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• (1555)

[*Translation*]

The Chair (Yvan Baker (Etobicoke Centre, Lib.)): I call this meeting to order.

I'd like to welcome everyone to meeting number 33 of the Standing Committee on Official Languages.

Mr. Villeneuve, I see your hand is up.

Louis Villeneuve (Brome—Missisquoi, Lib.): I wanted to move faster than my colleague Mr. Godin for once.

I'm really sorry and even feel bad, Mr. Godin.

Voices: Oh, oh!

Louis Villeneuve: I remember when we had our first meeting, Mr. Chair. I'm sure you also remember it. It was a bit chaotic. Some of us were new and had just taken up our roles.

I just wanted to say that since we started our work, I think we've managed to get together harmoniously here in this committee. I wanted to say that—

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

Voices: Oh, oh!

Louis Villeneuve: He's just cut off my inspiration, Mr. Chair.

We have a few squabbles here and there, and that's to be expected. However, we said that we were going to work together for our fellow Canadians.

We know that the majority has changed sides. I wanted to say that we hope we can continue working in the same harmony. That's it. Thank you.

The Chair: Thank you, Mr. Villeneuve.

I see Mr. Dalton wants to say something

Marc Dalton (Pitt Meadows—Maple Ridge, CPC): Does that mean you're going to vote with us in harmony?

Voices: Oh, oh!

The Chair: Thank you for that goodwill, Mr. Villeneuve and everyone else. I think we can work together in a positive way on the issues under consideration.

I really appreciate your remarks, Mr. Villeneuve.

Colleagues, before we start with our witnesses' opening remarks, I wanted to let you know that we had scheduled a witness for the

second hour of our meeting today, but the witness has requested to appear on another day.

For the witnesses with us today, I understand you're willing to stay with us for one hour. I know we're running a bit late, and so we appreciate your flexibility.

Colleagues, I have a question for you: How would you like to spend the last half hour of our meeting today? We can adjourn after this panel or we can continue with consideration of one of the reports or something else altogether. I'd like to hear your comments on that.

You have the floor, Mr. Villeneuve.

Louis Villeneuve: Actually, Mr. Chair, we're suggesting that we finish the first half hour, but have a full hour with the witnesses, and then adjourn.

The Chair: Okay.

Are there any other comments on that? Does that work?

Okay, then the decision is that we'll have one hour with the witnesses, and then we'll adjourn.

Pursuant to Standing Order 108(3)(f) and the motion adopted on April 21, 2026, we are meeting today to study the draft regulations on the use of French in federally regulated private businesses.

I would now like to welcome our witnesses from the Department of Canadian Heritage. We have Julie Boyer, assistant deputy minister, official languages, heritage and regions as well as Sarah Boily, director general, official languages and Richard Léger, director, official languages regulations directorate.

You have five minutes for your opening remarks and then we'll go to questions from members.

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

Julie Boyer (Assistant Deputy Minister, Official Languages, Heritage and Regions, Department of Canadian Heritage): Thank you very much, Mr. Chair.

Good afternoon, members of the committee.

I would like to acknowledge that we are meeting on the traditional territory of the Algonquin Anishinabe people.

It's a pleasure to be here with you today. As the chair stated, my name is Julie Boyer, and I am the Department of Canadian Heritage's assistant deputy minister for official languages, heritage and regions.

I am here with Sarah Boily, director general, official languages, and Richard Léger, director, official languages regulations.

First, I would like to thank the committee for its contribution on the proposed official languages administrative penalties regulations and for its interest in reviewing the regulatory framework. The four recommendations aimed at expanding the scope of the regulations will be examined closely and taken into consideration in accordance with the legislative framework established by the Official Languages Act.

The publication of the proposed regulations on administrative penalties in the Canada Gazette as well as the tabling of the draft regulations on the use of French in federally regulated private businesses in Parliament mark an important milestone in the implementation of the modernized Official Languages Act. These developments build on a historic commitment made in 2021 when the federal government pledged to protect the French language in the federally regulated private sector.

The government has taken concrete action by recognizing that French is in a minority situation in Canada and North America due to the predominant use of English. Thus, the Act for the Substantive Equality of Canada's Official Languages received royal assent in June 2023. It enacted a new statute, the use of French in Federally Regulated Private Businesses Act. The act and its regulations will come into effect at the same time, and will first apply in Quebec, and then in regions with a significant francophone presence two years later.

• (1600)

[English]

This regime is important for all francophones and francophiles in Quebec and across the country. It creates new rights regarding the language of service and communication, as well as the language of work. The act provides a framework for the use of French to structure relations among businesses, their employees and their consumers.

In the designated regions, businesses maintain working and commercial relationships with francophone clients and employees. Our cost-benefit analysis demonstrates that despite initial costs, the proposed framework would generate net-positive benefits, notably through better quality of services, reduced internal friction and greater stability of business relations.

[Translation]

As Minister Miller emphasized during his appearance before the Standing Senate Committee on Official Languages on April 27, 2026, the measures will not harm English. They will strengthen French. Canadians who use French must be provided with adequate protection.

At the end of a 30-day waiting period in the House of Commons, the regulations may be published in Part I of the Canada Gazette,

the Government of Canada's official consultation mechanism for regulatory matters.

The proposed regulations are the result of rigorous years-long work that included extensive consultation with businesses, unions and the public to concretely address the needs of French-speaking Canadians. The regulations are an essential tool to give full effect to the language reform and reaffirm the government's commitment to advance substantive equality between English and French.

We're now ready to answer your questions.

The Chair: Thank you, Ms. Boyer.

We're now going to proceed with questions from members.

We'll start with you, Mr. Godin, for six minutes.

Joël Godin: Thank you, Mr. Chair.

Good afternoon, colleagues.

Good afternoon, Ms. Boyer, Ms. Boily and Mr. Léger. It's always a pleasure to see you. We have a lot of hope in your responsiveness to enhancing the regulations.

Ms. Boyer, in your opening remarks, you spoke about the official languages administrative monetary penalties regulations, where we followed the process, and you will look at our recommendations. I heard your commitments when you came here to testify and I hope they're going to reflect that.

However, you forgot to talk about Part VII of the Official Languages Act, which is covered by another regulation, and we are following the process. We studied that in committee, and in my opinion, there's still a great deal of work to be done on that section.

Let me start by talking about the objective of the Use of French in Federally Regulated Private Businesses Act, or UFPBA. During the modernization of the Official Languages Act, and specifically parts I and II, which are connected to the UFPBA, my understanding was that employees of federally regulated private businesses in Quebec, which is the only province where the common language is French, would be required to work in French.

However, that is not what the draft regulations on the use of French in federally regulated private businesses say. The draft regulations state that the UFPBA affirms that consumers have the right to communicate in French and employees of a federally regulated private business have the right to work in French. The UFPBA did not necessarily reflect those lines when we studied it. Can you expand on the rationale for that?

• (1605)

Julie Boyer: Thank you very much for your question, Mr. Godin.

Obviously, a regulatory framework derives directly from the law and its legislative intent. That has been confirmed, because the drafting process involves experts from the Department of Justice, who understand the drafting process based on elements in the law.

The objective of the UFPBA is to really ensure that in Quebec, employees of businesses employing 25 or more individuals can work in French, which is already the case in businesses that are subject to the Charter of the French Language.

Joël Godin: That was not necessarily the substance of the discussions, but the end result. We should keep in mind the infamous Thursday when we lost all the necessary tools to require federally regulated employees in Quebec to speak French. It happened in the middle of the night, between Thursday night and Friday morning. Let us not forget that the amendments were defeated because the government of Quebec reached an agreement with the government of Canada. However, I think that when that happened, the francophonie came out on the losing side.

I want to pick up on a specific point. You said that the threshold would be set at 100 employees in regions with a strong francophone presence. Why was it set at 100 employees? Why wasn't it set at 50, 25 or 1,000 employees? How was the figure of 100 employees determined?

Julie Boyer: For a regulatory regime to pass muster, there must be a way to implement it. We felt that a company had to have a minimum of 100 employees across Canada for the regime to be implemented in a region with a strong francophone presence.

Joël Godin: We understand that the number of employees is smaller in official language minority communities.

If we truly wanted to protect the French language and halt its decline, wouldn't it have been better to allow these businesses with a smaller number of employees to have this tool in order to require employees to speak and work in French?

Julie Boyer: Let me repeat what I said about the threshold of 100 employees. A company has to have 100 employees throughout Canada for this requirement to apply.

Joël Godin: It's not 500 employees?

Julie Boyer: No. We're talking about 100 employees throughout Canada.

Joël Godin: What is the threshold of 500 employees about?

Julie Boyer: A committee for the fostering of French shall be established if a company has 500 employees.

Joël Godin: Okay.

Julie Boyer: In this case, we're talking about 100 employees. We need to keep in mind that federally regulated businesses include telecommunication companies, banks—

Joël Godin: Maybe financial services.

Julie Boyer: Exactly. There are also transportation businesses.

If TD Bank, which has a branch in Winnipeg, a region with a strong francophone presence, has more than 100 employees throughout Canada, then even if the branch doesn't have 100 employees, an employee there can work in French, and services will be provided in French.

Joël Godin: They can work in French, but they are not mandated to do so in regions with a strong francophone presence. Is that so?

Julie Boyer: The obligation is not on the employee, but on the employer. The employer must provide all the tools for the employ-

ee to be able to work in French. The requirement is on the company.

Joël Godin: How was the threshold for 100 employees determined?

Julie Boyer: It takes into consideration the number of employees that the company has in Canada.

Joël Godin: That's not what I'm asking. How did you determine that number? How come it's 100 employees and not 50 or 200 employees?

Sarah Boily (Director General, Official Languages, Department of Canadian Heritage): I'll speak to the factors that were taken into consideration for the implementation of the regime. We looked at the size of the business to find out whether it would be able to find the tools, training and policies to sustain the services and a work environment in French.

The Chair: Thank you.

Joël Godin: I don't have further questions.

The Chair: Thank you, Mr. Godin.

Due to technical reasons, the clerk has asked me to suspend for a minute, and so I'll do so. We'll resume in one minute.

Joël Godin: Can I get the floor back for six minutes?

The Chair: No, but all the same, we're suspending.

● (1609)

(Pause)

● (1610)

The Chair: Colleagues, we're back in session and we will continue with questions from members.

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

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

The passage of these regulations is a major step forward for the substantive equality between our two official languages. They impose new obligations on federally regulated private businesses in regions with a strong francophone presence. That includes the entire province of New Brunswick, which I represent, as well as regions in Nova Scotia, Ontario, Manitoba and Alberta.

My first question is as follows: What, exactly, is going to change for the public and consumers? What new rights are going to be created?

Julie Boyer: Thank you very much for that question, Mr. Deschênes-Thériault.

I agree with you that the new rights are a real gain for the francophone community outside Quebec, because it means that a French-speaking individual can work in a federally regulated private business in regions with a strong francophone presence. It also means that a French-speaking client seeking service in a federally regulated private business can receive the service in French.

Guillaume Deschênes-Thériault: Can you give us examples of these types of businesses? When we talk about federally regulated private businesses, which sector does that refer to?

Julie Boyer: As I said earlier, that could be businesses in the financial sector, such as banks. A bank branch in New Brunswick should be able to offer employees the right to work in French, if it is not already doing so, and say that services are available in French, serve clients in French and provide documents in French for clients and employees.

Guillaume Deschênes-Thériault: The draft regulations on the use of French in federally regulated private businesses introduce a new responsibility for the Commissioner of Official Languages. How will we ensure that the commissioner will have adequate resources to enforce the regulations?

Julie Boyer: There was definitely an amount allocated in budget 2021.

Sarah Boily: It's in budget 2024.

Julie Boyer: I went back a bit too far. It was in 2024. Luckily, I have Sarah Boily with me.

This money laid the groundwork for the Commissioner of Official Languages and for Treasury Board, which will also implement regulations for Canadian Heritage.

We did a needs/cost analysis for the implementation of the regime. We're definitely going to request for the rest of the money to fully implement the regime when it comes into force.

Guillaume Deschênes-Thériault: As you know, considerable efforts have been made to ensure the demographic growth of francophone communities across the country. However, we know that there are regions where the regulations would not apply today. If these regions exceed the established threshold in five to 10 years' time, what is the established review mechanism?

Julie Boyer: The regulations have defined regions with a strong francophone presence using potential demand for federal communications and services in the minority official language as an indicator. Our position is based on postcensal surveys that take place every 10 years.

Luckily, our draft regulations have a provision that states that we must undertake a review every 10 years. If official language minority communities experience strong growth during this time frame, the regulations may be reviewed to include these regions.

Guillaume Deschênes-Thériault: Thank you.

I'll give the rest of my time to my colleague Ms. Chenette.

Madeleine Chenette (Thérèse-De Blainville, Lib.): Thank you, colleague.

Mr. Chair, guests and panellists, thank you for making yourselves available and for your tireless work to promote our two official languages. It's really important for our communities across Canada.

I have a question to help me fully understand the reality of this project. Why is there a two-year interval between the regulations coming into force in Quebec and when they come into force in the rest of Canada?

• (1615)

Julie Boyer: That's a good question.

The Charter of the French Language regime has already laid the groundwork for federally regulated private businesses operating in Quebec. The regime has been in place for a long time, which means that these companies have offered opportunities to work in French and have been providing services in French for a long time. Thus, we consider that they are ready to choose to implement the charter or the regulations on the use of French in federally regulated private businesses that we are working on now when they come into force.

The two-year time frame gives private businesses in regions outside Quebec with a strong francophone presence that have not faced these obligations time to implement the regulations. They probably provide what is required, because we have established a list of regions with a strong francophone presence. If they're already on the right track and offer their clients services in the official language of their choice, well and good, but if not, they will now be required to do so. We're giving them a two-year period to give them time to, for example, translate documents if need be, give their employees employment contracts or information from the employer in French if the employee chooses, and to provide services in French, and this may require language training or customer service training in French. The two years will give them time to set things up.

Madeleine Chenette: I've also heard that some anglophone communities have expressed reservations and are wondering whether the regulations will apply to both languages. What is the rationale for the regulations applying exclusively to French?

Sarah Boily: It really starts with the Use of French in Federally Regulated Private Businesses Act. As the name suggests, the regime was created to deliver on the government's commitment. I think the 2020 Speech from the Throne recognized that French was in a precarious situation and that there was a need to take concrete steps to protect it. This regime is connected to that commitment.

Madeleine Chenette: Thank you.

The Chair: Thank you, Ms. Chenette.

Colleagues, I've just been told that we have to suspend again due to technical reasons. That means that first, what we're talking about has not been captured in the blues and second, the people watching the meeting can no longer hear what we're saying.

You have the floor, Mr. Dalton.

Marc Dalton: Can we give the witnesses more time since we're losing time due to technical reasons?

The Chair: Witnesses, can you give the committee another hour?

Julie Boyer: Of course, we'd be happy to stay on.

The Chair: Thank you, Ms. Boyer.

I'm going to suspend the meeting.

• (1615) _____ (Pause) _____

• (1620)

The Chair: Colleagues, the technicians have resolved the issue. I'm going to speak for a few seconds to test the system, and so I'm asking the technicians to let us know whether or not everything is working well before we start the next round of questions.

Is it working?

Apparently, the issue has been resolved. Many thanks to the technicians for their work.

We're going to proceed with the next member.

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

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

To answer my colleague's question on the issue that anglophone groups have brought up with him, I would point out that right now, the English language is thriving while the French language is in decline. When it comes to the language of work, it's quite obvious that English is largely predominant. Thus, the French language needs support.

Under normal circumstances, all opposition parties would have been onside on applying Bill 101 to federally regulated private businesses. However, the Liberals did not support this. The UFPBA was somewhat the way to prevent the government of Quebec from applying Bill 101 to federally regulated businesses.

Ms. Boily, there are two conflicting regimes now. By the way, I'm not asking you to take a stand, because that's not your role.

As I understand it, businesses that are subject to Bill 101 did not have other options, because the new Bill 101 applies to all businesses throughout Quebec, with the exception of those covered by the UFPBA. However, now, businesses that had started the francization process can choose to withdraw from the Charter of the French Language and to submit to the UFPBA. The briefing note states that around 40% of federally regulated private businesses in Quebec have not yet registered under the Charter of the French Language. These businesses will be automatically registered under the UFPBA.

Is that correct?

• (1625)

Sarah Boily: When the regulations on the use of French in federally regulated private businesses are adopted, it will set everything in motion, and the UFPBA will be in force. At that point, all federally regulated private businesses will be subject to the UFPBA. Indeed, they can make the choice. The regulations were drafted in a way that allows them to choose whether they want to be subject to the charter, but they don't have the option to opt out of the UFPBA. The federal legislation must be complied with once it comes into force.

Mario Beaulieu: You said that at some point you would publish the register of federally regulated private businesses that are not yet registered. Is that right?

Sarah Boily: Yes. I think that based on the way the draft regulations have been drafted—and Mr. Léger can confirm this—the Minister will publish the list of federally regulated businesses that are subject to the regime. The minister will draw up lists, and the information will be public.

Mario Beaulieu: You're referring to the businesses that are subject to the federal regime, right?

Sarah Boily: Yes.

Mario Beaulieu: We're probably also talking about businesses that are subject to the Charter of the French Language.

Sarah Boily: I believe that the Office québécois de la langue française currently publishes the names of these businesses, and so the federal government could publish the names of the other businesses.

Mario Beaulieu: You said that there were negotiations with the government of Quebec to submit lists. Is that right?

Sarah Boily: We'd like to see that. The act states that an agreement can be made with the government of Quebec to agree on the transmission of data and lists, and so, yes, that would be in the next steps.

Mario Beaulieu: Basically, the threshold of 25 employees was established because the Charter of the French Language applies to businesses with 25 or more employees. Is that right?

Sarah Boily: Yes.

Mario Beaulieu: The Charter of the French Language refers to francization committees while the UFPBA refers to committees for the fostering of French.

Will businesses with 25 or more employees be required to have a committee for the fostering of French?

Sarah Boily: If businesses in Quebec choose to be subject to the federal legislation, the threshold for establishing a committee for the fostering of French is 100 employees.

Mario Beaulieu: Strict regulation would be required. The Office québécois de la langue française does this with businesses that are subject to the charter. In this case, the Commissioner of Official Languages is going to regulate businesses and take action to ensure compliance with the federal legislation. Is that right?

Sarah Boily: Actually, the oversight will be done by the minister responsible for official languages, and so once the regime comes into force, businesses will have six months to submit a request and obtain a certificate of generalization of the use of French in Quebec and to submit documents on an overview of the language situation, including the number of employees who are proficient in French and the number of French-speaking executives. These are some examples, but there's a lot more information involved.

Mario Beaulieu: Then they will have six months to submit a report or—

Sarah Boily: They have six months to do two things. First, they will have to register and second, they will be required to submit documents on the committee for the fostering of French.

Mario Beaulieu: Okay.

Right now, we don't know how this will be framed in the regulations. There are no details on that. We don't know whether there will be monetary penalties, but I don't think there will be any.

Sarah Boily: I'd like to draw your attention to certain provisions of the legislation. Subsection 10(1.1) is on generalizing the use of French. It sets out a series of measures that the minister responsible for official languages will consider to determine whether they meet the requirements of the committee for the fostering of the use of French. This is therefore one aspect.

You referred to the commissioner. Indeed, complaints regarding the language of service and the language of work may be filed either with the Office québécois de la langue française or with the Commissioner of Official Languages. An investigation can then be conducted to make recommendations.

Thereafter, the commissioner's powers apply, except for the administrative monetary penalties regime, which was created solely for entities subject to the Official Languages Act—

• (1630)

The Chair: I'm sorry, Ms. Boily, but I have to cut you off. Your time is up. I gave you a little extra time to answer the question.

Mr. Bélanger, you now have the floor for five minutes.

Jim Bélanger (Sudbury East—Manitoulin—Nickel Belt, CPC): Thank you, Mr. Chair.

Ms. Boily, I have a question about strong francophone presence. How is that determined? Is there a specific number?

In northern Ontario, there are several francophone regions, including some small ones, where the law would not apply, even though it would be important for it to.

Sarah Boily: Thank you for that question.

There are three criteria that must be met for a region to be considered a region with a strong francophone presence.

The first criterion is that 20% of the population of an entire province or territory must have potential demand for French-language services. This is the primary criterion, which allows us to include New Brunswick, where there is potential demand for French-language services for 34% of the population.

The second criterion concerns census divisions with 20% or more potential demand for services. This falls into the second category. This second criterion allowed us to include a few pockets, particularly in Ontario and Nova Scotia, if I'm not mistaken.

The third and final criterion concerns metropolitan areas with a minimum of 30,000 people and census tracts with 10% potential demand for French-language services. This allows us to include a few neighbourhoods in the city of Winnipeg, and the Bonnie Doon neighbourhood in Edmonton, Alberta.

Jim Bélanger: Are they required to meet one of the three criteria, or all three criteria?

Sarah Boily: They must meet one of the three criteria.

Jim Bélanger: Okay.

We tend to think of national companies, but in smaller regions, many small and medium-sized businesses have fewer than 100 employees. I wonder how these businesses will be affected. I don't know of any company in the north, in a small region, that isn't a national company and has 100 employees. How was the number of 100 employees determined?

Sarah Boily: You got that right. It takes 100 employees in regions with a strong francophone presence. A small neighbourhood or a small town may have workers but not meet the criteria. If there are at least 100 other employees in regions with a strong francophone presence in Canada, they could still have the right to work in a French-language workplace. However, that threshold of 100 must actually be reached.

Jim Bélanger: We often talk about measures and goals as well in this committee. How are we going to ensure that companies comply with the regulations?

Sarah Boily: We will rely on promotional efforts because the Minister responsible for Official Languages is responsible for designing and raising awareness of the framework. We will also rely on Canadians to exercise their rights and seek redress when necessary.

We'll see over the years if we need to make adjustments to all of this.

Jim Bélanger: Thank you.

I will give the rest of my time to Mr. Godin.

Joël Godin: Thank you, Mr. Bélanger.

Mr. Chair, how much time do I have left?

The Chair: You have one minute and twenty-five seconds left.

Joël Godin: Ms. Boily, earlier, you said that the minister must publish the list of businesses that will be subject to the federal legislation or to the Office québécois de la langue française. Is that what you said?

Sarah Boily: My answer referred solely to the Minister responsible for Official Languages, who will publish the list of businesses that are subject to the federal regime.

I will defer to Mr. Léger for more details.

Joël Godin: Where is that written in the act, because that's not what I'm reading?

Richard Léger (Director, Official Languages Regulations, Department of Canadian Heritage): The minister has the authority to do so and will have all the information needed to do so.

Joël Godin: You said "authority". There is a difference between having to and being able to. In clause 30 of the draft regulations, I saw that the minister may publish on a website. The minister has no obligation to do so. Perhaps we're not talking about the same thing, which is why I don't want to—

Richard Léger: It's certainly the intention to do so, and the ministerial authority is there. This relates to sections 12 and 13 of the Use of French in Federally Regulated Private Businesses Act—

Joël Godin: You mentioned sections 12 and 13.

• (1635)

Richard Léger: —which refer to the minister's role in ensuring the law is enforced and in informing the public of their rights regarding the language of work and service.

Joël Godin: Mr. Léger, can you give me this information and point me to where I might find it?

Richard Léger: Sections 12 and 13 refer to the text of the act itself. The act distinguishes between the minister's role and the commissioner's mandate. The commissioner clearly has a compliance mandate.

Joël Godin: Mr. Léger, where in the act does it state that the minister must publish the list of companies?

Richard Léger: I was referring to ministerial authorization, but not specifically to a ministerial duty [*Inaudible—Editor*].

Joël Godin: What we heard from Ms. Boily is therefore not entirely true.

The Chair: Mr. Godin, I'm sorry. I have to cut you off as your time is up.

I'll now give the floor to Mr. d'Entremont for five minutes.

Chris d'Entremont (Acadie—Annapolis, Lib.): Thank you very much, Mr. Chair.

I'd like to address the same issues that Mr. Bélanger just raised. The situation is the same in Nova Scotia. There are small francophone communities. We can see that these may not be regions with a strong francophone presence. The southwestern region I represent has small and medium-sized businesses. Federal institutions are not represented there.

Halifax isn't either. Can you explain to us what criteria determine which communities in Nova Scotia are considered to have a strong francophone presence?

Richard Léger: As Ms. Boily mentioned earlier, there are three criteria. The second, which concerns census divisions, applies more specifically to Nova Scotia. These divisions determine regions with a strong francophone presence. Since the draft regulations were tabled, a map, which is available on the Canadian Heritage website, has been published showing the regions defined by this statistical methodology. It shows, among other things, the regions of Nova Scotia covered by the proposed regulations, and specifically, the regions of Yarmouth, Digby and Richmond. These regions have potential demand within the census division, as they exceed 20% in all cases.

Chris d'Entremont: Why isn't Halifax included, though? The largest francophone growth region in Nova Scotia is actually in Halifax and Dartmouth. Schools are now being built in the Halifax, Bedford and Dartmouth area. The Royal Canadian Navy and the federal government have a presence in Halifax. I would very much like to see this region recognized as an area with a strong francophone presence.

Richard Léger: According to our analyses, the Halifax region does indeed have a large number of francophones who use French at home and francophiles. It therefore meets two of the criteria for potential demand for French-language services. However, it doesn't meet the first part of the third criterion in the draft regulations: There is no potential demand for French-language services from

30,000 people in the Halifax region. We're close, but we're slightly below 30,000 people. The Halifax region also doesn't meet the other criteria. For example, it doesn't have at least 20% in a census division. This is strictly a matter of population density, according to the established criteria.

Chris d'Entremont: In Nova Scotia's new francophone region, the population density in the Dartmouth area of Halifax is really growing. The problem we have in Nova Scotia is that the francophone community accounts for just 10% or less than 10% of the population. When I was a provincial minister and we introduced the bill on French-language services in Nova Scotia, it was about 16%.

We worked closely with the regions we just mentioned—Argyle, both the lower and upper parts, Yarmouth to the north, Richmond and Chéticamp. These are the main historic regions where we wanted to have French-language services.

How are we going to regulate or ensure that services are accessible? There is an issue related to the region and accessibility and to whether they will enforce the law in these areas.

• (1640)

Richard Léger: Ensuring compliance with the regulations is a role assigned to the Commissioner of Official Languages under the act. The Office of the Commissioner of Official Languages serves as the primary point of contact for all matters related to public services. It is empowered to enforce a range of authorities that will influence orders. This involves the ability to conduct investigations and receive complaints from the public, regardless of any reports submitted by the company or its francization committees, among other things. Aside from all these obligations, which obviously serve to ensure the proper application and implementation of the regime, the commissioner's powers are distinct from all of that and apply in all cases.

[*English*]

Chris d'Entremont: It really takes somebody to complain. Acadians don't tend to complain. When they don't get a service, they just switch to English and do it that way. How do we make sure that doesn't happen?

[*Translation*]

Richard Léger: Regarding services, I can clarify—

The Chair: Please respond very briefly, as Mr. d'Entremont's time is up.

[*English*]

Richard Léger: I'll respond in English.

For services, it doesn't take a complaint. The law itself is specific on this, but that's not the case for labour rights.

Chris d'Entremont: They'll just switch, then, probably.

[*Translation*]

The Chair: Thank you, Mr. d'Entremont.

I now give the floor to Mr. Beaulieu for two and a half minutes.

Mario Beaulieu: Thank you, Mr. Chair.

I would like to clarify the following.

One media outlet wrote that the Use of French in Federally Regulated Private Businesses Act, the UFPBA, is a carbon copy of Bill 101. However, it is far from a carbon copy. It specifies that if there's no compliance, the minister may refuse to issue a francization certificate. I'm a bit surprised that the minister will directly enforce the law, because they could have a conflict of interest. Normally, the Office québécois de la langue française has some degree of independence, though it's not perfect. However, in this case, the minister practically enforces the law.

Julie Boyer: That's how the act was drafted. You can rest assured that behind every minister is a department that will enforce and monitor it closely. The work will undoubtedly be carried out by the team.

Mario Beaulieu: I see another problem here. For example, if a Quebec-based company did not have a francization certificate—it was very difficult to enforce the Charter of the French Language on large companies that did not really care—a provision outlines several measures and consequences. One of the consequences is as follows. If companies do not have their certification, they are not entitled to government subsidies or loan guarantees. This is very effective. However, there is no such consequence in the UFPBA.

Julie Boyer: There are other consequences, but this one is not included.

Mario Beaulieu: We've been familiar with consequences, such as orders and so forth, for 50 years, and they haven't amounted to much.

Now, the commissioner will be able to impose monetary penalties. We're starting to see some penalties. From what I understand, the UFPBA is really a toothless law. There are no consequences.

Julie Boyer: First, I would say that orders are a new power granted to the commissioner. There isn't a 50-year history of unsuccessful implementation behind this. It's new. Second, the regime is equivalent to the Charter of the French Language regime, with a few exceptions.

You mention withholding contracts, and that's a condition we don't have in place. However, the commissioner can enter into a compliance agreement, and if the organization fails to comply, the commissioner can apply for an order from the Federal Court.

The Chair: I'm sorry to cut you off, Ms. Boyer, but your time is up.

I now give the floor to Mr. Dalton for five minutes.

Marc Dalton: Ms. Boyer, thank you for being here. It's always a pleasure to see you.

I will continue along the same lines as my colleagues.

As a member of Parliament from British Columbia, I would like to know if there are any regions in that province with a strong francophone presence where these regulations will apply.

Julie Boyer: Currently, no regions in British Columbia have been identified as having a strong francophone presence with potential demand of at least 10%.

• (1645)

Marc Dalton: You mentioned western Canada, specifically Manitoba, Alberta and Saskatchewan, where there are two regions with strong francophone presence, such as Beausejour, Saint-Boniface and the Bonnyville area. How will you determine whether the regulations apply in Edmonton and Bonnyville, for example?

Julie Boyer: Since it will take two years to implement these changes, there will undoubtedly be a major awareness-raising effort to ensure that federally regulated private businesses around the University of Alberta's Saint-Jean Campus, which has a large francophone population, are fully informed of their new obligations to allow employees to work in French, to provide them with documents in French to and serve customers in French.

Marc Dalton: I'm sure the campus will be ready to do that.

[*English*]

Minister Miller talked about “significant upfront costs”. Can you elaborate on what “significant” is?

What are the regulations? Have you projected what some of the costs would be for different sizes of companies?

Julie Boyer: Yes, we have a very robust methodology to evaluate the costs over a period of 10 years. We submit this to the Treasury Board. It will be made public once it's published, when we table the Canada Gazette, part I.

Marc Dalton: My question isn't so much about the government costs. It's more about the costs for the businesses.

Julie Boyer: No, I'm sorry. We estimated the costs for businesses. That is part of the impact assessment we have to produce for the Treasury Board Secretariat so that it can make an enlightened decision before giving us a green light to table, for example, a regulation in the House of Commons.

I can say that the main costs are for training and the translation of documents. In our methodology, we also considered the eventual introduction of AI and other tools to translate, in order to cost out what it would cost a small or medium-sized enterprise to do these things.

Marc Dalton: If you could have this submitted to the committee, that would be interesting.

Julie Boyer: It will become public when we publish the Canada Gazette, part I.

Marc Dalton: Okay.

For companies that have 25 employees in Quebec and, say, 1,000 outside, these laws apply to the entire company. Is that correct?

Julie Boyer: If they're based in Quebec, it applies to the—

Marc Dalton: No, it's not if they're based.... If they have a unit in Quebec, even of just 25 employees, does it apply to their entire operation across the country?

Richard Léger: It applies to the entire operation in Quebec and in regions with a strong francophone presence. The office in Toronto, which is not in such a region, would not carry that obligation.

Marc Dalton: Will this make some companies a little more hesitant to expand into Quebec if it's just a small office, because it would apply everywhere else? Do you see that as an issue?

[*Translation*]

Sarah Boily: Yes. Since this is a new regime, we'll have to wait and see if companies actually move.

Julie Boyer: In Quebec, this was already in effect.

Marc Dalton: If a company is in a region with a strong francophone presence, the regulations would apply if it has 100 employees. Do you think there might be people who would oppose the idea of hiring a French-speaking person that would impose these responsibilities?

The Chair: Time is up. Please answer in one sentence.

Sarah Boily: I think the summary of the regulatory impact assessment, which will be published and which outlines the benefits of the regime for companies, might persuade you.

Marc Dalton: Thank you.

The Chair: Thank you, Mr. Dalton.

I now give the floor to Mr. El-Khoury for five minutes.

Fayçal El-Khoury (Laval—Les Îles, Lib.): Thank you, Mr. Chair.

I'd like to welcome our distinguished witnesses.

Ms. Boyer, you mentioned that in areas or cities with a strong francophone presence, a business, such as a bank, will be required to offer services in French. In such cases, does all the bank's staff have to be bilingual, or is the bank allowed to have only a few people who speak French? How can you monitor that?

• (1650)

Julie Boyer: Thank you for your question.

No, it doesn't mean that all employees of a business must be bilingual. For example, in the case of a bank branch in Saint-Boniface, which is a region with a strong francophone presence, all employees don't have to be bilingual. The bank must have bilingual employees to be able to provide services in French at all times upon request at the counter. This means there may be two people providing services in French, but the bank must ensure these individuals are available during business hours.

Fayçal El-Khoury: The government wants to remove barriers to interprovincial trade. Although French is the common language in Quebec, the only province where French is the official language, French is spoken across the country.

Does the law isolate Quebec or integrate it more into the pan-Canadian dynamic?

Julie Boyer: As a public servant, I will refrain from giving an opinion.

That said, I see that the regulatory regime grants the Canadian francophonie rights that did not exist before. In my opinion, that's a good thing. It allows French-speaking Quebecers who occasionally travel to other Canadian regions with a strong francophone presence to be served in French if they need to make a bank withdrawal, for example. They could even find a job outside Quebec, such as

in Saint-Boniface or Edmonton, and work in French with documents in French.

Fayçal El-Khoury: Thank you.

Julie Boyer: I would say this is a real advantage for Canada's French-speaking community.

Fayçal El-Khoury: With the regulations coming into effect, the federal government is exercising its jurisdiction in Quebec. However, Quebec already regulates federally regulated private businesses, in accordance with Quebec's Charter of the French Language. One concern we hear from Quebec is that the two regimes are not aligned.

Can you explain the main differences between the Use of French in Federally Regulated Private Businesses Act and the Charter of the French Language, as well as the main points of convergence?

Julie Boyer: I'll go first, and my colleague Ms. Boily, my committee expert, will chime in.

I can tell you that there have been extensive discussions and consultations, as well as close collaboration with the Quebec government's ministry responsible for the French language. We scrutinized the Charter of the French Language and the draft regulation, compared every comma and all the details that didn't match, and did our best to correct all the discrepancies. Some differences remain, but I can say with confidence that the two regimes are equivalent, apart from a few different implementation tools.

Sarah Boily: I'd just like to briefly add two examples.

Earlier, we discussed the first example, which concerned committees for the fostering of French promotion in Quebec. Quebec may require companies with 25 to 99 employees to have a francization committee, whereas under the federal regime, the threshold for the requirement to have such a committee is 100 employees.

Another minor distinction concerns the membership of these francization committees, on which the Office québécois de la langue française may sit.

Mr. Beaulieu also highlighted another minor difference regarding the award of contracts when companies fail to meet the criteria.

Fayçal El-Khoury: You would agree that the French language is declining in Quebec. I'd like to know what measures the government has taken to address this decline. Can you give us some examples?

• (1655)

The Chair: There is no time for a response.

Julie Boyer: It was a good question.

The Chair: It was a good question, but we'll save it for next time.

We have about 14 minutes left with our witnesses, and so we can proceed with the third round of questions, but I'll have to limit time. Conservative and Liberal members will each have three minutes, and Mr. Beaulieu will have one and a half minutes.

Would you like to say something, Mr. Godin?

Joël Godin: Is it indeed two three-minute periods for the Conservatives and two three-minute periods for the Liberals?

The Chair: That's correct.

Mr. Gill, you have three minutes.

[*English*]

Dalwinder Gill (Calgary McKnight, CPC): Thank you, Mr. Chair.

Thank you, witnesses, for coming to this committee.

My question is about federally regulated businesses in Quebec, which can fall under either the federal regime or Quebec's Charter of the French language.

Do you think that choice creates a risk of confusion about which rules apply?

Julie Boyer: I'm happy to answer. Thank you for the question.

I would say if you have two regimes asking for the same thing, it's hard to get away from it.

Dalwinder Gill: Bill C-13 created new rights for consumers and workers to use French in federally regulated private businesses, but the act is still not being enforced almost three years later.

Why has the government taken so long to bring them into effect? When will French-speaking consumers and workers actually be able to rely on them?

Julie Boyer: It did take some time, but the teams at both Treasury Board Secretariat and Canadian Heritage took this responsibility very seriously. We had extensive preconsultations, including with indigenous groups, because that group is excluded from this regulatory regime. We wanted to make sure we got it right.

The preconsultations and the preparation of a robust analysis of the impacts on the cost of making these regulations, which was as accurate as possible, required us to meet with several unions as well as federally regulated private businesses of different sizes to be able to assess, and this is the result of that work.

As for when it will come into effect, we'll see. The next step would be the Canada Gazette, part I, and then the Canada Gazette, part II. It would come into effect in Quebec, where, technically, federally regulated private businesses should already be subject to the Charter of the French language. If not, then they would have to become compliant with the federal regime. Two years later, francophones in strong concentrations outside of Quebec or in regions with a strong francophone presence would receive the same benefits.

Dalwinder Gill: French language rights need to be backed by clear and meaningful consequences. What consequences will businesses face under these regulations if they fail to provide service in French or respect French language rights?

The Chair: Give a brief answer, please, because there are 10 seconds left.

Sarah Boily: The citizens who don't get their services in French will be able to direct a complaint to the Commissioner of Official Languages, who will investigate and issue recommendations. The commissioner, as my colleague said earlier, can also try to get into

a compliance agreement with the entity that's non-compliant. If that fails, the commissioner can bring out a stronger power, which we have yet to test, as it's brand new. It's the power to issue orders—

The Chair: Ms. Boily, I have to cut you off. I'm sorry. We're well over time.

I try not to interrupt the final answer if a question is asked before the time elapses—that's the principle I apply—but unfortunately sometimes we can't hear it all.

[*Translation*]

I'll turn the floor over to Mr. Villeneuve for three minutes.

Louis Villeneuve: Thank you, Mr. Chair.

Thank you, witnesses, for being here this afternoon.

I'm a member of Parliament from Quebec. I'm wondering how these regulations represent progress in the protection and promotion of French in Quebec. Could you please help me understand where the progress lies?

Julie Boyer: I think this is a concrete measure to protect French in Quebec. It has been recognized in the law. The federal government said it would take action, and it's acting within its jurisdiction, namely federally regulated private businesses. It's the same thing for businesses that are already subject to the Charter of the French Language; it's equivalent.

That said, we will have completed this step following the modernization of the Official Languages Act. It's also a net gain for the Canadian francophonie, which did not have any rights prior to this regulation.

• (1700)

Louis Villeneuve: Thank you very much.

These draft regulations establish a new requirement and as such, the Commissioner of Official Languages will now have a role to play regarding the language of work within federally regulated private businesses.

If a complaint is deemed too complex for the Office of the Commissioner of Official Languages, can the commissioner refer it to the Canada Industrial Relations Board? What are the conditions?

Julie Boyer: I'm happy to answer that question.

Obviously, a regulatory regime can only function effectively if there are avenues for recourse for non-compliance. Accordingly, we've been working with the Commissioner of Official Languages on the language of service. The commissioner has a great deal of experience. She is already responsible for ensuring compliance with the language of service.

Regarding the language of work, there is an agency called the Canada Industrial Relations Board, which is responsible for enforcing the Canada Labour Code in relation to businesses. Thus, we said we were adding an obligation for employers and businesses. This is the first time we've gotten involved in the private sector and added language obligations.

It was stated that the commissioner's office could address and resolve complaints regarding the language of work. However, if a case is too complex under the Canada Labour Code, there is a provision for the commissioner's office to refer the matter to the Canada Industrial Relations Board. We worked with the board to ensure this would be possible.

This is therefore another arrangement, in case things become too complex, but we expect that the board will probably be called upon to act on complaints only in exceptional circumstances.

Louis Villeneuve: Thank you. I believe my time is up.

The Chair: That's correct. Thank you very much, Mr. Villeneuve.

I will now give the floor to Mr. Beaulieu for one and a half minutes.

Mario Beaulieu: Ms. Boyer, you started to answer my question earlier. Mr. Villeneuve addressed the issue of remedies.

Without coercive power to enforce an act, those who refuse to comply will face no consequences. However, the commissioner and the minister cannot impose consequences or penalties. That said, if the commissioner refers a case to the Canada Industrial Relations Board, there could be fines or consequences. Have I understood you correctly?

Julie Boyer: I would say that any regulatory regime should have an incentive and a corrective mechanism. In our case, the incentive is certainly the fact that it makes perfect sense to serve people in their language if there are many bilingual or francophone clients and workers in a region with a strong francophone presence. It makes perfect sense for them to exercise their rights. We hope this will serve as an incentive. We have two years to lay the groundwork and promote the initiative.

Regarding coercive power—I think you used such a term—the commissioner has the new powers you granted her in the modernized version of the Official Languages Act, which allow her to enter into compliance agreements. That's a serious matter. It's about holding someone accountable. And if an agreement isn't honoured, we can go to the Federal Court to compel a person to take action and comply with the agreement. I think that's a strong measure.

The Chair: I'm sorry, madam, but your time is up.

Thank you, Mr. Beaulieu.

I'll now give the floor to Mr. Godin for three minutes.

Joël Godin: Thank you, Mr. Chair.

Ms. Boyer, you said that there's no difference whether a company is subject to the federal legislation or to the Office québécois de la langue française, it's comparable. You said it was equivalent, not that it was the same. Why not let the Office québécois de la langue française handle matters in Quebec? Why is the federal government interfering in something that already exists?

Julie Boyer: Because Parliament passed a law giving us the mandate to do so. That's the Use of French in Federally Regulated Private Businesses Act, which seeks to promote French in Quebec and in regions with a strong francophone presence.

• (1705)

Joël Godin: Wouldn't it have been possible to give this responsibility to Quebec, as it requested?

Richard Léger: The act specifies the commissioner's mandate regarding compliance—

Joël Godin: That was settled on the Thursday evening I mentioned earlier.

A review is conducted every 10 years. Do you acknowledge that French is in decline in Canada and in Quebec?

Julie Boyer: Yes.

Sarah Boily: Yes. In fact, that's what prompted the modernization of the Official Languages Act in 2023.

Joël Godin: Okay. So, why conduct a review only every 10 years? If French is in decline, there is an urgent need to act. Why not conduct a review every five years?

Sarah Boily: We will have census data every five years, and so we'll make updates and monitor the situation.

We have aligned the frequency of the review with that of the review under the regulations respecting communications with and services to the public in either official language, which is under the Treasury Board Secretariat.

It also allows time for significant demographic changes in Canada's population. It does take some time. That's why we chose a 10-year interval. However, we will conduct a mid-term review.

Joël Godin: I understand, but don't you think that the ability to respond more quickly would allow us to respond and adjust course? If French is in decline for 10 years, reversing the trend and regaining ground will take time. I therefore think it would be wise to be able to respond as quickly as possible. Moreover, it's written into the law. I understand that you're taking it step by step, but it's written into the law. It's like the words “count” and “estimate”.

I understand, but let's give ourselves the tools to be even more effective. All of us around this table are aware of the decline of French. So why not conduct this review every five years?

The Chair: I'm sorry, Ms. Boily. You have five seconds left. Please respond in one sentence.

Sarah Boily: In that case, I will refrain from responding.

The Chair: Okay. We'll save that for next time.

I now give the floor to Ms. Mingarelli for three minutes.

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

This government is working to bring down barriers to inter-provincial trade. Although the common language in Quebec is French and Quebec is the only province where French is the official language, French is spoken across the country.

Does the act isolate Quebec or integrate it more into the pan-Canadian dynamic?

Sarah Boily: I think this question is similar to the one we were asked earlier.

It seems that, based on how the act was designed, the goal is to promote the French language outside of Quebec. We believe this is beneficial not only for French-speaking Canadians outside Quebec, but also for French-speaking Canadians within Quebec, so it certainly includes Quebec.

Giovanna Mingarelli: Thank you.

I'm done.

The Chair: On behalf of the committee, I'd like to thank the witnesses for being here today and for their work.

The meeting is adjourned.

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