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Chair: Yvan Baker





## Standing Committee on Official Languages

Tuesday, February 24, 2026

• (1545)

[English]

**The Chair (Yvan Baker (Etobicoke Centre, Lib.)):** Welcome to meeting number 22 of the Standing Committee on Official Languages.

Pursuant to Standing Order 108(3)(f) and the order of reference of Tuesday, December 9, 2025, we're resuming consideration of the official languages regulations.

I'd now like to welcome our special guests. From "Talking, Advocating, Living in Quebec," we have Sylvia Martin-Laforge, who's the director general, and Marion Sandilands, who's a lawyer.

You'll have five minutes between you for your opening statement, and then we'll proceed to a period of questions with members of Parliament.

Ms. Martin-Laforge, it's over to you for five minutes.

**Sylvia Martin-Laforge (Director General, Talking, Advocating, Living in Quebec.):** Thank you, Chair and members of the committee, for the opportunity to appear before you today as part of your review of the proposed regulations related to part VII of the Official Languages Act.

You've introduced me, Sylvia Martin-Laforge, as the director of TALQ. It's an organization representing the English-speaking community in matters of public policy and governance. Our focus is on legislation, federal funding frameworks and intergovernmental agreements that shape the vitality and sustainability of our community. Joining me today is our counsel, Marion Sandilands.

Before turning to the substance of our remarks, I would like to acknowledge the extensive and good-faith efforts undertaken by the Treasury Board Secretariat to consult TALQ and other stakeholders from the English-speaking community during the drafting of these regulations. The engagement has been meaningful, and we recognize the effort.

TALQ welcomes the draft regulations. We didn't welcome the act, but we're here to say that we welcome these draft regulations. They introduce long-needed structure and procedural discipline to part VII, making it more difficult for federal institutions to overlook their obligations. By requiring a part VII analysis at key decision points—when programs are created, renewed, modified, ended or transferred—the regulations improve visibility and accountability for Parliament and for the Commissioner of Official Languages.

However, our core message today is this. The regulations operationalize process, not outcomes. In doing so, they expose structural

gaps within part VII of the act, gaps that Parliament should address during the statutory review.

The regulations require institutions to analyze impacts, identify affected communities, consult stakeholders and document their reasoning. What they do not require is a demonstrable result. A department may fully comply with every procedural requirement and yet leave conditions on the ground unchanged. That is not a flaw in the regulations. It reflects a structural limitation of the act. The regulations can discipline decision-making, but they cannot compel measurable improvements in community vitality.

This issue is particularly significant in Quebec, because Quebec is unique under part VII. It is the only province where the federal government must simultaneously protect and promote French as a minority language in Canada, while enhancing the vitality of the English-speaking community of Quebec. These obligations coexist, but they do not always align seamlessly.

The modernized act also adds Quebec's Charter of the French Language into federal statutes, despite concerns raised by English-speaking Quebecer stakeholders. The draft regulations provide no guidance on how institutions should navigate the resulting tensions. There is no framework for balancing competing obligations, no requirement to explain trade-offs and no obligation to demonstrate that the interests of English-speaking Quebecers were assessed independently rather than absorbed into broader policy objectives.

When guidance is absent, decisions default to discretion. In Quebec, that discretion often favours preserving federal-provincial relations over advancing minority vitality. Without clearer statutory direction, there is a risk that part VII becomes procedurally satisfied but substantively diluted.

This concern is not theoretical. TALQ recently filed a complaint with the Commissioner of Official Languages regarding the Canada-Quebec agreement implementing the action plan for official languages. The complaint highlights shortcomings in the application of part VII—

**The Chair:** Ms. Martin-Laforge, I'm sorry to interrupt you. The time is up, so could I ask you to wrap up soon? Then we can go to questions from members.

**Sylvia Martin-Laforge:** Of course. Ms. Sandilands will not be speaking.

**The Chair:** It's five minutes between you—

**Sylvia Martin-Laforge:** It's between us. Okay.

**The Chair:** —but there will be lots of opportunity for discussion to cover the content you need to cover.

**Sylvia Martin-Laforge:** Let me go to the closing, then.

In closing, TALQ supports these regulations as an important step forward. They enhance structure and accountability within the limits of the existing statute, but we must remain clear-eyed about their limits. Process alone will not deliver minority vitality. Achieving real outcomes requires statutory clarity, enforceable obligations and meaningful accountability, issues Parliament must address in the review of the act.

Thank you, and we look forward to your questions.

• (1550)

**The Chair:** Thank you very much.

We'll now move to the question and answer period with members.

[Translation]

We'll start with you, Mr. Godin. You have the floor for six minutes.

**Joël Godin (Portneuf—Jacques-Cartier, CPC):** Thank you, Mr. Chair.

Thank you, ladies, for being here today.

What you said worries me. You said you were in favour of the draft regulations, but you don't think the Official Languages Act is satisfactory. I'm trying to understand why you're in favour of these draft regulations, which are in line with the act, which you don't think is doing the job.

Could you elaborate on that? It's not clear to me. It worries me that you're in favour at a second level, when you weren't in favour of our main topic. I'd like to hear your thoughts on that.

[English]

**Sylvia Martin-Laforge:** Part VII has been a concern for both of official language minorities for years. For 20 years, maybe more, we've been worried about part VII in the act.

[Translation]

That means we're concerned about the proposed regulations regarding part VII of the act. However, we're seeing progress in the documentation work.

[English]

The paper trail will help everyone. There are procedural parts of part VII that are very good, but we are still concerned because of the alignment with the Charter of the French Language in the act.

We were against the modernization of the act, let's be clear, mostly because it included the Charter of the French Language. We are the only jurisdiction that has the construct of having provincial and federal within the act, so it shows in part VII regulations.

[Translation]

There's no way to break down how part VII of the act will help the English-speaking community, the French-speaking majority in Quebec and the French-speaking minority in the rest of Canada.

**Joël Godin:** It's important to understand Quebec's unique situation. It's the only province where the common language is French. It should also be noted that New Brunswick is the only officially bilingual province in Canada. These are facts.

Beyond that, I'm very comfortable with including the Charter of the French Language in the act to protect the last Gallic village overwhelmed by a sea of anglophones in North America. I have nothing against anglophones, it must be said. We have a real asset in Canada, namely two official languages. Bilingualism is a strength and, unfortunately, we aren't making the most of it.

[English]

**Sylvia Martin-Laforge:** May I make a comment on that?

I don't disagree with you. What we are saying is that in part VII, the regulations do not express that complexity adequately. That's all.

[Translation]

**Joël Godin:** Ms. Martin-Laforge, you say that you're in favour of these draft regulations. In your opening remarks, you said that it was a marvel.

**Sylvia Martin-Laforge:** No, no!

**Joël Godin:** I exaggerated what you said. In fact, you said it was good in terms of the process. I'm of the same mind as you: There won't be any results.

You're happy with the draft regulations. You weren't in favour of Bill C-13, but you're in favour of the draft regulations related to part VII—

**Sylvia Martin-Laforge:** I support what the draft regulations are trying to do in terms of process.

**Joël Godin:** Yes, but when a regulation is passed, it's because we want to give ourselves the means to achieve results. However, you know as well as I do that there will be no results.

Are you in favour of the draft regulations? I'm asking this question because there will be no obstacles for anglophones in Quebec. The goal isn't to create obstacles for anglophones in Quebec.

• (1555)

[English]

**Sylvia Martin-Laforge:** It's about continuous improvement. There is an improvement.

[Translation]

**Joël Godin:** Okay.

In that case, what should be put in the regulations to improve things?

**Sylvia Martin-Laforge:** What should be put in the regulations?

**Joël Godin:** Yes. This is an opportunity to say.

**Sylvia Martin-Laforge:** Okay.

[English]

**The Chair:** There is one minute remaining.

**Sylvia Martin-Laforge:** I'm not sure we can put everything in the regulations, because the act does not allow for much flexibility in the regulations. Better consultation, more results, performance indicators, and certainly, as I said earlier, a better understanding of how in Quebec there will be an alignment in our jurisdictional issues between the federal and the provincial.... Nobody talks about that much. We haven't heard anybody talk about this.

In fact, I'm being interviewed by l'Office québécois de la langue française in a few weeks. How are they going to come up with a solution as well? I have no idea.

[Translation]

**The Chair:** Excuse me. The time is up.

**Joël Godin:** We'll come back to that, Ms. Martin-Laforge.

Thank you, Mr. Chair.

[English]

**The Chair:** I'll now pass the floor to Madame Chenette.

[Translation]

Ms. Chenette, the floor is yours for six minutes.

**Madeleine Chenette (Thérèse-De Blainville, Lib.):** Thank you very much, Mr. Chair.

[English]

Thank you very much, Ms. Martin-Laforge and Ms. Sandilands, for being here with us today.

I want to emphasize what you just said on the importance of being fair and respectful of all the minorities in this country. At the same time, we are in a world where Canada needs to leverage the two official languages and the importance of bilingualism, as my colleague was mentioning, which is very important.

I'm listening to you say that it is hard to measure outcomes, and I would agree with that. Knowing that the government is so diversified that it is very hard to put in real outcomes for all to start, I'd like to hear about whether we have the proper data to start with. In order to set outcomes, we need to have data on our minorities for so many topics. At the same time, for the data, we need to identify the gaps, set objectives, put forward the action plan and then bring in the indicators.

When you say that we want indicators, do you think we have sufficient data? Is that what we need to emphasize to get the data of all the minorities in our country? A trade-off that you want to emphasize here is that data will allow us to know where the gaps are and where we need to take proper action.

**Sylvia Martin-Laforge:** The vitality framework that Canadian Heritage has had for years gives us elements, check marks, where we can look at vitality and institutions can look at vitality. For example, for cultural and economic representation in the province, that vitality framework is the basis for what we are working on in Quebec.

From that vitality framework, measures are already there—the number of this, the number of that, the importance of this, the importance of that, how many schools and how many museums. It's not only numeric indicators. You have to look at the outcomes as well.

It's about teasing out from that framework, both for the francophones outside of Quebec and for the English-speaking community in Quebec. I'm not sure this framework will work in Quebec for the majority of francophones in Quebec. I don't know how that's going to work, but if both minority communities are working from a framework, and institutions are looking at that framework, they will be able to tease out measures to see if it's working. They will consult, and we will base ourselves on that framework.

That's where what we've been doing for years has to change in Quebec, because the landscape has changed. How will the federal government and institutions work that into how they treat the English-speaking community in Quebec?

• (1600)

**Madeleine Chenette:** Since you were about to share a complaint, an example for us to understand, I'd like to hear what you have to say about that.

**Sylvia Martin-Laforge:** Would you like to answer that question?

**Marion Sandilands (Lawyer, Talking. Advocating. Living in Quebec.):** Are you referring to the complaint?

**Madeleine Chenette:** You were about to explain a complaint, and then we paused, so I want to hear the story.

**Marion Sandilands:** Sure. I can read you the script we were going to read.

The complaint that was filed by TALQ to the Commissioner of Official Languages highlights the shortcomings of the application of part VII. This is crystallized in the Canada-Québec Agreement on the Implementation of the Action Plan for Official Languages.

The problems with that agreement, which TALQ was complaining about to the commissioner, are the absence of a documented impact analysis specific to English-speaking Quebecers in that agreement; the limited consultation with the English-speaking community of Quebec in the creation of that agreement; a lack of binding safeguards in that agreement to ensure benefits to the English-speaking community of Quebec; and, similarly, insufficient transparency in the design of the agreement.

If you look at the agreement, you see it's a transfer of federal money from Canada to Quebec under the rubric of the action plan for official languages, but it does not contain, in TALQ's view, any of the requirements under part VII of the Official Languages Act in terms of transparency and accountability for that money.

**Madeleine Chenette:** You said the documented impact was missing, and when I said we needed data, you said we have the framework. Where is the link here?

**Marion Sandilands:** There is no link. The agreement doesn't mention anything about measuring the impacts of federal money on the vitality of the English-speaking community, and that's one of the key pieces of the complaint that was made to the Commissioner of Official Languages.

**Madeleine Chenette:** Thank you.

[Translation]

**The Chair:** Thank you, Ms. Chenette.

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

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

Welcome to our guests.

Ms. Martin-Laforge, in your brief, you say that the concepts aren't defined, and I tend to agree. You say that Quebec is the only province at the intersection of two official minority language dynamics. On the one hand, we're talking about protecting and promoting French as a minority language in Canada, since it's understood that francophones in Quebec are part of the Canadian linguistic minority. On the other hand, we're talking about protecting English-speaking Quebecers. You say that this asymmetry could lead to an erosion of the vitality of the English-speaking community or undermine the institutional vitality of English-speaking Quebecers.

What would lead to that outcome?

**Sylvia Martin-Laforge:** As a minority, we don't want to compete with another minority. We recognize the francophone majority in Quebec, and we recognize the francophone minority outside Quebec. The English-speaking community has to find its place within this dynamic. It's not easy to find a place when Quebec has a government that doesn't recognize us as a credible linguistic minority, at least not for the moment.

**Mario Beaulieu:** That's your position.

I want to quickly get to the heart of this. Basically, do you think Quebec francophones are part of the Canadian linguistic minority?

**Sylvia Martin-Laforge:** Absolutely.

**Mario Beaulieu:** Should Quebec francophones also be consulted?

**Sylvia Martin-Laforge:** Well, we'll see. The draft regulations don't specify how this will be implemented. If we're worried, it's because there's no clarity. We don't see how this is going to be done under the regulations and part VII.

• (1605)

**Mario Beaulieu:** It's ambiguous. Would you agree that there should also be positive measures for French in Quebec?

**Sylvia Martin-Laforge:** There are already positive measures for French in Quebec.

**Mario Beaulieu:** Yes, but it's really minimal: It's money for teaching French.

**Sylvia Martin-Laforge:** I don't know what it is, but I know that the Government of Quebec has implemented measures for the vitality of French in Quebec.

**Mario Beaulieu:** I'm talking about the federal government.

**Sylvia Martin-Laforge:** As for the federal government, there wasn't any talk of the vitality framework until 2023, when it was included in the Official Languages Act.

[English]

We're all wondering what this looks like, still.

[Translation]

There should be less ambiguity. It has to be clearer. Again, we don't want to be in competition.

**Mario Beaulieu:** We agree that it's ambiguous. There's a real injustice right now. As you said, it takes resources to participate in consultations, but the federal government gives resources only to English-language lobby groups. There's nothing for French-language lobby groups or advocacy groups in Quebec.

Do you agree with that?

[English]

**Sylvia Martin-Laforge:** That's outside of our remit today.

[Translation]

**Mario Beaulieu:** It's a bit relevant, because you say it's ambiguous. We have to clearly define the concepts, and that's what I'm trying to do. How would those concepts be defined?

**Sylvia Martin-Laforge:** Either the act gives you the opportunity to do that, or it doesn't. Refer to the modernized Official Languages Act to see what the regulations allow you to do. For us, it's unclear how these regulations will translate.

**Mario Beaulieu:** I can name you all the sections of the act that support French in Quebec. There are a number of them, particularly in part VII. However, as you say, there's some ambiguity. The ministers responded that they were defending and protecting French in Quebec. That's something new. Before, they always said that they were defending English in Quebec and French outside Quebec. Since 2020, they have been saying that they're defending French in Quebec, but we haven't seen any concrete action.

[English]

**The Chair:** There are only 15 seconds left, so I'd ask for a quick answer.

**Marion Sandilands:** Paragraph 41(1)(a) of the Official Languages Act creates an obligation for federal institutions to protect and promote the vitality of the English-speaking community of Quebec. That is the basis for our presence here today, and that is the basis of the submissions that TALQ is making today.

[Translation]

**The Chair:** Thank you, Mr. Beaulieu.

[English]

We're going to pass to the next round of questions. This will be our last round.

[Translation]

As I told you, I'm going to be very strict on the time so that we can finish the round.

[English]

I may cut you off, and I apologize in advance.

[Translation]

Mr. Dalton, you have the floor.

[English]

**Marc Dalton (Pitt Meadows—Maple Ridge, CPC):** Thank you for your testimony and for what you're bringing here.

I was a little concerned, not by your presentation but more by some of the things you're saying. On the one hand, you like the objectives, but the objective goals and standards, with the regulations and the way of measuring things, are lacking. This seems to be a bit in flux.

Some of the things you're saying really resonate with me. The Liberal government in general—this is a bit of an aside—talks about housing and big bureaucracies, but the actual results are not there. Things get worse. They talk about major projects. There are nice announcements, but the substance is missing.

It really concerns me when I hear from you that you kind of like the fluff—which is what you're seeing—but there are no real teeth; there's no real movement. I wonder if you could just elaborate a bit more on that.

• (1610)

**Sylvia Martin-Laforge:** Implementation is always difficult. The law, as we see it, does not necessarily give you a lot of scope for this implementation. You can only go so far.

It's not sufficient to discharge Canada's responsibility on part VII. We agree with that. The part VII regulations, by their very nature and apparently some degree of choice, are limited in scope. The architecture emphasizes procedural compliance, analysis, consultation, documentation and operational process, not outcomes. That's the concern.

There is some improvement. I've been in official languages for a long time. I have seen part VII. They've tried it before; this is not the first time. We're telling folks that they've come some way, but they've not come all of the way. We applaud the progress, but I'm not sure that we will get to the real meat and outcome with the process they have.

**Marc Dalton:** TALQ has asserted that the Government of Canada must both protect and promote the French language in Canada, including in Quebec, and enhance the vitality of the English-speaking minority community. To what extent do these objectives conflict with each other? Is it possible to create programs that can achieve both objectives? Do you have any examples?

**Sylvia Martin-Laforge:** I'm not sure how that's going to happen.

Let me give you an example of when funding happens. When money is transferred from the feds to the province, the hope of the provincial government is that there will be global transfers. That's the hope of the provincial government. When they get a global transfer, how are they going to apportion it to the francophones and anglophones? How will that happen?

We've seen money being transferred to Quebec. We've seen programs transferred to Quebec that have not been able to be used by the English-speaking community. There was a youth employment strategy program a few years ago that was transferred for five years. It was renewed a year or so ago. The money came in, but our groups didn't have access. Not only that, out of the \$30 million that came in, I'm told that \$19 million went to the consolidated fund.

**The Chair:** You have 30 seconds.

**Marc Dalton:** I'm going to interrupt. I have 30 seconds.

If we had a genie here with a wand who could give you one specific wish, what would it be? Be as concrete as possible with that one wish.

**Sylvia Martin-Laforge:** Review the act. We've said it in our recommendations. Out of the five recommendations, four say to review the act.

**Marc Dalton:** Thank you.

**The Chair:** Thank you, Mr. Dalton.

I now give the floor to Madame Mingarelli for five minutes.

**Giovanna Mingarelli (Prescott—Russell—Cumberland, Lib.):** Thank you, Mr. Chair.

Thank you to our witnesses for being here today, Ms. Martin-Laforge and Ms. Sandilands.

Do you believe the regulation adequately reflects the realities and demographic trends of English-speaking communities in Quebec?

**Sylvia Martin-Laforge:** Could you ask that question again? I'm sorry.

**Giovanna Mingarelli:** Yes. Do you believe the regulation adequately reflects the realities and demographic trends of English-speaking communities in Quebec?

**Sylvia Martin-Laforge:** I think that's hard to tell. The act, from what we've seen, talks about consultation.

We believe that the English-speaking community is a very unique community. We would have to see how this uniqueness is translated by the institutions in serving the needs of the English-speaking community.

That's a good question for when we review the act. We will be able to tell if, in fact, the regulations have achieved that goal.

• (1615)

**Giovanna Mingarelli:** That's great. Thank you.

How can the regulation better ensure that federal institutions take proactive rather than reactive measures to support English-speaking communities in Quebec?

**Sylvia Martin-Laforge:** I think it's consultation, but consultation that is not just checking a box. It's consultation that is attuned to the priorities of the English-speaking community.

We are a community without adequate capacity. We do not have federally funded organizations in the way the rest of Canada does, and that's not a criticism of the FCFA and their organization.

Until relatively recently, in the last 20 to 30 years, the English-speaking community was never really seen as a minority community. It's relatively recently that we have seen ourselves as a minority community. It's certainly in the last seven or eight years that we feel we have to say, "Wait a minute; we're a minority community. How will you—the government of the province, and the feds as well—be treating us?" We've woken up to the fact that we are a unique community in a majority Quebec situation. That's a difficult place to be sometimes.

**Giovanna Mingarelli:** This leads perfectly into my next question. In situations where federal measures to support English-speaking Quebecers may intersect with provincial measures aimed at protecting French, how should federal institutions determine the appropriate balance?

**Sylvia Martin-Laforge:** I'll have to say consultation, consultation, consultation, and really understanding how Bill 1, the constitution of Quebec, might affect us. I find it a little alarming that many federal individuals have not read Bill 1 and have not seen how it could change our situation in Quebec.

They talk about federal funding. Neither we nor any organization in Quebec will be able to challenge any law. I mean, without knowledge of the provincial legislation going on right now, there's no understanding of how the feds can function in this new environment in Quebec.

**Giovanna Mingarelli:** In practice, have you observed instances of federal institutions hesitating to take positive measures due to uncertainty about Quebec legislation?

**Sylvia Martin-Laforge:** I'm not sure about uncertainty, but many federal institutions don't quite know how to work in Quebec. There is the M-30 law, whereby organizations have to have permission to receive federal money if they have a threshold of funding from the province, and that stops it right then, right there.

**The Chair:** I have to cut you off there. I'm sorry. The time is up.

**Giovanna Mingarelli:** Thank you.

**The Chair:** Thank you very much.

[Translation]

Mr. Beaulieu, you now have the floor for two and a half minutes.

**Mario Beaulieu:** Thank you.

Ms. Martin-Laforge, I'm going to try to simplify my question.

The official languages support programs have a budget. They have a certain budget for Quebec, for example. Given that this isn't well defined, you're afraid that it will harm the anglophone community.

Do you think that all the funds in this budget should be allocated to the development of the anglophone community, or do you think it would be acceptable for some of these funds to be used to promote French?

**Sylvia Martin-Laforge:** Mr. Beaulieu, the size of the pie needs to be made bigger. The same thing can't be done with the same pie.

[English]

If you need more pie, we'll ask for more money. I don't think anybody should be penalized for having a conflict or competition. Let's call it competition, not even conflict. Competition in Quebec for money should not be on the backs of a minority or a majority community.

• (1620)

[Translation]

**Mario Beaulieu:** You're proposing to increase the overall budget, then, so that there can be measures—

[English]

**Sylvia Martin-Laforge:** Something has to change, probably, but we're not sure what. The federal government, in their regulation, has to figure out what it is. I don't think it's for a community to say, "No, don't give money to the francophones in Quebec."

[Translation]

**Mario Beaulieu:** Pardon me, but your fear is that there will be less money for you.

[English]

**Sylvia Martin-Laforge:** No.

[Translation]

**Mario Beaulieu:** Then why would there be an erosion?

[English]

**Sylvia Martin-Laforge:** It's the division. We have to work together for the vitality of the English-speaking community and for the promotion of French in Quebec. How about if we try to work together and not say that there's too much there or that there's not enough there? Let's work together.

We are in Quebec. We're 1.3 million people in a place where French is the first official language spoken. We live in Quebec. We want to stay in Quebec. Let's work together and figure it out.

[Translation]

**Mario Beaulieu:** Absolutely.

**The Chair:** Mr. Beaulieu, you have 20 seconds left.

**Mario Beaulieu:** Thank you.

Ms. Martin-Laforge, I completely agree with that, but we're talking about opposing points of view, particularly in your definition of anglophones. Saying that there are 1.3 million is inflating the number: You're including English-speaking immigrants who arrive in Quebec. However, if Quebec wants to ensure the future of its language, it has to teach those immigrants French.

We'll continue the debate, but we have to work together, for sure.

**The Chair:** Mr. Beaulieu, your time is up. Thank you.

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

**Joël Godin:** Thank you, Mr. Chair.

Ms. Martin-Laforge, were you consulted by the Treasury Board Secretariat when these draft regulations were being drafted?

**Sylvia Martin-Laforge:** Yes.

**Joël Godin:** Are any of the things you suggested included in the draft regulations?

**Sylvia Martin-Laforge:** As I mentioned earlier, we were consulted. We made our point of view known, as did Treasury Board. It knows our position on the Official Languages Act. For us, everything stems from the act. I would say that they consulted us, and they listened to us to a certain extent. It's just that there's a limit. The same is true for you. How can you get the regulations to reflect the legislation?

**Joël Godin:** Unfortunately, they're going to review it in 10 years, not five.

**Sylvia Martin-Laforge:** We want it to be reviewed more quickly. The Fédération des communautés francophones et acadienne du Canada agrees.

**Joël Godin:** We won't argue, because we agree.

We made proposals, and we proposed an amendment. Unfortunately, the Liberals voted against that amendment, and we'll only see each other again in 10 years, even though French is in decline across Canada.

Beyond the consultations, today I'm asking you to help us help official language minority communities. In Quebec, it's anglophones. Outside Quebec, it's francophones.

What specific measures would you like to see in the draft regulations to improve the situation and achieve results as quickly as possible?

**Sylvia Martin-Laforge:** We talked about that: We'd like to see consultations.

**Joël Godin:** The Treasury Board Secretariat consulted you, but it didn't put much of what you said in the draft regulations.

**Sylvia Martin-Laforge:** There's always room for dialogue.

**Joël Godin:** Let us be clear. It's all well and good to talk about consultations, but—

**Sylvia Martin-Laforge:** We need to have the resources to properly respond to the various institutions and tell them what we need. We don't have those resources. We can't be consulted by 7, 8, 10, 12 or 15 institutions. Even for us, who are funded to do this, it's difficult to respond to all the consultation requests. Our organizations aren't equipped for that.

**Joël Godin:** In that case, the consultation process could be improved, couldn't it?

**Sylvia Martin-Laforge:** Absolutely.

**Joël Godin:** First, then, the consultation process could be improved.

Second, what can be done to get results?

We're considering draft regulations today. We want to improve them. We have the same objective, which is to protect official language minority communities, while taking into account the specific situation in Quebec where, it's important to remember, the common language is French.

How can we add something to the regulations that will enable us to get better results? We can ask Treasury Board to include an element in the draft regulations, and say that this element will help us achieve the objective and that it should already be included in the regulations. It's important to remember that it took three years to draft these regulations.

• (1625)

**Sylvia Martin-Laforge:** I think our problem—

**Joël Godin:** Personally, I don't have a problem.

**Sylvia Martin-Laforge:** You don't have a problem.

**Joël Godin:** I do have one, but it's personal.

[English]

**Sylvia Martin-Laforge:** It comes from the act. I think that's where the problem is. You don't have enough meat in the act to allow you to go much further. That's why we need revision in five years. That's your problem.

[Translation]

**Joël Godin:** I'll stop you right there, Ms. Martin-Laforge. We aren't going to change the Official Languages Act. We're having trouble getting the draft regulations corrected. One Liberal voted against the act, but all the others voted in favour of it, so the changes will be made in 10 years.

Let's not waste our time and instead focus our energy on something else, namely the regulations.

**The Chair:** You have 45 seconds left.

**Sylvia Martin-Laforge:** If you have indicators measuring the impact of the act's provisions, you can start suggesting things.

**Joël Godin:** Second, then, the indicators in the regulations could be improved to enable a better response. Can we write it that way?

**Sylvia Martin-Laforge:** Yes.

**Joël Godin:** I have limited time, so I'm being brief.

**Sylvia Martin-Laforge:** Trust the vitality framework we already have. We already have one; we don't need to invent another.

**Joël Godin:** Thank you.

**The Chair:** Thank you, Mr. Godin.

To conclude this round, the floor is now yours for five minutes, Mr. Villeneuve.

**Louis Villeneuve (Brome—Missisquoi, Lib.):** Thank you very much.

Good morning, Ms. Martin-Laforge and Ms. Sandilands.

Ms. Martin-Laforge, I'm pleased to see you here today. You're a former resident of Bromont.

[English]

**Sylvia Martin-Laforge:** It's always the Townshippers.

[Translation]

**Louis Villeneuve:** I know. In fact, I meet with townshippers a number of times during the year. We discussed various issues this summer, and we really tried to help them.

I want to come back to what Mr. Godin was saying earlier. It's true that we aren't going to change the Official Languages Act overnight. You said that the act lacks teeth. How would you define an act that has more teeth?

**Sylvia Martin-Laforge:** As mentioned earlier, I won't be changing the act today. The act is what it is. So, if we find that the regulations don't adequately meet the needs of the FCFA or TALQ, we'll have to find some means.

[English]

There must be a sweet spot somewhere in those regulations where we could all agree. What's the sweet spot? I think Marion might be able to answer that more precisely, but I'd like you all to think about it. We all want a sweet spot here in the regulations.

**Marion Sandilands:** In our brief, we talk about the history of part VII—

**Louis Villeneuve:** Can you turn on your microphone? I need the interpretation.

**Marion Sandilands:** I'm sorry about that.

In our brief, we talk about the history of part VII and it being really general. It became justiciable at one point, and then the modernization movement happened from 2017 all the way through to 2022. All of the minority communities were asking for the same thing: more specificity in part VII and more teeth.

All kinds of proposals came out about how to better define positive measures and how to better specify them. Put definitions and outcomes in the act. What the modernized act actually says is federal institutions must take “positive measures”. It doesn't define them and it doesn't require any specific positive measures, so although part VII is more detailed and has more words, most of that detail is still procedural.

[Translation]

It's an obligation of means, not of results. That's the framework within which the draft regulations are set. There are limits to what the draft regulations can do because of the framework of the act.

**Louis Villeneuve:** Thank you very much.

[English]

How does TALQ monitor the access of English-speaking Quebecers to federal services in English, particularly in regions where that access is limited?

• (1630)

**Sylvia Martin-Laforge:** How do we measure it ourselves?

**Louis Villeneuve:** Yes.

**Sylvia Martin-Laforge:** We consult a lot.

[Translation]

We're on the ground.

[English]

You talked about the Townshippers. Let me give you a good-news story. Many years ago, the first action plan came out. There has been a progression of the understanding of the needs and priorities of the English-speaking community over the years. In the last action plan, a big chunk of money—\$100 million—came to support economic prosperity and vulnerability in employment. That was the first time we saw something we needed in the act. Townshippers got a nice chunk of money out of that.

The institutions are trying, but they listen. It's always by listening, paying attention, coming to our events and looking at the vitality framework.... Those are the ways we know that the efforts of the federal government are making a difference. We know that because we've been asking.

It's not only about checking the boxes. There has been a serious understanding of what our needs are and of funding those needs.

[Translation]

**The Chair:** You have 20 seconds left, Mr. Villeneuve, but since you're telling me you're done, that's fine.

[English]

That completes our time.

On behalf of all members, I'd like to thank you, Ms. Martin-Laforge and Ms. Sandilands, for being here. I apologize that we started a bit late because of the commemoration of the four-year anniversary of the war in Ukraine, but we thank you for your contributions.

[Translation]

Colleagues, I'm going to suspend the meeting for a few minutes to allow the members of the next panel of witnesses to take their seats.

• (1630)

(Pause)

• (1645)

**The Chair:** I call the meeting back to order.

Welcome to meeting number 22 of the Standing Committee on Official Languages.

We will now continue with the second panel of witnesses, whom I would like to welcome.

As an individual, we have Linda Cardinal, professor emeritus at the University of Ottawa, by video conference.

From the Réseau pour le développement de l'alphabétisme et des compétences, we have the chair, Geoffroy Krajewski, who will testify by video conference, and Denis Desgagné, who is the executive director and who is participating in the meeting in person.

Each organization will have five minutes for their opening remarks. Afterwards, we will proceed with a question period with the members.

Ms. Cardinal, we will now begin with you. You have the floor for five minutes.

**Linda Cardinal (Emeritus Professor, University of Ottawa, As an Individual):** Thank you, Mr. Chair.

Good morning, everyone.

I am currently the co-chair of the External Advisory Panel on the Creation and Dissemination of Scientific Information in French, but I'm speaking to you today in an individual capacity as a language policy specialist and professor emeritus at the University of Ottawa's School of Political Studies.

From the outset, I'm making a first recommendation, which I will explain later.

The draft regulations need to be reworked and revised to give them more relevance and scope. It's important to remember part VII has an undeniably political character. In 1988, it was intended to complement the provision on Quebec's distinct character in the Meech Lake Accord by making the Canadian government the trustee of official language minorities.

However, the political nature of part VII it will make its implementation difficult. As the trustee of official language minorities, the Government of Canada assumes the obligation to ensure the vitality and development of official language minorities, including in areas under provincial jurisdiction, such as culture, health and social services. It should therefore come as no surprise that it was only in 2003, thanks to the publication of the first action plan for official languages, that the implementation of part VII could finally begin.

The late Senator Gauthier understood at the time that the new part VII had no teeth, as he put it. In 2005, he succeeded in having a new provision added to the Official Languages Act requiring the government to take positive measures in order to make the Official Languages Act enforceable, and also justiciable by enabling recourse to the Federal Court of Canada.

In 2005, Senator Gauthier also hoped for regulations for part VII, but it took 20 years for that to happen.

Certainly, the new Official Languages Act confirms the essential role of part VII in guiding government action toward official language minorities. It also relies on the concept of positive measures as an indispensable element of its implementation. However, the proposed regulations, which drive this implementation, do not meet the expectations placed on them.

Like part VII, the draft regulations inherit its political character. They express good intentions, but nothing concrete. They contain no specific directions. They provide for the production of analyses, the results of which will be recorded without any indication of how

they are to be published or circulated. They provide for dialogues and consultations, but nothing very binding.

It's unclear how the analyses recorded will be used to improve the proposed initiatives or confirm their role in advancing—let's not forget—substantive equality.

Frankly, the proposed draft regulation avoids establishing a methodology that would inject dynamism into the implementation of part VII. It is a draft that, in fact, weakens part VII by failing to provide clear directions for its implementation. It does not provide the means to produce lasting results in pursuit of substantive equality, including in the case of federal-provincial-territorial agreements.

My main recommendation is therefore that the draft regulations be reworked and revised to give them greater relevance and scope. They must provide direction for taking positive measures to overcome barriers to substantive equality. These measures, as stated in the Official Languages Act, must be concrete and must be taken with the intention of having a favourable effect on the implementation of the Government of Canada's commitments under section 6 of part VII. The draft regulations cannot avoid this requirement. They must explain how they understand these two dimensions: concrete measures and the intention to have a favourable effect.

Let's move on to my second recommendation.

I recommend that the draft regulations define what a concrete measure is and include directions that will guide the work of public servants in identifying and developing them.

Concrete measures, as can be extrapolated from the Official Languages Act, must be based on the needs of official language minorities, which will be identified through dialogue and consultation activities. Part VII speaks of concrete measures because they must necessarily be rooted in a specific context or place, respond to needs and produce structuring results. However, none of this is addressed in the draft regulations, yet these are definitional elements that could help guide action. Directives to identify concrete measures and analyze them to identify good practices could not only help with the implementation of part VII, but also be used to develop them.

My third recommendation relates to the need for guidance on measuring intent to have a positive effect on the implementation of the government's commitments as set out in part VII.

• (1650)

To that end, my recommendation is that the draft regulations propose a methodology based on language-based differential analysis, which is now commonly referred to as a lens. Such an approach already exists within the Canadian government at Employment and Social Development Canada or at Immigration, Refugees and Citizenship Canada. Treasury Board could draw on this to complete its guidance for the development of concrete measures.

**The Chair:** Ms. Cardinal, I'm sorry to interrupt you, but the time is well up. I would ask you to conclude in one or two sentences so that we can move on to members' questions.

**Linda Cardinal:** Yes. I was coming to my conclusion.

I'll just say that the draft regulations are lazy. They announce regulations that won't fix anything. Three years have been lost. We can only hope that revising the draft regulations won't take another three years.

Thank you for your attention.

**The Chair:** Thank you, Ms. Cardinal.

Before moving on to the next presentation, I would ask Mr. Krajewski to speak for a few seconds because I know that we've been working on the sound.

**Geoffroy Krajewski (Chair, Réseau pour le développement de l'alphabétisme et des compétences):** Yes, good afternoon. I was indeed on the line with a technician, who told me it hadn't yet been validated by the interpreters. Is it now? Can you hear me okay?

**The Chair:** It's working. Thank you.

I'll give the floor to the Réseau pour le développement de l'alphabétisme et des compétences for five minutes.

• (1655)

**Geoffroy Krajewski:** Thank you.

Mr. Chair, members of the committee, we would first like to thank you for including us in your work. Having been closely involved in the work on Bill C-13, we are fully aware of the important role that your committee played in this file and that it continues to play now with these draft regulations.

My name is Geoffroy Krajewski. I am chair of the Réseau pour le développement de l'alphabétisme et des compétences, known as RESDAC. With me today is our executive director, Denis Desgagné, who is attending the meeting in person. We have prepared a short brief that we are submitting and that we invite you to consult. It contains specific recommendations regarding the draft regulations. In the time allotted to us in our opening remarks, we would like to highlight a few points.

First, I would like to say a few words about the concept at the heart of our mandate, which is lifelong learning in a francophone minority. That concept is now enshrined in subsection 41(3) of the Official Languages Act. This is one of the most innovative changes that came out of Bill C-13. For the first time, a quasi-constitutional text recognizes that the social, economic, cultural and identity success of francophones in Canada requires learning opportunities beyond the institutional framework of primary, secondary and post-secondary education.

To succeed in 2026, francophones must have opportunities in their language and throughout their lives to expand their skills, enabling them to operate successfully in a world facing complex social and economic challenges. Every day across the country, hundreds of organizations and businesses offer such learning opportunities in non-formal and informal settings. Unfortunately, there is a great need for leadership and positive measures to ensure that francophone organizations and businesses in minority communities can have access to the same resources as Canada's English-speaking majority. To succeed, these organizations and businesses need the support of the federal government, as provided for in the Official Languages Act.

The draft regulations were tabled almost three years after Bill C-13 came into force. In considering the merits of these draft regulations, we believe it's important to highlight the lack of significant progress in implementing the new provisions of the act. There is no justification for the current lack of action. The role of the Treasury Board Secretariat should be transformed, and we should already have a new relationship and a new collaboration with the various federal departments that reflect the provisions of part VII of the act. However, we are still a long way from that scenario.

In its brief, the Fédération des communautés francophones et acadienne du Canada submitted recommendations that we support. Our goal here is to clarify or highlight four points that relate to life-long learning. First, with regard to the factors to be considered in the analyses that federal institutions should conduct, the list currently included in paragraph 4(4)(b) of the draft regulations must add, in subparagraph (vi), a direct reference to learning in a non-formal and informal contexts; otherwise, it would be a step backward from what is provided for in the Official Languages Act. Our brief includes wording to that effect.

Second, with regard to all the work involved in conducting analyses to support the development of positive measures or the adoption of language clauses in agreements signed with the provinces and territories, it is imperative that these analyses be shared with the communities that are specifically targeted by them. The wording of subsection 4(5) of the draft regulations is inadequate because it simply requires these analyses to be recorded. We therefore recommend that subsection 4(5) of the draft regulations be amended to require federal institutions to systematically publish the entirety of the analyses they conduct in the context of part VII of the Official Languages Act.

Third, with regard to the language clauses in the agreements signed between the federal government and the provinces and territories, it is essential to ensure a high level of transparency in this matter. In its current form, subsection 7(4) of the draft regulations provides that federal institutions shall notify the President of the Treasury Board of the publication of any agreement made under subsection 41(10.1) of the act. Such notification is of no use to our communities unless they are also informed of these publications. We recommend that subsection 7(4) of the draft regulations be amended to create an obligation for Treasury Board to include in its annual reports a list of all language clauses adopted during the fiscal year covered by each report.

• (1700)

Finally, the draft regulations must clarify the procedures for managing situations where a federal institution fails to meet its obligations under part VII of the Official Languages Act. The nature of these obligations and the interactions that are anticipated between federal institutions and our communities mean that it would be ineffective and inefficient to expect francophone communities to systematically turn to the Commissioner of Official Languages or the Federal Court every time a problem arises. While these two avenues remain essential, they are nonetheless insufficient. We therefore recommend that provisions be added to provide for alternative methods of dispute resolution between a federal institution and our communities.

In conclusion, I would like to reiterate that the addition of subsection 41(3) to the Official Languages Act represents a historic gain for our communities. The regulations adopted in support of this provision must now enable it to have the anticipated impact. Considerable work remains to be done to achieve this.

Thank you for your attention. We are available to answer your questions.

**The Chair:** Thank you, Mr. Krajewski.

I will now give the floor to Mr. Godin for six minutes.

**Joël Godin:** Thank you, Mr. Chair.

Thank you for being with us, Ms. Cardinal and Mr. Karjewski. Mr. Desgagné, thank you for being here in person in Ottawa.

Ms. Cardinal, we haven't spoken, and I wasn't the one who invited you, but your words are music to my ears. For years now, I've been shouting from the rooftops that I don't believe the bill achieves the initial objectives. Moreover, after three years of work, the Treasury Board Secretariat came up with these draft regulations, which I find very underwhelming.

Now, let's be constructive. Where should we start? What priorities do we need to set? You're well aware that we won't end up with a perfect set of regulations as we review these draft regulations. How do we tackle the problem, and what are the priorities? Can you briefly suggest an action plan that will give us results at the end of the process?

**Linda Cardinal:** Thank you very much, Mr. Godin.

I'm very happy to talk to you because you've always been traveling or busy with other things whenever I've appeared before the committee, so I'm really pleased to meet you.

Where do you start? I would say that, when the regulations go back to the drawing board, you take out all the wording that includes things like "possible", "maybe" and "potential". That kind of language is very wishy-washy. I invite you to add up how many times the words "possible" and "potential" are in there.

These regulations talk the talk but don't walk the walk, if you will. I think the first thing to do is insert directives wherever the word "possible" or "potential" appears. The regulations have to say what to do instead of making suggestions with words like "possible" and "potential". Suggestions like that don't work in regulations.

It's important to understand that regulations aren't mandatory; they're optional. However, the regulations were deemed necessary to implement part VII because there was a problem before and that implementation was tricky. I think the folks at Canadian Heritage are currently doing a very good job with respect to the Official Languages Act, but it was determined that regulations were needed, so we waited three years for the regulations. There were consultations. Then they came up with draft regulations that echo the text of the act but provide no directives for agreements between the federal government and the provinces and territories or for any aspect of part VII. In addition, the draft regulations have forgotten or neglected to include anything about promoting French in diplomatic relations.

These regulations must help achieve specific objectives, including substantive equality, but they lack directives for the advancement of equality of status and use of French and English. The regulations do not appear to align with the objective.

You should start by working on that.

**Joël Godin:** Thank you, Ms. Cardinal.

I apologize for my absences in the past, but I'm here now and I'm going to make the most of it.

You said in your opening remarks that we need to define concrete measures. I think that's similar to what you said just now. How can we define concrete measures, and what elements should be included to provide guidelines for interpretation to make it easier and binding?

**Linda Cardinal:** What you're saying is interesting, because the term "positive measures" has been in the act since 2005. That suggests the government may have experience in developing positive measures. Has Treasury Board researched past good practices relating to positive measures? It could have used that as a basis for determining what constitutes a positive measure.

There's a 2001 document that I highly recommend consulting. It was prepared by Claude Le Blanc, who was at the Office of the Commissioner of Official Languages at the time, and it's based on research done by COMPAS on the implementation of part VII and positive measures. At the time, the expression "positive measures" was not yet in the act, but people were talking about it anyway, and other terms were used. Mr. Le Blanc made some 30 recommendations to support the implementation of the act, and he had studied sectors such as culture and human resources to see what the best practices were.

It would be wrong to say that Treasury Board doesn't have access to important literature on the subject. It's clear that the work was based on consultations, but there is experience within the federal government. For example, we currently have the policy on francophone immigration. Why not envision that policy as a positive measure?

• (1705)

**Joël Godin:** Thank you, Ms. Cardinal. I think you've clearly identified potential solutions.

Do you think we should essentially wipe the slate clean and create new regulations?

**The Chair:** Ms. Cardinal, please give a one-sentence answer, because we're out of time.

**Linda Cardinal:** You have to go back to the drawing board. That doesn't mean everything has to be wiped clean, but it really needs a lot of revision, like when a student does a poor job on a class assignment.

**Joël Godin:** Thank you, Mr. Chair.

**The Chair:** Thank you.

Mr. Deschênes-Thériault, you have the floor for six minutes.

**Guillaume Deschênes-Thériault (Madawaska—Restigouche, Lib.):** Thank you, Mr. Chair.

Ms. Cardinal, in your remarks, you talked about how the regulations should propose a methodology adapted to the requirements of substantive equality. What would that actually look like? Can you give us some examples?

**Linda Cardinal:** First of all, what does substantive equality mean? According to the past 20 years of jurisprudence, even relating to the Official Languages Act, substantive equality means working to overcome obstacles to equality, what we call contextual obstacles, in order to bring about the advancement of the use and status of French and English in Canada, and so on. We have to come up with a methodology based on that. The other important part of that methodology is concrete measures, as I just explained to Mr. Godin.

If the notion of substantive equality is the starting point, it might have been useful, in the course of consultations and dialogues, to find out how communities define substantive equality. In fact, regulations stating that a record of the consultations will be kept is another way of saying they'll be shelved, isn't it? There should be a requirement to publish the results of those consultations, because when you work with minorities, you have to explain why their ideas were rejected. That's even in the Lund recommendations in Europe. Accountability to minorities is not some far-fetched notion.

Regarding concrete measures, part of the methodology could include considering whether something like “by and for” is an example of a positive measure that could promote substantive equality, or if the policy on francophone immigration is a positive measure.

I don't know if I'm answering your question, but those are a few avenues to explore.

**Guillaume Deschênes-Thériault:** In terms of accountability, we heard from various stakeholders that the draft regulations did not adequately define the indicators to be used to assess or monitor the implementation of accountability. I'd like to hear your thoughts on that. You started to explain it earlier.

Also, what might concrete accountability mechanisms look like?

**Linda Cardinal:** That's an interesting question because Treasury Board already provides accountability through its annual report. However, it's a self-assessment questionnaire. It asks folks to assess themselves. If I ask my students to assess themselves, they'll give themselves a nine out of 10 or 10 out of 10. Are self-assessment reports sufficient?

It may also be necessary to rewrite the questions to add some about substantive equality and the future part VII regulations. I'd like to see a special appendix in the Treasury Board report. There's a DEI appendix, so there should be a part VII appendix. This is an example of an accountability measure that is very relevant and is based on something that already exists. We're not making up something new; we're innovating based on an existing practice. These are small steps, but they can really tell us a lot in terms of accountability.

• (1710)

**Guillaume Deschênes-Thériault:** Thank you.

You also talked about how the act includes a commitment to promoting French as part of Canada's diplomatic relations. That is in part VII. It's not mentioned in the draft regulations.

In your opinion, would it have been appropriate to be more explicit about the operational expectations and monitoring obligations arising from this commitment?

**Linda Cardinal:** Definitely. That's an example of substantive equality as well. This is a recognition that French is vulnerable and that something is lacking. This has been documented, and not just by journalists. At one point, a foreign affairs committee showed that there weren't enough francophones in Canadian diplomacy.

In the current geopolitical relations context, the Government of Canada's diplomatic action is essential, and it must be conducted in both official languages. The government can't conduct international relations in English alone. It must also conduct diplomatic relations in French and be more present in the international francophonie. The government also needs to work on scientific diplomacy. Perhaps they simply forgot to put it in the regulations, but I doubt it, since a lot of things are in there. We can't afford not to include it.

**Guillaume Deschênes-Thériault:** I have one minute left, so I'm going to ask you one last question.

In your third recommendation, you talked about a lens that would help guide the implementation of the commitments in part VII. Can you help us understand what you mean by that lens and explain why such a tool matters in this context?

**Linda Cardinal:** The concept of a lens already exists at Immigration, Refugees and Citizenship Canada. It already exists within the federal government. Why has the Treasury Board Secretariat not taken an interest in this tool? If we want to develop a more innovative methodology informed by the spirit of substantive equality for regulations relating to part VII that focus on substantive equality, we have to give ourselves the necessary tools. Lenses are the best tool, because they get us to ask the right questions about any given initiative, program or project. Lenses make us look at the differentiated impact of programs on target audiences—minorities in this case—and put forward corrective measures or ask stakeholders to put measures forward to achieve substantive equality and meet the objectives.

**The Chair:** Thank you very much. Your time is up.

I will now give the floor to Mr. Beaulieu for six minutes.

**Mario Beaulieu:** Thank you.

Thank you, Ms. Cardinal. We've seen each other a number of times.

There is actually something very novel in the new Official Languages Act that concerns Quebec and francophones outside Quebec. Some sections reflect a more asymmetrical approach. It recognizes that French across Canada is in decline and in the minority. It recognizes that francophone and anglophone minorities have different needs. There are also sections suggesting that there will be measures to promote French in Quebec. It talks about advancing the existence of a majority-French society in a Quebec where the future of French is assured. Under positive measures, it talks about the necessity of protecting and promoting the French language in every province and territory.

However, to date, we have not seen any application of these new concepts. There are no new positive measures for the French language in Quebec. There have been no consultations on the francophone side, apart from the government. Treasury Board confirmed that. Naturally, the draft regulations advance nothing on that front either. Even the TALQ representatives, whom we were talking to earlier, pointed that out. There's nothing to help implement that. What are your thoughts on that?

• (1715)

**Linda Cardinal:** Thank you very much, Mr. Beaulieu.

Well, you're right. The Official Languages Act is very innovative, especially when it comes to part VII, its preamble and its principles of interpretation. It's really very interesting. I've had a chance to talk about it at many conferences. Canada has innovated in the official languages space by incorporating the concept of substantive equality.

However, once the concept has been incorporated, you have to have tools and methodologies for substantive equality. That's what the draft regulations should be doing, but they're not doing it. Instead, their policy approach is based on inertia and resistance, rather than innovation. This approach resembles part VII of the 1988 Official Languages Act, which was all talk. It's as if the draft regulations are also all talk and no binding action. However, the part VII regulations must support the implementation of that part.

Public servants also need to learn how to work with part VII. They've had many years to learn how to develop positive measures. At this point, we have to wonder about Treasury Board leadership. You know, when the reform was under way and there were all the consultations on modernization, I never supported the idea of putting Treasury Board in charge of Official Languages Act coordination just because it's a central entity. I've always believed in Canadian Heritage's leadership, and the draft regulations lead me to believe that I was right, since they reflect a policy approach to implementing part VII, rather than a more concrete approach.

For example, even Statistics Canada could collect data that make it possible to compare all francophone communities in Canada, rather than always comparing francophones outside Quebec with

anglophones in Quebec. This kind of approach will have to be developed one day, and the regulations could support that.

Regarding consultations, again, it's a learning curve—

**Mario Beaulieu:** I'm going to interrupt you, because we don't have a lot of time.

Based on your reading of the act, should there be measures for the French language in Quebec?

**Linda Cardinal:** According to my interpretation of the act, there are already measures to promote the French language in Quebec. Just look at the measure to promote the French language in Canada's diplomatic relations, for example. It's not just for Acadians, Franco-Manitobans or Franco-Ontarians.

**Mario Beaulieu:** That's not a new measure, though.

**Linda Cardinal:** It is a new measure. It didn't exist before. Look at the act. This measure is new.

**Mario Beaulieu:** It's very indirect for Quebec, though. I don't disagree that diplomatic relations are important—

**Linda Cardinal:** No, it's not indirect.

**Mario Beaulieu:** —but on the ground, in Quebec, the French language is declining.

**Linda Cardinal:** Look at all the measures—

**Mario Beaulieu:** I looked at the measures in the public accounts that stem from official languages support programs. I look at them every year—we even try to find grants of less than \$100,000—and there's nothing new at all for the French language in Quebec.

**Linda Cardinal:** There are education measures—

**The Chair:** You have 30 seconds left.

**Mario Beaulieu:** That has always been there.

**Linda Cardinal:** Increased funding for French language learning seems to me to apply in Quebec. That's a pretty good—

**Mario Beaulieu:** I looked in the public accounts, and there's no more money. Anyway—

**Linda Cardinal:** Well, talk to the right people.

**Mario Beaulieu:** Yes, okay.

**The Chair:** Thank you, Mr. Beaulieu.

Colleagues, since we only have 10 minutes left, I'm going to have to shorten the second round of questions.

I will now give the floor to Mr. Dalton for two minutes.

**Marc Dalton:** Thank you, Mr. Chair.

Ms. Cardinal, you use very strong words when you talk about the draft regulations. You say three years were wasted due to laziness. We can really hear your frustration.

You've told us a bit about the history, but why are we in this situation after all these years, with draft regulations like these?

• (1720)

**Linda Cardinal:** That's a good question.

I would say that, behind the why, there is political will. This is fundamental. Where should the leadership come from at Treasury Board to make sure that the regulations make sense? That leadership has to come from the Treasury Board Secretariat. It has to come from the highest level. Over the past three years, there has been a lot of movement, a lot of changes have taken place. Every change delays the drafting of the regulations, and civil society applies pressure, particularly the Fédération des communautés francophones et acadienne du Canada.

**Marc Dalton:** Thank you very much, Ms. Cardinal.

Mr. Desgagné, you told the committee on October 9, 2025 that nothing had changed, that there was inaction and that we had taken a step back. Could you tell us more about that?

**The Chair:** Mr. Desgagné, please keep it to a few sentences, as the time is up.

**Denis Desgagné (Executive Director, Réseau pour le développement de l'alphabétisme et des compétences):** Our sector is that of skills. You can look at the brief we submitted to the Standing Committee on Finance. You'll see exactly what hasn't changed. It sounds a lot like what Ms. Cardinal was saying, basically, in her entire story. The non-formal and informal considerations are in the act, but not in the draft regulations. So it's a step backwards in that sense. That absolutely has to be in the regulations.

**The Chair:** Thank you, Mr. Desgagné.

I will now give the floor to Mr. Villeneuve for two minutes.

**Louis Villeneuve:** Thank you very much, Mr. Chair.

Ms. Cardinal, we have only two minutes, so I'll ask you a short question. You may have time to answer it.

In our study on the draft regulations, what lessons can we learn from other regulations made under the Official Languages Act? What is your view on that?

**Linda Cardinal:** What you're saying is interesting. There is another set of regulations for the Official Languages Act, the one that pertains to part IV and concerns communication with and services to the public. I don't know if you've looked at those regulations. They are very straightforward, meaning that they clearly explain what constitutes a demand, a significant demand and the number. Everything is defined, and things are clear.

Compare that to the regulations under part VII and you will see that the scenario is different. As I said, making regulations is optional. The decision was made to adopt regulations for part VII because having regulations was deemed to be important.

The regulations do not reflect the importance that has been placed on them, in my opinion. If you take the regulations for part IV as a model, which may be not be usable as a model, you can see that there is at least some rigour, which is lacking in the draft regulations for part VII. I'm sorry for those who drafted it, but it doesn't have that rigour. The language of these draft regulations is imprecise; it's not regulatory language.

**Louis Villeneuve:** Okay.

Why do you say the regulations couldn't be enforced? I'm not an expert like you, but I'm curious.

**Linda Cardinal:** A record of the results of analyses is to be kept, but we don't know where it will go. Who is keeping a record, and for whom? Why? If a record is being kept, what will it be used for?

Then, it is proposed that guidance be provided on possible positive measures that could be taken if that was deemed necessary. That's not clear enough. It's not specific enough, especially when we know the entire history of positive measures from 2005 to 2025. We know that there have been positive measures, so it seems to me that there should be a little more clarity and that a pre-study should be conducted on the measures.

**The Chair:** Thank you, Ms. Cardinal.

Your time is up, Mr. Villeneuve.

I'll give the floor to Mr. Beaulieu for one minute.

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

It's a bit paradoxical, since the FCFA and various groups felt that part VII or several parts of the Official Languages Act weren't being enforced or sufficiently implemented. It was decided that this responsibility should be given to the Treasury Board, which holds the purse strings and can force institutions to act. However, we see that the Treasury Board is not interested in that. We met with the minister, and he did not even know that he is the one who manages the application of part VII. There's always a lack of will, regardless of the means used. Basically, it's as if the federal government's approach to the Official Languages Act was very superficial, and the same mistakes have been repeated for 50 years.

Mr. Desgagné, we will try to incorporate non-formal learning into the draft regulations.

Ms. Cardinal, I don't know whether you agree with that vision.

• (1725)

**The Chair:** The time is up.

Please answer in just one or two sentences, Ms. Cardinal.

**Linda Cardinal:** Thank you for all your questions. I wish you all the best in your work, and I hope that the draft regulations will be completely revised to make them more relevant and useful, and to give them greater scope.

**The Chair:** Thank you, Ms. Cardinal. We really appreciate it.

We have two more members who will ask questions. It's not over yet.

I will now give the floor to Mr. Godin for two minutes.

**Joël Godin:** Thank you, Mr. Chair.

Mr. Krajewski, we haven't heard you speak much, unfortunately. We'll get right into it.

In your introduction, you talked about transparency when it comes to language clauses.

My question is for either Mr. Desgagné or Mr. Krajewski. I would like to hear your comments on certain measures.

The draft regulations state that the inclusion of the provisions under paragraph 41(7)(a.1) should be promoted by informing the parties of the expectations and objectives and by proposing provisions for inclusion in the agreement.

What I suggested to the Treasury Board Secretariat was to add paragraph 7(1)(c), which seeks to make public the provisions that the federal government will put in the proposal. We understand that, we don't take part in the discussions at the negotiating table, but we would like to know, at the outset, what has been put in by the federal government. That's an obligation in the act. Then we'll see the final outcome of the negotiations. Do you think that's a good idea?

**Geoffroy Krajewski:** Yes, I do. If I may, I would say that this is one of the specific points we addressed in the brief we submitted—

**Joël Godin:** Thank you. I'm sorry to interrupt. I just wanted to confirm that you felt that this was a positive element.

There is another point I would like to raise about federal institutions. Earlier, you talked about other ways to resolve conflicts, instead of having to go to court. Can you tell me more about that?

**The Chair:** There's about 25 seconds left.

**Geoffroy Krajewski:** To be brief, yes, the idea is really to avoid always having to turn to the commissioner or the Federal Court to resolve conflicts. The idea is to provide alternative methods for resolving internal conflicts within the department with a well-defined procedure—

**Joël Godin:** As I understand it, Mr. Krajewski, you would like to see something in the regulations that provides for this defence method, which, at the same time, would save time and money, instead of making the administrative process more cumbersome, including for the commissioner and the courts. Is that correct?

**The Chair:** Please give a brief answer.

**Geoffroy Krajewski:** You understood correctly.

**Joël Godin:** Thank you, Mr. Krajewski. I'm sorry to rush you, but I think it was important for you to tell us. I wanted to hear it.

**The Chair:** Thank you, Mr. Godin.

**Geoffroy Krajewski:** I can confirm that.

**The Chair:** I'll turn it over to you, Ms. Mingarelli. You will be the last person to speak in this meeting, and you have the floor for two minutes.

**Giovanna Mingarelli:** Thank you very much, Mr. Chair.

Professor Cardinal, you said that you sat on the expert panel for Bill C-32, not for Bill C-13. What major differences have you noted between the two texts?

**Linda Cardinal:** You're talking about bills. You're not asking me about the draft regulations. Is that correct?

**Giovanna Mingarelli:** Yes, I would like you to answer me about bills, if you can. If not, I have other questions for you.

**Linda Cardinal:** Okay.

The real difference between them is that Treasury Board was going to become a central agency for the entire Official Languages Act.

For me, that was a big surprise at the time, as I wasn't among the people who said that everything had to be transferred and then co-ordination work had to be done at Canadian Heritage. I think that's quite important. Afterwards, adjustments were made to the preamble, and so on. I would say that was a significant change.

• (1730)

**Giovanna Mingarelli:** Okay, thank you.

**The Chair:** You have 45 seconds left.

**Giovanna Mingarelli:** Okay.

Some of the expert panel's recommendations were not included in the final version adopted. Which ones should have been kept?

**Linda Cardinal:** Our expert panel did not look at the act as a whole. We were asked for expertise on how to define a strong francophone presence in the context of the implementation of the Use of French in Federally Regulated Private Businesses Act. Those businesses will soon have to adjust to the new rights that francophones have in those businesses. We're also waiting for regulations.

I did not make recommendations, at the time, for the act as a whole. What we were working on is really that aspect of the new act that will be implemented.

**The Chair:** Thank you very much, Ms. Mingarelli.

On behalf of the committee, I would like to thank the witnesses for participating in person or virtually in today's meeting. We apologize for the technical issues at the beginning of the meeting. We really appreciate the testimony.

Colleagues, our next meeting will be on Thursday, and we will be hearing from witnesses on the draft regulations for part VII of the Official Languages Act in the first hour. The second hour will focus on the consideration of the draft report on the administrative monetary penalties regulations. A copy of the report was distributed during today's meeting.

Thank you very much.

The meeting is adjourned.





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