair: On behalf of the Standing Committee on Official Languages, I thank you and let you go.

Let us get back to Mr. Beaulieu's motion.

I will turn the floor over to Mr. Godin.

Joël Godin: Thank you, Mr. Chair.

We worked hard. We built the plane in flight, we negotiated with the other parties. I have an amendment to propose so that the main idea of my Bloc Québécois colleague's motion is taken into consideration.

First, I move that the motion be amended by replacing the words “columnists in French-Language media:” with the words “Francophone media outlets; the committee:”. I will therefore read the first paragraph of the motion as amended by my amendment:

That, pursuant to Standing Order 108(3)(f) and in light of a recent speech by Prime Minister Mark Carney in which he stated that the Plains of Abraham mark the place where Canada began to make its founding choice of accommodation over assimilation and the beginning of a great partnership, this speech having been described as revisionist by numerous Francophone media outlets, the committee:

Then I propose to replace the last three paragraphs with the following:

a) condemn any characterization of Canadian history that minimizes or distorts the policies, laws, and measures aimed at assimilating Francophones and that have contributed to the decline of the French language in Quebec and throughout Canada;

b) reaffirm its recognition of the historical and current reality of the decline of French in Canada, including the impact of past government actions on Francophone communities;

c) reaffirm its commitment to the protection, promotion, and vitality of the French language, in accordance with the principle of the equality of status of French and English;

I think I missed something.

● (1700)

Madeleine Chenette: Yes, indeed.

Joël Godin: Can you complete the amendment?

Mr. Chair, may I give the floor to my colleagues? We agreed, and on the last point, I agree with them.

The Chair: Yes, certainly.

Joël Godin: As I read the amendment, I realize that I forgot the last point. It is not in bad faith.

The Chair: Ms. Chenette, you have the floor.

Madeleine Chenette: I no longer have the text. I handed my sheet over.

Joël Godin: Yes. I have it. Excuse me.

I would add the following paragraph at the end of the motion:

d) report these findings to the House, and, pursuant to Standing Order 109, that the Committee request a comprehensive government response.

Is that correct?

Madeleine Chenette: Yes. That is what we said.

The Chair: Mr. Godin proposed an amendment to the motion moved by Mr. Beaulieu.

Is there any debate on Mr. Godin's amendment?

Is there unanimous consent to adopt it?

Joël Godin: I think so, but it would have to be—

Madeleine Chenette: No. It is not unanimous.

The Chair: I want to clarify something. I may have misspoken. Excuse me.

My question is this: Is there unanimous consent to adopt Mr. Godin's amendment?

Voices: Agreed.

(Amendment agreed to)

The Chair: We will now resume debate on the motion as amended.

Is there any debate on the motion as amended?

Let us proceed to the vote.

Joël Godin: Is there unanimous consent?

A voice: No.

The Chair: There is no unanimous consent. Let us proceed to the vote.

(Motion as amended agreed to: yeas 7; nays 2)

The Chair: Colleagues, it is 5:05 p.m. I will now suspend the meeting so that we can continue our work on the report in camera.

[Proceedings continue in camera]

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