

REPORT OF THE STANDING SENATE COMMITTEE ON OFFICIAL LANGUAGES

ON THE SUBJECT MATTER OF BILL C-13, AN ACT TO AMEND THE OFFICIAL LANGUAGES ACT, TO ENACT THE USE OF FRENCH IN FEDERALLY REGULATED PRIVATE BUSINESSES ACT AND TO MAKE RELATED AMENDMENTS TO OTHER ACTS

On 1 March 2022, the Government introduced in the House of Commons Bill C-13, An Act to amend the Official Languages Act, to enact the Use of French in Federally Regulated Private Businesses Act and to make related amendments to other Acts. On 31 May 2022, the Standing Senate Committee on Official Languages (the Senate Committee) was authorized to examine the subject matter of the bill.

Introduction

The Senate Committee held eight meetings, heard 41 witnesses, and received 22 briefs, one follow-up and one briefing binder as part of its pre-study of Bill C-13.¹ It examined a number of issues and proposed amendments, but focused on the following provisions:

- Part 1 of Bill C-13 to amend the [Official Languages Act](#) (OLA), in particular amendments to:
 - the purpose;
 - Part VII; and
 - the powers of the Commissioner of Official Languages.
- Part 2 of Bill C-13 enacting the Use of French in Federally Regulated Private Businesses Act (UFA).

In the course of its pre-study of Bill C-13, the Senate Committee identified the following seven main issues.

1. The special status of French and the vitality of Quebec's English-speaking communities

The evidence and briefs overwhelmingly support the commitment to protect and promote French. While some dispute the premise that French is in decline in Quebec,² it is generally accepted that French is in a minority situation in Canada and North America due to the predominant use of English and that this recognition has a place in an amended OLA.

However, individuals and organizations from Quebec's English-speaking communities fear the harmful effects that this recognition could have on the vitality of their communities.³ They oppose the legislative asymmetry in Bill C-13 and question the territorialization of language

¹ Detailed lists of witnesses heard and briefs received can be found in Appendices A and B.

² Quebec Anglophone Heritage Network (QAHN); Quebec Federation of Home and School Associations (QFHSA).

³ Quebec Community Groups Network (QCGN); Task Force on Linguistic Policy (TFLP); QFHSA; Robert Leckey; Quebec English School Boards Association (QESBA).

rights through the recognition of specific provincial and territorial linguistic dynamics. They feel these two approaches mark a turning point in the way Canadian language policy is developed.

Others, on the other hand, feel the asymmetrical approach is justified, as its purpose is to entrench recognized case law principles such as the substantive equality of the two official languages.⁴ Bill C-13 includes this principle among those that should guide the interpretation of the OLA, along with the principle that language rights must be interpreted broadly and liberally and in light of their remedial nature. Some witnesses therefore find that Bill C-13 takes a balanced approach.⁵ Others, however, are concerned that the OLA objective of equality of status and use of the two official languages will be impacted.⁶ The Commissioner of Official Languages (the Commissioner) does not seem concerned about this and even proposes adding substantive equality as an interpretative principle in the new UFA.⁷

Quebec's English-speaking communities are therefore calling for additional safeguards to ensure that the OLA does not diminish their constitutional rights. This could take the form of a new interpretive principle in the OLA.⁸ Others would like to see the addition of an interpretive principle relating to provincial and territorial linguistic dynamics or to the protection and promotion of French.⁹ In light of these competing visions, it seems that Bill C-13 needs to be clarified so that the commitment to protect and promote French does not conflict with the objective of supporting the development of English and French linguistic minority communities so as to protect them.

One proposal to reduce uncertainty is to define "English and French linguistic minority communities" in the OLA. This expression could be defined generally as "a linguistic minority in a given province or territory" or specifically by "French-speaking minority communities outside Quebec" or "English-speaking minority communities in Quebec."¹⁰ However, concerns were raised that such a definition may not be sufficiently inclusive.¹¹

Furthermore, the evidence and briefs disagree on the appropriateness of including references to the [Charter of the French Language](#) (CFL) in the OLA and the UFA. Opposition to such references is especially strong in light of the Quebec National Assembly's recent passage of [An Act respecting French, the official and common language of Québec](#), which makes use of the notwithstanding clause. Most individuals and organizations from Quebec's English-speaking communities called for references to the CFL to be removed from Bill C-13.¹² They fear that their inclusion in the preamble and in Part VII of the OLA legitimizes a restrictive approach by the federal government towards their communities.

Witnesses also pointed out that the principles supported by the federal and provincial legislation are at odds. The federal act aims to protect linguistic minority communities while

⁴ Linda Cardinal; Érik Labelle Eastaugh; Michel Doucet; Benoît Pelletier.

⁵ Linda Cardinal; Michel Doucet; Benoît Pelletier.

⁶ QCGN; TFLP; Quebec English-Speaking Communities Research Network (QUESCREN); QAHN; QFHSA; Robert Leckey; QESBA.

⁷ Office of the Commissioner of Official Languages (OCOL).

⁸ QCGN; TFLP; QUESCREN; Community Economic Development and Employability Corporation (CEDEC).

⁹ Government of Quebec; Benoît Pelletier.

¹⁰ Fédération des communautés francophones et acadienne du Canada (FCFA); Power Law; QCGN; QFHSA.

¹¹ Michel Doucet.

¹² QCGN; TFLP; QUESCREN; QAHN; QFHSA; QESBA.

the Quebec act aims to protect the French-speaking majority in a given territory, which makes the reference to the CFL questionable.¹³ The reference to Quebec seems unusual, since references to other provinces in Bill C-13 are to constitutional provisions, making the CFL the only provincial language regime mentioned in the bill. Despite strong disagreement, calls were made to further align the federal regime with Quebec's.¹⁴

Lastly, Bill C-13 enacts the UFA, which provides for rights and duties respecting the use of French as a language of service and a language of work in relation to federally regulated private businesses in Quebec and then, two years later, in regions with a strong francophone presence. Some witnesses welcomed a law for private businesses that is separate from the OLA.¹⁵ But others questioned whether this law applies equally to anglophones and francophones.¹⁶ One expert does not believe that the UFA puts the rights of English-speaking consumers in Quebec at risk, even though it does not actively promote those rights.¹⁷ However, English-language organizations in Quebec believe that a bilingual regime should be applied Canada-wide, not restricted to specific regions.¹⁸

The evidence and briefs show that imposing a dual regime on federally regulated private businesses in Quebec could create confusion. Bill C-13 allows these businesses to opt out of the UFA. The Quebec government is calling for the provincial regime as defined in the CFL to be applied exclusively.¹⁹ Yet an English-language organization in Quebec is calling for the application of the UFA with no opt out.²⁰ The Commissioner wants section 6 of the UFA to be re-examined to reduce public uncertainty.²¹ In practice, many businesses are already voluntarily applying the CFL's provisions.²² A lack of cooperation between the two levels of government may open the door to recourse where the provisions of the two regimes contradict each other.²³ These legal debates could cause uncertainty for employers.²⁴

There is still a great deal of uncertainty regarding the UFA's application in regions with a strong francophone presence because this will be defined by regulation. However, witnesses expect offer of service to be based on significant demand, as is the case for federal institutions.²⁵ In New Brunswick, one expert expects to see the provisions apply not only to regions with a strong francophone presence, but to the entire province.²⁶ The Commissioner expects greater consistency between the provisions of the OLA and those of the new UFA.²⁷ In short, while the

¹³ The Honourable Michel Bastarache; Power Law; Michel Doucet; Robert Leckey.

¹⁴ Government of Quebec; Benoît Pelletier.

¹⁵ OCOL; David Robitaille.

¹⁶ QCGN; TFLP; CEDEC.

¹⁷ David Robitaille.

¹⁸ QCGN; TFLP; QFHSA; CEDEC.

¹⁹ Government of Quebec.

²⁰ QCGN.

²¹ OCOL.

²² Canadian Bankers Association (CBA); Federally Regulated Employers – Transportation and Communications (FETCO).

²³ David Robitaille; Benoît Pelletier.

²⁴ FETCO.

²⁵ FCFA.

²⁶ Michel Doucet.

²⁷ OCOL.

new language obligations for federally regulated private businesses are welcomed, there is some debate about whether they should apply to just one language or to specific regions.

2. Federal–provincial/territorial cooperation

In its reform document, [*English and French: Towards a substantive equality of official languages in Canada*](#), the federal government commits to strengthening accountability in federal–provincial/territorial agreements. This long-standing issue goes beyond the two official language minority communities, with both anglophones and francophones calling for lasting solutions.

Many witnesses pressed for provisions on binding language clauses in the OLA, including the addition of transparency and accountability measures.²⁸ Others believe that this issue can be resolved through administrative measures or greater federal leadership.²⁹ One expert was unconcerned about how to address the issue, but acknowledged its importance and said it was not a constitutional impediment.³⁰ Still others fully opposed language clauses or recognized that such legislative changes would be difficult to get accepted in Quebec.³¹

It's worth noting that the Fédération des francophones de la Colombie-Britannique has sought leave to appeal to the Supreme Court of Canada on the issue of language clauses in devolution agreements. Rather than waiting for clarification from the courts, some witnesses argued that the federal government should be authorized to deal directly with official language minority communities when necessary, in cases where language clauses are not respected.³² According to one expert, the content and requirements of such agreements should be defined at minimum.³³

Bill C-13 recognizes the importance of cooperating with the provinces and territories and devotes a whole new section to this in the OLA. Conflicting amendments are called for in new subsection 45.1(1) of the OLA. While one provincial government wants consultation with the provinces strengthened,³⁴ francophone organizations want it better defined so that it does not become an impediment to taking positive measures and to the presence of strong institutions serving English and French linguistic minority communities.³⁵ According to one expert, amendments are needed to better define federal–provincial/territorial cooperation and foster the exchange of best practices.³⁶

Intergovernmental cooperation also involves services provided by third parties. Witnesses recommended that section 25 of the OLA be amended to more easily identify third parties

²⁸ FCFA; Power Law; François Larocque; Société Santé en français (SSF); Fédération culturelle canadienne-française (FCCF); Fédération des francophones de la Colombie-Britannique (FFCB); Fédération de la jeunesse canadienne-française (FJCF); Michel Doucet; QCGN; OCOL.

²⁹ Linda Cardinal; the Honourable Michel Bastarache; Association des collèges et universités de la francophonie canadienne (ACUFC).

³⁰ Érik Labelle Eastaugh.

³¹ Government of Quebec; Benoît Pelletier.

³² FCFA; Power Law; François Larocque; FFCB.

³³ François Larocque.

³⁴ Government of Quebec.

³⁵ FCFA; ACUFC.

³⁶ Hélène Asselin.

acting on behalf of federal institutions.³⁷ This would include a statement about the provinces and territories, which Bill C-13 does not currently provide. The Commissioner proposes extending obligations for services provided by third parties to the UFA.³⁸

As mentioned in the previous section of this report, Quebec's English-speaking communities have also called for the removal of references to the CFL from new section 45.1(1).³⁹ The Government of Quebec is opposed to this and is even demanding that a framework agreement be concluded with the federal government to promote the implementation of Part VII of the OLA so as to respect the specificity of Quebec and recognize that French is the official and common language of that province.⁴⁰

Lastly, one expert wants to see references to New Brunswick's constitutional provisions expanded to include the principle of offering bilingual services throughout the province.⁴¹ This would ensure greater consistency in the application of New Brunswick's constitutionally recognized language regime.

3. Agency responsible for implementing and coordinating the *Official Languages Act*

Bill C-13 redefines and strengthens the implementation and coordination responsibilities of the OLA. Some of the Treasury Board's previously discretionary responsibilities become statutory, and the Treasury Board is called upon to exercise new powers with respect to implementing positive measures under Part VII. Canadian Heritage is formally assigned the role of government-wide coordination of the OLA, in addition to being responsible for implementing the new UFA.

The evidence and briefs differ on which institution should be responsible for implementing and coordinating the OLA. Some want all powers transferred to the Treasury Board.⁴² Others called for continued shared responsibility between Canadian Heritage and the Treasury Board or proposed strengthened interdepartmental coordination mechanisms.⁴³ Still others questioned the capacity of the Treasury Board to fulfill this new role, given its lack of leadership on issues such as language of work and language training, where progress is slow.⁴⁴ Some witnesses were non-committal, and did not take an official position.⁴⁵ One expert pointed out that the Treasury Board does not deliver programs, that it cannot have authority over the programs and policies of other departments, and that its role is to audit and oversee the administrative requirements of other departments.⁴⁶

³⁷ FCFA; Power Law; François Larocque; OCOL.

³⁸ OCOL.

³⁹ QCGN; TFLP; QUESCEN; QAHN; QFHSA; QESBA.

⁴⁰ Government of Quebec.

⁴¹ Michel Doucet.

⁴² FCFA; Power Law; François Larocque; SSF; FCCF; FCCB; FJCF; OCOL; Hélène Asselin.

⁴³ Linda Cardinal; the Honourable Michel Bastarache.

⁴⁴ Michel Doucet; Public Service Alliance of Canada (PSAC).

⁴⁵ Érik Labelle Eastaugh; QCGN.

⁴⁶ Linda Cardinal.

The Commissioner believes that the Treasury Board's powers should be expanded to cover all of Part VII.⁴⁷ Along with other witnesses, he called for the removal of the Treasury Board's ability to delegate its powers to deputy heads of federal institutions.⁴⁸ In short, while there is strong support for strengthening the implementation and coordination responsibilities of the OLA, the issue continues to prompt debate.

4. Restoring the demographic weight of francophone minority communities

The evidence and briefs support the inclusion in Bill C-13 of provisions to require the adoption of a policy on francophone immigration that includes objectives, targets and indicators. However, many witnesses raised concerns about the policy's objective and said it should aim to restore the demographic weight of francophone minorities, not just maintain or increase it.⁴⁹

The Quebec government wants to clarify the policy's objective by ensuring that it respects federal-provincial agreements on immigration, including the one in effect in Quebec.⁵⁰ One expert suggested broadening the scope of the policy to strengthen the French fact across the country.⁵¹ The Commissioner wants the policy to apply to the entire immigration continuum and to all categories of immigrants.⁵² He added that the policy must be accompanied by transparency, accountability and consultation mechanisms, to which one expert responded that setting out specific consultation measures was not necessary because general consultation obligations already exist in Part VII of the OLA.⁵³

In addition to these legislative proposals, administrative proposals were made: more ambitious francophone immigration targets to make up for lost time, programs suited to the needs of francophones, and measures to take advantage of the potential pool of francophone foreign students.⁵⁴

Lastly, Bill C-13 provides that the provisions of the new policy on francophone immigration will come into force by order in council. The Commissioner recommends a deadline for the coming into force of the policy.⁵⁵

5. Expanded powers of the Commissioner of Official Languages

Bill C-13 provides the Commissioner with new powers to ensure federal institutions comply with the OLA, and federally regulated private businesses with the UFA. Depending on the regime and circumstances, the Commissioner may use alternative dispute resolution, enter into compliance agreements, make orders, impose administrative monetary penalties or make public the summary, findings and recommendations of his investigations. The evidence and

⁴⁷ OCOL.

⁴⁸ OCOL; FCFA; Power Law; François Larocque.

⁴⁹ FCFA; Power Law; François Larocque; Érik Labelle Eastaugh; FFCB; FJCF; OCOL.

⁵⁰ Government of Quebec.

⁵¹ Hélène Asselin.

⁵² OCOL.

⁵³ OCOL; Érik Labelle Eastaugh.

⁵⁴ FCFA; Linda Cardinal; Érik Labelle Eastaugh; FFCB; ACUFC.

⁵⁵ OCOL.

briefs supported expanding these powers, but called for additional clarification in some respects. The Commissioner himself proposed several amendments to improve the powers at his disposal.

As to orders, the Commissioner sought the ability to make an order in his investigation report without first making recommendations to the federal institution.⁵⁶ Other witnesses recommended that these powers be extended to Part VII of the OLA, rather than just to Parts IV and V as currently provided for in Bill C-13.⁵⁷ On the other hand, an organization representing airports expressed concerns about the nature and scope of the order-making powers and wanted them to be better defined.⁵⁸ The Commissioner also recommended that the *de novo* review for orders be removed from Bill C-13.⁵⁹

As to administrative monetary penalties, one expert considered the Commissioner's new powers a good thing, provided they're used appropriately.⁶⁰ However, there could be confusion in the roles of judge and jury that the Commissioner will have to play. This same expert doubts that penalties, regardless of amount, will truly encourage better compliance. The Commissioner recommended that the amount of the penalty be paid into a Linguistic Duality Fund rather than to the Receiver General.⁶¹ He also recommended that the penalties apply to all federal institutions with obligations under Parts IV and V of the OLA, as well as to federally regulated private businesses subject to the UFA, a proposal that was supported by other witnesses.⁶² Here again the Commissioner called for the removal from Bill C-13 of the *de novo* review for administrative monetary penalties.⁶³ He also recommended a deadline for the coming into force of administrative monetary penalties.

The evidence and briefs pointed out that the language provisions applicable to the transportation sector vary depending on the type of institution or business. Clarification in this regard is therefore recommended. For example, Air Canada recommended that the obligations applicable to airlines – including the Commissioner's powers over them – be standardized.⁶⁴ This could be done by expanding the application of administrative monetary penalties to other carriers or by ensuring that offer of service is determined by significant demand for all airlines.

The Commissioner himself believes that there are significant disparities in the obligations applicable to the travelling public and called for several changes in this area.⁶⁵ He pointed to the fragmented, even inconsistent, nature of the regimes applicable to the travelling public and the restrictive interpretation of these provisions by the federal institutions that interact with them. He suggested that the Federal Court's decision in [Thibodeau v. St. John's International Airport Authority](#) be used as a model for reviewing these provisions. Port authorities called for

⁵⁶ OCOL.

⁵⁷ FCFA; Power Law; François Larocque; Michel Doucet.

⁵⁸ Canadian Airports Council (CAC).

⁵⁹ OCOL.

⁶⁰ Michel Doucet.

⁶¹ OCOL.

⁶² OCOL; Hélène Asselin; Air Canada.

⁶³ OCOL.

⁶⁴ Air Canada.

⁶⁵ OCOL.

clarification of the definition of “services to the travelling public” in new section 65.2 of the OLA.⁶⁶

An organization representing airports raised concerns about the possible impact of administrative monetary penalties on airports’ operations, as they control only a small portion of the services provided to the travelling public.⁶⁷ Port authorities question the fact that their language obligations differ from those of airport authorities.⁶⁸ This is because their enabling legislation sets out different language obligations. The port authorities went so far as to ask to be excluded from the application of Part VII of the OLA, but suggested that this be done through an amendment to the [Canada Marine Act](#) rather than the OLA. They also asked to be protected from vexatious or bad faith complaints from the public.

As to the powers applicable to federally regulated private businesses, amendments to the UFA are called for to clarify the parameters of the Commissioner’s investigative powers, including the deadline for referring a complaint to the Canada Industrial Relations Board.⁶⁹ Again, amendments are required to protect businesses from vexatious or bad faith complaints from the public.⁷⁰

In addition, one expert pointed out that alternative dispute resolution mechanisms are not necessarily appropriate in the context of language rights and may have little effect since the balance of power favours the majority, not minorities.⁷¹ Compliance agreements were welcomed.⁷² However, the Commissioner wants the complainant to be able to seek recourse if they feel their rights have been violated despite a compliance agreement, even if the Commissioner himself considers that the agreement has been respected.⁷³ An organization representing airports welcomed the amendments to section 58 of the OLA, which will save time by not having to deal with outdated or already resolved issues.⁷⁴ Lastly, the Government of Quebec was the notable exception, asking that the Commissioner exercise his powers in a manner consistent with federal, provincial and territorial measures for the promotion and protection of French.⁷⁵

6. Regulations

Many details regarding the implementation of Bill C-13 will depend on regulations, including Part VII, some UFA provisions and administrative monetary penalties. Regulatory power is currently provided for under Parts V and VI of the OLA, but the federal government has not committed to regulatory action under either of those parts. Some want the government to take action and make regulation-making mandatory under Parts IV, V, VI and VII.⁷⁶ The only

⁶⁶ Association of Canadian Port Authorities (ACPA).

⁶⁷ CAC.

⁶⁸ ACPA.

⁶⁹ FETCO.

⁷⁰ FETCO.

⁷¹ Michel Doucet.

⁷² Michel Doucet; OCOL; CBA.

⁷³ OCOL.

⁷⁴ CAC.

⁷⁵ Government of Quebec.

⁷⁶ OCOL; H el ene Asselin.

commitment in the reform document concerns Part VII, but with no specific time frame. The Commissioner encourages the government to quickly enact regulations.⁷⁷

Expectations regarding regulations are high, as the understanding of many of the provisions of Bill C-13 depends on them. This will also impact the costs of its implementation.⁷⁸ Many witnesses stressed the importance of consultation in this context.⁷⁹ The Commissioner even recommended that this obligation to consult be included in the OLA.⁸⁰

Witnesses debated whether to take the time to amend the OLA and the UFA or to expediate the bill's passage by leaving the details to regulations. For some, legislative amendments are critical to make progress towards equality of the two official languages and avoid further setbacks without having to wait for the next periodic review prescribed by new section 93.1 of the OLA.⁸¹ One expert believes that this new provision on the 10-year review of the OLA should set out an obligation for the government to respond to the review within a prescribed period.⁸² The Commissioner also wants an obligation to consult set out in this provision.⁸³

As mentioned in previous sections of this report, the Commissioner recommends a deadline on the coming into force of the administrative monetary penalty regime.⁸⁴ He also recommends amendments to the OLA itself rather than in future regulations, especially with respect to designating the organizations covered by this regime. He suggested using the [Accessible Canada Act](#) as a model.

An organization representing banks felt that timelines for implementing the UFA and its regulations should be flexible.⁸⁵ Witnesses suggested that certain criteria should be considered in developing the regulations, for example the definition of regions with a strong francophone presence, number of employees and the entities to be subject to administrative monetary penalties.⁸⁶

7. Positive measures

Bill C-13 sets out many changes to Part VII of the OLA for which there is strong support in the evidence and briefs. However, amendments were recommended to clarify the nature of the duty of federal institutions to take positive measures and how the duty is to be carried out.

In drafting Bill C-13, the federal government took into account the Federal Court of Appeal's decision in [Canada \(Commissioner of Official Languages\) v. Canada \(Employment and Social Development\)](#). However, according to the evidence and briefs, some provisions undermine this decision, and additional amendments were therefore called for. As mentioned in previous

⁷⁷ OCOL.

⁷⁸ Office of the Parliamentary Budget Officer.

⁷⁹ FCFA; OCOL; FETCO.

⁸⁰ OCOL.

⁸¹ FCFA; Power Law, OCOL.

⁸² Michel Doucet.

⁸³ OCOL.

⁸⁴ OCOL.

⁸⁵ CBA.

⁸⁶ FCFA; David Robitaille; OCOL.

sections of this report, the Commissioner recommends that Treasury Board responsibility be extended to Part VII in its entirety, not just to positive measures.⁸⁷

Many witnesses recommended that the duty to take positive measures be strengthened by removing the words “that it considers appropriate” from new subsections 41(5) and 41(7) of the OLA.⁸⁸ Some suggested replacing the word “appropriate” with “necessary.”⁸⁹ The Commissioner recommends that federal institutions be required to take positive measures based on impact analyses, in an ongoing manner, and not be limited to “structuring” decisions or to decisions with “direct” negative impacts.⁹⁰ One expert said that positive measures are an ongoing duty that applies in all contexts and must not be left to the discretion of federal institutions.⁹¹ He said that new paragraph 41(7)(b) of the OLA is a step backwards from the Federal Court of Appeal’s decision, since it does not require the negative impacts of a potential decision made by a federal institution to be eliminated, but simply considered. He and other witnesses want amendments to clarify this provision.⁹²

Calls were also made for the provisions of new subsection 41(8) of the OLA regarding consultations with official language minority communities to be strengthened. The provisions dealing with dialogue and consultation activities in Bill C-11, An Act to amend the Broadcasting Act and to make related and consequential amendments to other Acts, which is still before Parliament, were cited as examples. Some witnesses want them incorporated into Bill C-13 as is.⁹³ The idea is to ensure effective consultation with linguistic minority communities by drawing inspiration from Aboriginal rights, for example the Supreme Court of Canada decision in [*Haida Nation v. British Columbia \(Minister of Forests\)*](#).⁹⁴

Lastly, while new section 41(6)(c)(v) of the OLA sets out a list of sectors essential to the vitality of linguistic minority communities that positive measures can support, there were calls for the list to be more comprehensive. For example, the list could include support for public health, the arts, heritage, economic development, labour market development, youth and research.⁹⁵ There were also calls to clarify that support for these critical sectors is a minimum obligation that reflects the mandate of federal institutions.⁹⁶ The Commissioner recommends that the scope of new paragraph 41(6)(c) be defined by regulation.⁹⁷

Conclusion

After undertaking an in-depth study on modernizing the OLA from 2017 to 2019 and proposing practical recommendations to the federal government for reviewing its provisions, the Senate Committee welcomes the long-awaited introduction of Bill C-13. Reaction to the bill was mixed

⁸⁷ OCOL.

⁸⁸ FCFA; Power Law; François Larocque; Érik Labelle Eastaugh; QCGN; QFHSA; OCOL.

⁸⁹ FCFA; Power Law; François Larocque.

⁹⁰ OCOL.

⁹¹ Érik Labelle Eastaugh.

⁹² Érik Labelle Eastaugh; FCFA; Power Law; François Larocque; SSF; FCCB; FJCF.

⁹³ FCFA; Power Law; François Larocque; FCCF; QESBA.

⁹⁴ Power Law; QESBA.

⁹⁵ SSF; FCCF; CEDEC; FJCF; QUESCREN.

⁹⁶ FCFA; Power Law.

⁹⁷ OCOL.

but generally positive. However, the Senate Committee notes that views vary on how to protect and promote the rights of linguistic minorities.

Bill C-13 must:

- recognize that the security and vitality of the French language requires special attention;
- take measures to promote the substantive equality of use and status of English and French;
- continue to protect the rights of English and French linguistic minority communities across Canada; and
- support the development and enhance the vitality of official language minority communities.

It is also clear that the set of measures in support of the official languages must respond and adapt to the challenges faced by these languages in regions across the country. Actions in this regard must be taken to protect the vitality of both official languages and to encourage their development by and for the members of Canada's official language minority communities.

In its deliberations on Bill C-13, the Senate Committee calls on the Government of Canada to consider the issues raised in this report without delay. The adoption of a modernized OLA is long overdue. The Senate Committee is eagerly looking forward to studying Bill C-13 once it receives its referral by the Senate. In addition, should the bill pass both Houses of Parliament and receive Royal Assent, the Senate Committee is committed to monitoring its implementation and progress to ensure that the issues it raised are addressed, including during regulatory development.

APPENDIX A – WITNESSES

Name of Organization and Spokesperson(s)	Date
<p>Office of the Parliamentary Budget Officer</p> <ul style="list-style-type: none"> ▪ Yves Giroux, Parliamentary Budget Officer ▪ Karatina Michalyshyn, Analyst 	
<p>Quebec Community Groups Network</p> <ul style="list-style-type: none"> ▪ The Honourable Joan Fraser, Board Member and former senator ▪ Eva Ludvig, President ▪ Marion Sandilands, Counsel 	<u>13.06.2022</u>
<p>Fédération des communautés francophones et acadienne du Canada</p> <ul style="list-style-type: none"> ▪ Liane Roy, President ▪ Alain Dupuis, Executive Director 	<u>16.06.2022</u>
<p>FETCO</p> <ul style="list-style-type: none"> ▪ Derrick Hynes, President and Chief Executive Officer ▪ Reno Vaillancourt, Chair 	
<p>Office of the Commissioner of Official Languages</p> <ul style="list-style-type: none"> ▪ Raymond Théberge, Commissioner of Official Languages ▪ Pierre Leduc, Assistant Commissioner, Policy and Communications Branch ▪ Isabelle Gervais, Assistant Commissioner, Compliance Assurance Branch ▪ Pascale Giguère, General Counsel 	
<p>Air Canada</p> <ul style="list-style-type: none"> ▪ David Rheault, Vice President, Government and Community Relations ▪ Marc Barbeau, Executive Vice-President and Chief Legal Officer 	<u>20.06.2022</u>
<p>Canadian Airports Council</p> <ul style="list-style-type: none"> ▪ Chris Phelan, Vice President, Government and Industry Affairs 	

Name of Organization and Spokesperson(s)	Date
<p>As an Individual</p> <ul style="list-style-type: none"> ▪ Linda Cardinal, Associate Vice-Rector of Research, Université de l'Ontario français 	<p>26.09.2022</p>
<p>As an Individual</p> <ul style="list-style-type: none"> ▪ Érik Labelle Eastaugh, Associate Professor and Director, International Observatory on Language Rights, Université de Moncton 	
<p>As an Individual</p> <ul style="list-style-type: none"> ▪ François Larocque, Professor and Research Chair on Language Rights, Faculty of Law, Common Law Section, University of Ottawa 	
<p>As an Individual</p> <ul style="list-style-type: none"> ▪ David Robitaille, Full Professor, Civil Law Section, Faculty of Law, University of Ottawa 	
<p>Canadian Bankers Association</p> <ul style="list-style-type: none"> ▪ Eric Prud'homme, Director, Quebec Region ▪ Charles Docherty, Assistant General Counsel 	
<p>Fédération des associations de juristes d'expression française de common law</p> <ul style="list-style-type: none"> ▪ Daniel Boivin, President 	<p>03.10.2022</p>
<p>As an Individual</p> <ul style="list-style-type: none"> ▪ The Honourable Michel Bastarache, former Judge of the Supreme Court of Canada 	
<p>As an Individual</p> <ul style="list-style-type: none"> ▪ Benoît Pelletier, Distinguished Professor, Civil Law Section, Faculty of Law, University of Ottawa 	
<p>Société Santé en français</p> <ul style="list-style-type: none"> ▪ Antoine Désilets, Director General 	<p>17.10.2022</p>
<p>Association des collèges et universités de la francophonie canadienne</p> <ul style="list-style-type: none"> ▪ Martin Normand, Director, Strategic Research and International Relations 	

Name of Organization and Spokesperson(s)	Date
Fédération culturelle canadienne-française <ul style="list-style-type: none"> ▪ Nancy Juneau, President ▪ Marie-Christine Morin, Executive Director 	17.10.2022
Fédération des francophones de la Colombie-Britannique <ul style="list-style-type: none"> ▪ Lily Crist, Chair of the Board of Directors 	
Power Law <ul style="list-style-type: none"> ▪ Mark Power, Lawyer ▪ Darius Bossé, Lawyer 	24.10.2022
As an Individual <ul style="list-style-type: none"> ▪ Michel Doucet, Professor emeritus, Faculty of Law, Université de Moncton 	
Fédération de la jeunesse canadienne-française <ul style="list-style-type: none"> ▪ Marguerite Tölgyesi, President 	
As an Individual <ul style="list-style-type: none"> ▪ Robert Leckey, Dean and Samuel Gale Professor, Faculty of Law, McGill University 	
Quebec English School Boards Association <ul style="list-style-type: none"> ▪ Dan Lamoureux, President ▪ Russell Copeman, Executive Director 	
Community Economic Development and Employability Corporation <ul style="list-style-type: none"> ▪ John Buck, President and Chief Executive Officer 	
Public Service Alliance of Canada <ul style="list-style-type: none"> ▪ Alexandre Silas, Regional Executive Vice-President ▪ Rosane Doré Lefebvre, Communications Officer 	31.10.2022
Association of Canadian Port Authorities <ul style="list-style-type: none"> ▪ Daniel-Robert Gooch, President and Chief Executive Officer 	

APPENDIX B – BRIEFS

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