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Chair: Mr. René Arseneault



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• (1240)

[*Translation*]

The Chair (Mr. René Arseneault (Madawaska—Restigouche, Lib.)): Welcome to meeting number 56 of the House of Commons Standing Committee on Official Languages.

I want to let the committee members know that all members went through the required sounds tests before the meeting.

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

This meeting fulfills the conditions of the motion adopted on March 10 to add 6.5 hours of sitting time in order to debate the clauses and amendments to Bill C-13.

At the next meeting on Tuesday, April 18, item 6 of the motion passed on December 1, 2022, will be implemented as follows:

...all other amendments submitted to the committee shall be deemed moved. It is also moved that the chair shall put the question, forthwith and successively, without further debate on all other clauses and amendments submitted to the committee, as well as each and every question necessary to dispose of clause-by-clause consideration of the bill, as well as all questions necessary to report the bill to the House and to order the chair to report the bill to the House...

I again welcome the officials who were with us this morning. The Department of Canadian Heritage is represented by Julie Boyer, Marcel Fallu and Chantal Terrien. Warren J. Newman is here representing the Department of Justice. A special welcome to the Treasury Board Secretariat representatives, Karim Adam and Daniel Cadieux, as this is their first time at committee. They are replacing Carsten Quell. It takes two people to replace Mr. Quell, and that is saying something.

We are resuming consideration of clause 49 of the bill. This morning, before the meeting adjourned, I had ruled amendment CPC-53 out of order.

We will now move on to amendment CPC-54.

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

Mr. Newman, from the Department of Justice, my remarks are in response to the comments you made just before we adjourned this morning.

Before I introduce this amendment, I want to ask your advice. What path could we take to ensure that Canada's governor general

and the provincial lieutenant governors are required to be proficient in both official languages? Amendment CPC-54 deals with the lieutenant governor of New Brunswick.

What do you think would be the best path forward in this regard?

Mr. Warren Newman (Senior General Counsel, Constitutional, Administrative and International Law Section, Public Law and Legislative Services Sector, Department of Justice): I don't know that it's really my place to suggest the path—

Mr. Joël Godin: I have every confidence in your opinion.

Mr. Warren Newman: I spoke about a framework—

Mr. Marc Serré (Nickel Belt, Lib.): Point of order, Mr. Chair.

I would like to ask a question about procedure. We are supposed to be talking about amendments, not debating. Is amendment CPC-54 going to be moved? There is no need to ask a question before moving an amendment.

The Chair: I'm going to take a short break to consult with some people.

The floor is yours, Mr. Godin.

Mr. Joël Godin: Mr. Chair, if I am wrong, I am wrong. I respect the procedures and I will comply with them.

It is important to understand that we were given certain information during the meeting this morning. We've had a chance to digest it, and now we're coming back to the bill. This issue was in response to amendment CPC-53.

Amendment CPC-54 is similar, except that it deals with the lieutenant governor. There is some additional information that is relevant to the decision you will make.

The Chair: I was under the impression that Mr. Beaulieu was going to propose a change.

Mr. Godin, the question is whether you are moving amendment CPC-54.

Mr. Joël Godin: I think you need to answer Mr. Serré first.

The Chair: The question is whether we are debating amendment CPC-54. Is it moved or not?

Mr. Joël Godin: Our colleague asked you a question about procedure, whether I am allowed to do what I just did, which is to ask a question before I move my amendment. I will decide after your answer whether I will move it or not.

The Chair: All right.

I will respond to Mr. Serré and that will have implications for you, Mr. Godin. You must follow procedure.

As a matter of curiosity, it is your right to ask questions to guide you in proposing an amendment. Once the amendment has been moved, however, it is not up to the officials to answer questions.

I return to Mr. Serré's point of order. I agree with him. What you did is not allowed because that is not how it is done.

Are you going to move amendment CPC-54 or not? Maybe we can get into the debate afterwards.

Mr. Joël Godin: Mr. Chair, I understand that, procedurally, what I did is not how things are done.

The Chair: If I understood correctly, what you wanted to do was to ask for advice before proposing an amendment.

Mr. Joël Godin: In fact, it was a continuation of this morning's discussion.

The Chair: That discussion is over.

Mr. Joël Godin: I know that, but it is exceptional for us to sit twice in the same day. That must be taken into consideration.

The Chair: Excellent.

Mr. Joël Godin: That is fine, Mr. Chair. I will move amendment CPC-54.

Mr. Newman, hopefully you have taken note of my question; otherwise, I can repeat it.

The Chair: Excellent.

Mr. Joël Godin: I would now like to move amendment CPC-54, which is consistent with what we have done all along regarding this official languages bill.

I move that Bill C-13, in clause 49, be amended by adding after line 28 on page 37 the following:

91.1 The Lieutenant Governor of New Brunswick or any other person appointed by the Governor in Council who is responsible for representing His Majesty in that province must be able to speak and understand clearly both official languages at the time of their appointment.

That is my amendment. I would now like to convince my colleagues to vote for it, because I think it is important.

At the previous meeting, earlier today, we heard that the only likely way to impose this requirement would be within the context of someone being appointed by the cabinet and the Prime Minister.

I simply want to give us the tools to make the process more rigorous, because chances are that none of us members will be here when the next governor general is appointed. In any case, the odds aren't great. Therefore, I think it's important to have the tools to build in that bilingualism requirement, for that position or elsewhere.

Thank you, Mr. Chair.

• (1245)

The Chair: Mr. Godin, when we discussed amendment CPC-53, I read you a note saying that CPC-53, CPC-54, and LIB-36 were roughly equivalent. Since amendment CPC-53 was ruled out of order,

the same reasoning applies to amendment CPC-54, which is also out of order.

I am summarizing, at your suggestion, because you said earlier that we should move on to the next amendment. However, if you prefer, I can read the exact ruling of the Chair: It is identical.

Mr. Joël Godin: Mr. Chair, I just want to clarify. You said that the three amendments were almost or substantially the same. However, they are not identical, and that is why I ventured.

I do not support your position, and I am going to do exactly the same thing as before, which is to challenge your decision.

The Chair: I ruled the amendment out of order and you are challenging the Chair's ruling.

Let's take a vote on upholding the Chair's ruling that amendment CPC-54 is out of order.

(Ruling of the chair sustained: yeas 6; nays 5.)

The Chair: Ms. Ashton.

Ms. Niki Ashton (Churchill—Keewatinook Aski, NDP): I wanted to make a brief comment. We had already been advised by the Clerk's office that these amendments were out of order. Having said that, I want to point out that the issue of the bilingualism of the Governor General and the Lieutenant Governor has already been raised in committee. I share the concerns of my colleague, Mr. Godin. It is unacceptable that these two individuals do not speak our two official languages.

This is a matter of political will. We hope that governments will change their tactics in the future, to ensure that we have bilingual representatives in the highest positions in the country. We also recognize that there is a need for people who speak indigenous languages as well, as the Governor General does, but I hope that the message from the committee is that there needs to be a change in approach and that there needs to be political will, regardless of which party is in power.

The Chair: I appreciate your comments.

That brings us to amendment LIB-36.

Since no one is moving this final amendment, clause 49 remains unchanged and I call it to a vote.

(Clause 49 agreed to.)

(Clause 50)

The Chair: Let's move on to clause 50 and amendment CPC-55.

Mr. Godin, do you wish to move this amendment?

Mr. Joël Godin: Yes.

I move that Bill C-13, in Clause 50, be amended by replacing lines 31 and 32 on page 37 with the following:

93.1 (1) On the fifth anniversary of the day on which this section comes into force and every five years after that

This is yet another amendment that is very consistent with the specific goals that Conservative Party of Canada members have had from the beginning, which is to stop the decline of French and to protect and promote both official languages.

The bill proposes that the new law be reviewed on the tenth anniversary of its coming into force, but the reality is that days, even years, could pass after that date. Let's not wait 10 years, let's build in some protection and give ourselves the tools to react more quickly. That is why a five-year deadline is so important.

• (1250)

The Chair: Thank you, Mr. Godin.

Before opening the floor for debate on amendment CPC-55, I would like to inform the committee that if it is adopted, amendment BQ-59 cannot be moved, as the two amendments are identical.

Since there is no debate on amendment CPC-55, I will put it to a vote.

(Amendment negatived: nays 6; yeas 5.)

The Chair: We are at amendment BQ-59, but I must apologize, Mr. Beaulieu, because I misspoke. Since this amendment is identical to amendment CPC-55, it cannot be moved. I want to thank our legislative clerks for their guidance.

Moving on to amendment CPC-56.

Do you wish to move it, Mr. Godin?

Mr. Joël Godin: Mr. Chair, amendment CPC-56 is interesting, but I will not move it because I have another one that is even more powerful.

The Chair: Moving on to amendment CPC-57.

Mr. Godin.

Mr. Joël Godin: I move that Bill C-13, in Clause 50, be amended by replacing line 33 on page 37 with the following:

anniversary, the President of the Treasury Board, in consultation with the Minister of Canadian Heritage, shall un-

We do not want to exclude the Department of Canadian Heritage.

I'll repeat what I've been saying all along: It takes consistency, and we are being consistent here on our side. I hope I will have my colleagues' support.

The Chair: Before opening the floor for debate, I want to advise committee members that if CPC-57 passes, amendments LIB-37, BQ-60, and NDP-15 cannot be moved due to a line conflict. I would add that the result of the vote on amendment CPC-57 will apply to amendment CPC-58, as they are correlated.

Coming back to amendment CPC-57, which I will call for a vote since there are no questions or comments.

(Amendment negatived: nays 6; yeas 5.)

• (1255)

The Chair: As it happens, amendment CPC-58 is also rejected.

We will now move on to amendment LIB-37.

Do you wish to move it, Mr. Drouin?

Mr. Francis Drouin (Glengarry—Prescott—Russell, Lib.): I move that Bill C-13, in Clause 50, be amended by replacing line 33 on page 37 with the following:

anniversary, the Minister of Canadian Heritage shall, in consultation with the President of the Treasury Board, un-

Our colleague, Mr. Drouin, was close. I simply flipped the wording around.

The Chair: Before we hear questions and comments, I would like to inform you that if LIB-37 passes, BQ-60 and NDP-15 can no longer be moved due to a line conflict.

Questions or comments?

You have the floor, Mr. Godin.

Mr. Joël Godin: In fact, Mr. Chair, I disagree with my colleague. By reversing the sentence, by putting the Minister of Heritage first and proposing that he consult with the President of the Treasury Board, it takes away from the role of the Treasury Board.

The review must be conducted by the Treasury Board, which oversees the act's administration. Remember that amendment CPC-7, which was passed, gives this authority to the Treasury Board using language such as “the Treasury Board is responsible for” and “shall, in consultation with the other federal departments, coordinate”.

This amendment is contrary to what is now in the bill. I am going to talk about consistency again and repeat that we need to be consistent. We are wasting our time if what we are doing messes up everything in the bill. What we were doing in the beginning no longer meshes with what we are doing today.

I cannot vote in favour of this amendment.

The Chair: Thank you.

Are there any other questions or comments?

Mr. Généreux.

Mr. Bernard Généreux (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, CPC): Mr. Chair, think of a sentence like “Mom and Dad are having a baby”. As we know, mothers can have babies but fathers cannot. That is a fact. If we change the sentence to say “Dad and Mom are having a baby”, it's like saying that dad, rather than mom, will have the baby. It doesn't work that way.

It is the same thing here. Reversing the order in which Treasury Board and Canadian Heritage are mentioned totally changes the spirit of what we have been trying to do with this bill all along, which is to have a captain on the ship or a pilot in the plane. Someone needs to take the lead in getting this bill done and implemented.

I want to turn to Ms. Boyer and the public servants.

In our view, as long as there is a captain on board, the course of the ship can be altered and it can make it to a safe harbour. Implementing this proposed change would, once again, split the responsibility for implementing the Official Languages Act between Canadian Heritage and Treasury Board.

The act has existed for 50 years and we believe, although we may be wrong, that it should be administered by one specific organization, which would of course share its resources with Canadian Heritage and other institutions. We believe that the Treasury Board should be responsible, within the Canadian government, for implementing the Official Languages Act. We believe that would be the right thing to do.

As public officials, what do you think?

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

Ms. Julie Boyer (Assistant Deputy Minister, Official Languages, Heritage and Regions, Department of Canadian Heritage): Thank you for the question.

First, I want to clarify that the Official Languages Act applies to all federal departments and institutions, and that this committee specified that it would be the Treasury Board that would be responsible for implementing the act.

Elsewhere in Bill C-13, as currently drafted, specific roles are given to ministers, such as the Minister of Immigration, Refugees and Citizenship for example, because of their mandate. This amendment addresses reviewing the act implemented by the Treasury Board. This amendment proposes that this review take place every ten years and be conducted by Canadian Heritage in consultation with the Treasury Board. This review would cover parts IV, V, and VI of the act, as well as part VII, which you have just added, to ensure that the results of the review are clearly identified.

• (1300)

Mr. Bernard Généreux: Therefore, from what I understand, this amendment does not go against our previously expressed desire that Treasury Board drive the project.

Ms. Julie Boyer: Exactly.

Mr. Bernard Généreux: Mr. Adam, I would like to have your thoughts on this. Do you have the same understanding?

Mr. Karim Adam (Director, Oversight and Compliance, Official Languages Centre of Excellence, People and Culture, Office of the Chief Human Resources Officer, Treasury Board Secretariat): Yes, my understanding is similar in terms of roles and responsibilities and that part of the act.

The Chair: Go ahead, Ms. Terrien.

Mrs. Chantal Terrien (Manager, Modernization of the Official Languages Act, Department of Canadian Heritage): As Ms. Boyer was saying, we need to remember that even with the changes that were made, under clause 4 of Bill C-13 some items are still the responsibility of the Minister of Canadian Heritage, including the action plan for official languages and the implementation of the estimation of the number of rights-holders. It is also worth remembering that the Department of Canadian Heritage has a mandate focused on Canadian society, with which it establishes connections.

Mr. Bernard Généreux: I feel like I am directing my questions at both judge and jury, Canadian Heritage or the Treasury Board, without going so far as to say that each department is looking out for itself.

I want to clarify something. Does the proposed amendment undo what is currently in the bill?

Ms. Julie Boyer: My answer is no, but if you want to ask someone who is neither judge nor jury, we could give the floor to Mr. Newman, who could confirm this for you.

Mr. Bernard Généreux: What do you think, Mr. Newman?

Mr. Warren Newman: I agree with the other officials who are here. I am not a part of Canadian Heritage nor the Treasury Board. I do not think that this amendment will create inconsistencies. I think that adopting this will address the problems.

The Chair: Thank you.

Mr. Godin, I think you want to add a comment.

Mr. Joël Godin: Ms. Boyer, to come back to amendment LIB-37, before us, you mention that the Minister of Canadian Heritage is the one in charge, but he will consult the President of the Treasury Board on reviewing the Act.

Do you not think that the person in charge of implementing the Act and overseeing its application, and ensuring that each department meets its obligations should also be the person in charge of the consultation, in partnership with Canadian Heritage? That seems logical to me.

You can try to convince me otherwise. However, logic dictates that this is the best model for being the most effective possible. The entity in charge of evaluating the Act, its tool, because it has experience with it, not just with Canadian Heritage, but with all the other departments, is the best organization for bringing constructive items to the review of this bill. It is not about excluding Canadian Heritage, because that department has work to do and, as far as we are concerned, will also have obligations to the Treasury Board.

Can you explain to me how it would be more effective to make Canadian Heritage the leader and manager of the review and ask the Treasury Board to complement the work? I think the opposite would be stronger and more effective.

Ms. Julie Boyer: I will refrain from sharing a personal opinion because I am really here to provide advice.

It is up to the committee and parliamentarians to decide who will play this role: either the Treasury Board implements the Official Languages Act and evaluates itself, or it takes care only of implementing this legislation and Canadian Heritage does the review.

• (1305)

Mr. Joël Godin: Ms. Boyer, allow me to ask you your personal opinion. Based on your expertise, which of the two models is the most effective?

Ms. Julie Boyer: As a public servant, I will not share my personal opinion. If I were in politics I might be able to do that.

The Chair: Mr. Drouin, you have the floor.

Mr. Francis Drouin: I want to thank those who testified today. I detect a sincere desire to see the Official Languages Act rigorously reviewed.

In five years, we may not be here, but we can all write to the Standing Committee on Official Languages and ask it to proceed with a review of the Act if it is working well. I know that we cannot add that to legislation, but there are other parliamentary instruments for reviewing the Act.

That being said, I am satisfied with the proposed amendment and we are ready to vote.

The Chair: There being no other interventions, I will go to a vote on amendment LIB-37.

(Amendment agreed to: yeas 6; nays 5)

The Chair: Amendment LIB-37 having been adopted, amendments BQ-60 and NDP-15 can no longer be moved.

We will now move on to amendment BQ-61, which is on page 182 of the amendments package. Just a reminder that amendment LIB-38 was withdrawn from the package.

Mr. Beaulieu, you have the floor.

Mr. Mario Beaulieu (La Pointe-de-l'Île, BQ): Chair, before I move my amendment, I want to say that I have made a change to it: I removed "rate of anglicization" at the second-last line of item (b).

The Chair: If I understand correctly, Mr. Beaulieu, amendment BQ-61 is being proposed by removing "rate of anglicization" from the second-last line.

Mr. Mario Beaulieu: That is correct.

The Chair: The end of item (b) would therefore read: "language most often spoken at home, language transfer and language of work".

Mr. Mario Beaulieu: That is correct.

The Chair: Are there any questions or other interventions?

Mr. Beaulieu, you have the floor.

Mr. Mario Beaulieu: There really needs to be an analysis of the linguistic situation of each official language minority community and of francophones in Quebec that takes into account the mother tongue, spoken language, language transfer and language of work.

The Chair: I will now put amendment BQ-61 to a vote.

(Amendment negated; nays 10, yeas 1)

The Chair: We will now move on to amendment LIB-38.1.

Mr. Serré, you have the floor.

Mr. Marc Serré: Thank you, Chair.

Amendment LIB-38.1 is on the review that shall be undertaken every 10 years. We want to clarify the bill by specifying certain indicators or items.

I move that Bill C-13, in Clause 50, be amended by adding after line 35 on page 37 the following:

(1.1) The review undertaken under subsection (1) shall include a comprehensive analysis, over the previous ten years, of the enhancement of the vitality of the English and French linguistic minority communities and of the protection and promotion of the French language in Canada.

(1.2) The comprehensive analysis undertaken under subsection (1.1) may include any relevant

(a) indicators that are related to sectors that are essential to enhancing the vitality of English and French linguistic minority communities, including the culture, education – from early childhood to post-secondary education – health, justice, employment and immigration sectors;

(b) qualitative indicators; and

(c) quantitative indicators, including mother tongue spoken, language most often spoken at home, rate of anglicization and francization, language transfer and language of work.

• (1310)

The Chair: Thank you, Mr. Serré.

Mr. Godin, you have the floor.

Mr. Joël Godin: Chair, I was waiting for my colleague to try to convince me of the relevance of his amendment. To me, amendments LIB-38.1 and BQ-61 are good, but I would nonetheless like to move a subamendment.

I think the text of my subamendment has been handed out.

The Chair: I have not received it yet, but I see that it is being handed out.

You have the floor to speak to your subamendment.

Mr. Joël Godin: Chair, the majority and common language in Quebec is French. We know that French is in decline. It is true that we need to protect both official languages in Canada, French and English, but we also need to protect French in Quebec. That is the purpose of my subamendment.

I move that amendment LIB-38.1, proposing to amend Clause 50 at page 37 of Bill C-13, be amended by substituting "protection and promotion of the French language in Canada." by the following:

protection and promotion of the French language in Canada, including in the province of Quebec.

I think it is important to add this complement to ensure that French in Quebec is rightly considered as in decline, even though it is not a minority language. In Canada, Quebec has the most francophones. We need to recognize Quebec as a leader, which has an impact on all francophone minorities in Canada, in every province and territory.

The Chair: Thank you, Mr. Godin.

Colleagues, to sum up, the subamendment proposes adding "including in the province of Quebec" to the last line of the subclause (1.1) proposed by amendment LIB-38.1.

As no one seems to want to intervene on this, I am putting this subamendment to a vote.

(Subamendment negated: nays 6, yeas 5).

• (1315)

The Chair: We will come back to amendment LIB-38.1.

Mr. Godin, you have the floor.

Mr. Joël Godin: Mr. Speaker, I simply want to announce that the Conservative Party of Canada will vote in favour of the amendment. It is better than nothing.

The Chair: Thank you.

Since no else wants to intervene, I will put amendment LIB-38.1 to a vote.

(Amendment agreed to: yeas 11, nays 0)

The Chair: Amendment CPC-58 having already been negated by correlation with amendment CPC-57, we will now move on to amendment BQ-62.

Mr. Beaulieu, you have the floor.

Mr. Mario Beaulieu: I move that Bill C-13, in Clause 50, be amended by adding after line 4 on page 38 the following:

93.2 On any of the first 30 sitting days of each session of Parliament, the Minister of Canadian Heritage, with the support of the President of the Treasury Board, shall table in each House of Parliament a comprehensive summary of government spending and transfers to the provinces related to official languages during the previous session.

It is important to have this information for the purposes of transparency.

The Chair: Thank you, Mr. Beaulieu.

Mr. Drouin, you have the floor.

Mr. Francis Drouin: I am not sure whether my colleague has had the opportunity to be a member of the Standing Committee on Public Accounts or the Standing Committee on Government Operations and Estimates, but this exercise is already automatically done in Parliament. We will therefore be voting against the amendment.

The Chair: Thank you, Mr. Drouin.

Mr. Godin, you have the floor.

Mr. Joël Godin: Mr. Speaker, out of concern for consistency, I would say to my colleague from the Bloc Québécois that I would have preferred to read “the President of the Treasury Board with the support of the Minister of Canadian Heritage”. I therefore cannot support this amendment.

The Chair: Thank you, Mr. Godin.

Mr. Beaulieu, you have the floor.

Mr. Mario Beaulieu: I often consult the Public Accounts of Canada, but there really is not a lot of information there on how the money is being used. It provides only the name of the agency and the amount. That is why I thought it would be useful to have a more comprehensive record than that.

The Chair: Since there are no other interventions, I am putting amendment BQ-62 to a vote.

(Amendment negated: nays 10, yeas 1)

(Clause 50 as amended agreed to)

(Clause 51)

The Chair: We will now move on to clause 51 and amendment CPC-59, found on page 185 of our amendments package.

Mr. Godin, you have the floor.

Mr. Joël Godin: We are not at clause 51. We still haven't voted on clause 50.

The Chair: Yes, we did vote on clause 50. We are now dealing with clause 51.

Mr. Joël Godin: I do not think I will move any of my proposals for this clause since they address grandfathering provisions for the governor general and the lieutenant-governor.

Is that right?

The Chair: We are on amendment CPC-59. I haven't told you yet if it is out of order, Mr. Godin.

Mr. Joël Godin: You know that I have thick skin. I will not move any of my amendments.

• (1320)

The Chair: Mr. Godin, I am told that your amendment CPC-59 may be moved because it relates to your amendment CPC-16 on page 46. There is no problem.

Mr. Joël Godin: I will not be moving amendments CPC-59, CPC-60, CPC-61 and CPC-62.

Mr. Marc Serré: Chair, is it the amendment about deputy ministers and other people?

I think it is a good amendment, Mr. Godin.

Mr. Joël Godin: You should have said so sooner, Mr. Serré. I will not be moving my amendments.

The Chair: Mr. Godin, which amendments are you not moving?

Mr. Joël Godin: Chair, I will not be moving amendments CPC-59, CPC-60, CPC-61 and CPC-62.

The Chair: Amendment CPC-16 has been adopted.

Mr. Joël Godin: Indeed, it has.

The Chair: We will momentarily suspend the meeting for the benefit of committee members.

• (1320)

(Pause)

• (1320)

The Chair: We will resume.

Mr. Godin, you do not want to move amendment CPC-59. Is that correct?

Mr. Joël Godin: Chair, I will repeat what I told you earlier. I am seeking unanimous consent to withdraw as a group amendments CPC-59, CPC-60, CPC-61 and CPC-62. I will not be moving them.

The Chair: Let's stick with amendment CPC-59 for now. You are not moving it, is that correct?

Mr. Joël Godin: Yes.

The Chair: We will deal with other amendments when we get to them.

Mr. Serré, you have the floor.

Mr. Marc Serré: Chair, with leave of the committee, I would like to move amendment CPC-59.

I move that Bill C-13, in Clause 51, be amended by replacing line 5 on page 38 with the following:

51 Sections 107 and 108 of the Act are replaced by the following:

107 The persons holding the positions referred to in subsection 34(2) immediately before the coming into force of that provision shall continue in office.

This is the type of grandfathering provision that addresses employees. I think it would be good to keep it in the bill.

• (1325)

The Chair: Thank you, Mr. Serré

There being no questions, I will put amendment CPC-59 to a vote.

(Amendment agreed to: yeas 7, nays 4)

The Chair: Mr. Godin, I understand that you do not want to move amendment CPC-60. In fact, adoption of the amendment that Mr. Serré just moved means that amendments CPC-60, LIB-39, CPC-61 and CPC-62 cannot be moved in any event. That is what we wanted and that is what happened.

We are now at amendment BQ-63.

Mr. Mario Beaulieu: About the court challenges program—

The Chair: Just a minute, Mr. Beaulieu.

I went too fast. Before moving on to amendment BQ-63, we need to adopt clause 51 since we just finished reviewing it. I am putting to a vote clause 51 as amended.

(Clause 51 as amended agreed to)

(Clause 52)

The Chair: This brings us to clause 52 and amendment BQ-63.

Mr. Beaulieu, you may have the floor again. Do you want to move amendment BQ-63?

Mr. Mario Beaulieu: Yes.

It has to do with the court challenges program, which raised a lot of issues in Quebec. Members will recall that an organization bragged about receiving money from the program for challenging bill 21 and that some had responded that the program could not be used to challenge provincial law.

To confirm that, I move that Bill C-13, in Clause 52, be amended by adding after line 15 on page 38 the following:

7.2 Section 7.1 does not apply in the case of any organization whose purpose is to intervene in any fashion in a test case involving the laws of a province.

The Chair: Thank you.

Since no one wants to ask any questions, I am putting amendment BQ-63 to a vote.

(Amendment negatived: nays 10, yeas 1)

(Clauses 52 and 53 adopted)

(Clause 54)

The Chair: We are now considering clause 54 and we have amendment CPC-63.

Mr. Joël Godin: I decided a long time ago not to move it, Chair.

The Chair: It is part of the amendments package.

• (1330)

Mr. Joël Godin: In fact, I am not moving it, Chair.

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

We will now move on to amendment BQ-64. Is anyone moving it?

Mr. Mario Beaulieu: Chair, I think this is the moment that many people in Quebec have been waiting for.

We know that applying the Charter of the French Language to federally regulated businesses has broad consensus in Quebec. The unions, the big cities and all the former premiers, including those from the Liberal Party, support this amendment. I do not expect the Liberals to support it, but all the opposition parties have said they would support it.

I move that that Bill C-13, in Clause 54, be amended

(a) by replacing line 13 on page 39 with the following:

Whereas the Government of Canada is committed to respecting Quebec's choices regarding its linguistic development provided for in the *Charter of the French Language*;

Whereas the Government of Canada recognizes and respects the

(b) by replacing line 17 on page 39 with the following:

Canadian society, including that Quebec's *Charter of the French Language* provides that French is the official and common language of Quebec;

This amendment changes the preamble so that the Charter of the French Language applies to all businesses in Quebec.

The Chair: Thank you, Mr. Beaulieu.

Do you have any comments, Mr. Godin?

Mr. Joël Godin: Mr. Chair, I think it's important that the content of this amendment appear in Bill C-13. It's vital to recognize that the province of Quebec is different from the other provinces and territories, in that it's the only place in North America where the common language is French.

The concept of implementing measures so that federally regulated businesses can require their employees to work in French is very significant. As we saw, Canadian National and Air Canada supported this objective. I can tell you ahead of time that I will be supporting the amendment.

Again, this is a very significant decision. It's like earlier, when I was talking about people in the highest echelons of this country and saying that the Governor General should speak both French and English. I think that in Quebec, people have a duty to work in French, and that duty should be written into Bill C-13.

The Chair: The floor is yours, Ms. Ashton.

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

I want to start by acknowledging that this is an important issue. Obviously, we've discussed it several times.

We recently learned about the great co-operation between the Government of Quebec and the Government of Canada on Bill C-13. We want to respect that co-operation and recognize that collaboration between these two levels of government, which have already expressed their intention of protecting the French language and—

The Chair: Ms. Ashton, I think someone else had their microphone on, but it's off now. Please continue.

Ms. Niki Ashton: Let me repeat my last sentence.

The NDP feels it's important to respect the co-operation going on between the Government of Quebec, which was elected by Quebecers, and the Government of Canada, which was elected by Canadians. They are co-operating in order to protect the French language in all areas, including at work. We think that this collaboration between the governments of Quebec and Canada should be respected and that it should be the conduit for moving forward on this crucial issue.

• (1335)

The Chair: Thank you, Ms. Ashton.

Mr. Beaulieu, the floor is yours.

Mr. Mario Beaulieu: I'm really disappointed to hear that. We've seen the NDP repeatedly vote against the amendments proposed by Quebec, but now the NDP is using them as a cop-out. It seems like the Sherbrooke declaration isn't worth the paper it's written on.

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

Ms. Niki Ashton: I just want to make it clear to my colleague, Mr. Beaulieu, that I'm not here to play politics—

Some hon. members: Oh, oh!

Ms. Niki Ashton: It's true. If anyone wants—

The Chair: I would ask everyone to please be respectful.

Ms. Niki Ashton: If anyone wants to know my opinion of what the Bloc Québécois is doing to promote the francophone cause in this country, that's a whole other discussion. That said, I'm being serious. I have a great deal of respect for the Government of Quebec, as well as for the Government of Canada, of course.

What we need to do now is not to play politics, but to respect the collaboration between these two levels of government, which have a responsibility to promote the use of French in the workplace. As a sign of respect, we need to leave them to it.

If anyone else is here to play politics, so be it, but I just wanted to clarify our position.

The Chair: Thank you, Ms. Ashton.

There being no further comments, I will now call the vote on amendment BQ-64.

(Amendment negatived: nays 6, yeas 5)

The Chair: I'm being told that amendment LIB-40 will not be moved. Amendment CPC-64 has already been withdrawn from the package.

Now we're on amendment BQ-65.

Mr. Beaulieu, are you moving this amendment?

Mr. Mario Beaulieu: Yes I am, Mr. Chair.

I think consistency is important. We're not playing politics; we've always been open about our position, and we've always been very clear. There is a significant consensus. The Government of Quebec is doing its part, and so are we, and our actions often line up. We don't systematically vote with another party. I think it's important to stand by your convictions. Up until recently, we were being told that other members would support this proposal, so it's disappointing to see them going back on their word.

Amendment BQ-65 proposes that Bill C-13, in clause 54, be amended by replacing lines 7 to 21 on page 41 with the following, in part:

Quebec's *Charter of the French language* applies in its entirety to every federally regulated private business in Quebec instead of this Act.

This amendment was suggested by the Government of Quebec. The Bloc Québécois intends to do everything in its power to push for as much progress as possible under this federal language law, because the existing version is hurting French in Quebec and is probably the main factor driving the anglicization of Quebec. Our language is a crucial defining feature of the Quebec people and the Quebec nation. We want Quebec to maximize its gains, and we will continue in the same vein. Essentially, this amendment seeks to apply the Charter of the French Language to federally regulated businesses.

As we know, improvements are going to be made to the bill, and we will support them. That said, what's being proposed is disappointing for Quebecers. Even though it will allow for some progress to be made, it's nowhere near equivalent to what we're proposing. It's a step in the right direction, but it's not what the vast majority of Quebecers wanted.

• (1340)

The Chair: Thank you, Mr. Beaulieu.

Unfortunately, amendment BQ-65 is out of order. This amendment provides that the regulations to be made respecting private businesses would be conditional on the federal government entering into an agreement with the Government of Quebec specifying the content of those regulations. That is a new concept that was not provided for in the bill when it was sent to the House of Commons at second reading.

Page 770 of *House of Commons Procedure and Practice*, third edition, states: "An amendment to a bill that was referred to a committee after second reading is out of order if it is beyond the scope and principle of the bill." The chair is of the opinion that the amendment is beyond the scope of the bill and rules it out of order.

Mr. Mario Beaulieu: I'd like to appeal your ruling, Mr. Chair.

I believe everyone was expecting this.

The Chair: Yes, I understand.

Mr. Mario Beaulieu: We had also talked about it at previous meetings.

The Chair: Mr. Beaulieu, you're perfectly entitled to appeal my ruling.

Mr. Godin, do you have a point of order?

Mr. Joël Godin: No, Mr. Chair.

The Chair: If someone wants to appeal the chair's ruling, that's perfectly fine. We have to vote on the chair's ruling. After that, if anything else—

Mr. Joël Godin: Mr. Chair, thank you for clarifying the situation. That's something I expect to hear from the chair, not from my colleagues opposite.

The Chair: No problem, Mr. Godin.

Now let's vote on whether to sustain the chair's ruling.

(Ruling of the chair sustained: yeas 6; nays 5)

The Chair: The ruling of the chair is sustained, so amendment BQ-65 is defeated.

Mr. Godin, the floor is yours.

Mr. Joël Godin: Mr. Chair, I would like to move a new amendment. It would be an exact copy of the Bloc Québécois's amendment minus the final paragraph, the one that made the amendment inadmissible.

I can read it out.

The Chair: I think it would be faster to proceed that way. So, you're saying your new amendment has the same text as amendment BQ-65 that was just defeated, minus the final paragraph, in both the French and the English versions. Correct?

Mr. Joël Godin: Yes.

I don't want to repeat what my colleague was saying, Mr. Chair. We're here to defend the francophone core of North America. I'm talking about consistency again, and I don't want to repeat myself, but I think it's important to bear that in mind.

The Chair: Since there are no further questions or comments, let me call the vote on this new amendment moved by Mr. Godin.

(Amendment negatived: nays 6; yeas 5)

The Chair: Now we're on amendment BQ-65.1, on page 195.1 of the amendments package.

Mr. Beaulieu, the floor is yours.

Mr. Mario Beaulieu: I'm not going to move it.

The Chair: Amendment BQ-65.1 is not being moved, so we will move on to amendment BQ-66.

Mr. Beaulieu, do you want to move this one?

Mr. Mario Beaulieu: Yes. I move that Bill C-13, in clause 54, be amended by replacing lines 22 to 25 on page 41 with the following:

7 (1) Federally regulated private businesses must communicate in French with consumers in Quebec and provide them services in French.

The Chair: Are there any questions or comments?

Go ahead, Mr. Godin.

• (1345)

Mr. Joël Godin: Mr. Chair, I do understand what my colleague is getting at, but I feel it's more important to protect consumers'

rights than businesses' rights, so I will be voting against his amendment.

The Chair: Thank you.

There being no further questions or comments, I will call the vote on amendment BQ-66.

(Amendment negatived: nays 10; yeas 1)

Mr. Mario Beaulieu: Were we just voting on amendment BQ-65.1?

The Chair: No, you said you didn't want to move amendment BQ-65.1, and we just voted down amendment BQ-66, the one with the reference number 11696492.

Now we're moving on to amendment BQ-67.

Do you want to move it, Mr. Beaulieu?

Mr. Mario Beaulieu: No.

The Chair: Okay, so you're not moving amendment BQ-67.

Do you want to move amendment BQ-68?

Mr. Mario Beaulieu: No, not that one either.

The Chair: Amendment BQ-68 is not being moved either.

Now we're on LIB-40.1.

Mr. Serré, do you want to move it?

Mr. Marc Serré: Thank you, Mr. Chair.

Let me start by explaining amendment LIB-40.1. The purpose of the future use of French in federally regulated private businesses act is to promote and protect the use of French in federally regulated private businesses in Quebec and in regions with a strong francophone presence, as mentioned earlier. We have several amendments to move at this stage, and I'm going to talk about the first one.

I am proud to move the first in a series of amendments. The goal is to incorporate additional details on the use of French in communications with employees and as a language of work. The changes are consistent with the vision that the federal government laid out in the reform proposal it released in February 2021. Instead of adding these new requirements through regulations, however, the government decided to explicitly include them in the act.

More specifically, the amendments will add new clauses and additional details, particularly with regard to what the employer is required to do to respect the employees' right to work and be supervised—

Mr. Joël Godin: Point of order, Mr. Chair.

The Chair: Go ahead, Mr. Godin.

Mr. Joël Godin: Isn't Mr. Serré supposed to move his amendment first and then present his arguments?

The Chair: He told me he wanted to move it. Now he's explaining its content.

Mr. Joël Godin: Did he read out the whole thing?

The Chair: I asked him if he had moved it and he indicated that he had. Now he's explaining the reasons for it in his own words.

Mr. Joël Godin: But he could present his arguments after reading out the amendment. That's how we've been doing it from the beginning.

The Chair: I'm letting him go at his own speed. He has the floor. This is the way he wants to proceed, and I can't object.

Mr. Marc Serré: Let me go back to my last sentence, Mr. Chair.

More specifically, the amendments will add new clauses and additional details, particularly with regard to what the employer is required to do in order to respect the employees' right to work and be supervised in French, generalizing the use of French within the business, the right of the employees to receive all communications and documents in French, the publication of an advertisement to fill a position, the criteria for determining knowledge of a language other than French, and ensuring that all employees are entitled to a work environment free from adverse treatment.

Amendments like LIB-40.1 prove that the federal system can be equivalent to the Quebec system in terms of use of French in businesses and that the two systems can coexist collaboratively.

Amendment LIB-40.1 specifically seeks to strengthen the right to communicate in French by giving employees the right to receive employment forms, transfer documents, individual contracts, documents related to the conditions of employment and training, and collective agreements and their schedules in French. This right will continue in order to allow for the employment relationship to continue.

That's part of amendment LIB-40.1, which we all have in front of us. I don't know if there are any comments on this amendment.

• (1350)

The Chair: Thank you, Mr. Serré.

Mr. Godin, I believe you had a comment to make.

Mr. Joël Godin: Mr. Chair, we're studying clause 54, which is important. I know there have been discussions with the Quebec government. For us, the interests of Quebec are important.

We received 11 amendments from the federal government last night. I think it's important for the people watching to know that. We want to do our job well, but I have to say that I have far more faith in the Government of Quebec than in the Government of Canada. The federal government has the support of the Government of Quebec, which is the guardian of the French language in Quebec. I don't have a problem with what my colleague said, but I'm not happy about getting these amendments at the last minute. It's a lot of work to study them, and we don't have a department working for us.

The Chair: Thank you, Mr. Godin. We're still studying clause 54, by the way.

Since there are no other comments, I will call the vote on amendment LIB-40.1.

(Amendment agreed to: yeas 11; nays 0)

The Chair: Now we're on amendment LIB-41. Does anybody want to move it?

Mr. Housefather, the floor is yours.

Mr. Anthony Housefather (Mount Royal, Lib.): Thank you, Mr. Chair, and thank you to my colleagues.

Since Ms. Lattanzio had another committee meeting to attend and couldn't be here today, I have the pleasure of moving amendment LIB-41 on her behalf.

The reason we're moving this amendment is that the current wording of Bill C-13 has caused a lot of confusion and consternation among Quebec's anglophone groups. Let me explain.

Proposed subsection 9(1) of the future use of French in federally regulated private businesses act would create three rights for employees, which we agree with. They are the right to:

(a) carry out their work and be supervised in French;

(b) receive all communications and documents...in French; and

(c) use regularly and widely used work instruments and computer systems in French.

Subsection 9(3) of the future act would not prevent employers from communicating or providing documents in both official languages, but it wouldn't make that a right.

• (1355)

[*English*]

It's not a right; it's a permission. As opposed to creating a right to do things in English, employers would have the permission, as long as they're fulfilling their duty, to provide other employees with the right to do things in French. They would have permission to say to employees who would prefer to do things in English that they can do things in English. What's happening here is that we're creating an exception for documents and communication, saying they can be in English.

[*Translation*]

Subsection 9(3) covers paragraph 9(1)(b) of the future act but not paragraphs 9(1)(a) or 9(1)(c).

This means that if I'm an anglophone employee in Quebec and I prefer to use work instruments and computer systems in English, my employer can say that francophone employees who want those instruments and systems in French will get them, but the act doesn't specify that I have the right to get them in English, any more than it specifies that employees who prefer to work and be supervised in English can do that if the employer allows other employees to work and be supervised in French.

I think employers will find it confusing that Bill C-13 creates an exception for documents and communications, but not in relation to paragraphs 9(1)(a) and 9(1)(c) of the future act. Will employers have the right to provide other employees with computer programs or systems in English? Do they have the right to allow other employees to work in English?

[English]

I would much prefer to avoid having that confusion by simply adding that as long as French-speaking employees or those who prefer to work in French are accorded the right, meaning they have to be allowed to do what's in paragraphs 9(1)(a), (b) and (c), an employer is free to let employees who prefer to do things in English also do what's in paragraphs 9(1)(a), (b) and (c) in English. That is the purpose of this amendment.

Thank you.

[Translation]

The Chair: Thank you.

Are there any other questions or comments?

Mr. Beaulieu, over to you.

Mr. Mario Beaulieu: I'm going to vote against this amendment, because it essentially enshrines the right to work in English. We're not against the occasional use of English, but French needs to be the common language in Quebec if we want all citizens to be part of the same society and to be able to communicate with one another. French is the glue that binds all citizens of Quebec and brings them together.

The purpose of the Charter of the French Language is to make French the common language at work, not to offer a choice between English and French, which is what the Official Languages Act does.

The Chair: Mr. Housefather, do you have anything to add?

Mr. Anthony Housefather: Thank you very much, Mr. Chair.

I just want to respond to Mr. Beaulieu's comment.

This amendment doesn't create a right to work in English. New subsection 9(1) of the bill would create three rights in relation to language of work. New subsection 9(3) reads:

The right set out in paragraph (1)(b) does not preclude communications and documents from being in both official languages but the use of French must be at least equivalent to the use of English.

The problem here is that the bill grants three rights in relation to language of work, but create a clear exception regarding just one of those rights. That is confusing.

No one is demanding the right to work in English. However, I should hope that my colleagues would agree that if an employer gives employees who prefer to work in French the right to carry out their tasks, communicate, receive documents and use work tools in French, the employer should also be able to tell other employees that they can ask to work with computer programs in English if they want, for instance.

This element is missing from the proposed bill, and I don't understand why. In fact, it raises doubt. Some of the people I represent are concerned about this aspect, and as a lawyer, so am I. I hardly see how a change like this could cause problems for anyone if accepted.

The Chair: Thank you, Mr. Housefather.

Go ahead, Mr. Beaulieu.

Mr. Mario Beaulieu: I'd just like to point out that it's not simply a matter of having information technology tools in English.

Amendment LIB-41 Also says that employees could do their work in English and receive all documentation and communications in English.

My view is that this proposal introduces a form of right to work in English.

• (1400)

The Chair: Thank you, Mr. Beaulieu.

Are there any other comments?

As there are none, we will now vote on amendment LIB-41.

(Amendment negated: nays 10; yeas 1)

The Chair: Before continuing, we're going to take a five minute break.

• (1400)

(Pause)

• (1405)

The Chair: I call the meeting back to order.

We are now at amendment BQ-69.

Mr. Beaulieu, would you care to propose the amendment?

Mr. Mario Beaulieu: Yes, Mr. Chair.

I propose that Bill C-13, in Clause 54, be amended by replacing lines 32 and 33 on page 42 with the following:

both official languages but the use of French must predominate over the use of English.

If French is said to be the common language, then I think it's only to be expected that it should predominate. English is not excluded, but it specifies that French must predominate.

The Chair: Since there are no questions or comments, I will call the vote.

(Amendment negated: nays 6; yeas 5)

• (1410)

The Chair: That brings us to amendment LIB-41.1.

Mr. Serré, would you like to move it?

Mr. Marc Serré: Yes, Mr. Chair.

The amendment is simply intended to give more teeth to regulations specifying that a certain number of documents, in the opinion of the business, are to be made available in French. For example, it could involve announcement's about filling positions subject to conditions, contracts of adhesion and arbitration awards.

The amendment also introduces a new clause, clause 9.2. It gives unions the right to receive communications and documentation in French, as is the case for a provincial regime applicable in Quebec.

Mr. Bernard Généreux: I have a point of order, Mr. Chair.

The Chair: Go ahead, Mr. Généreux.

Mr. Bernard Généreux: Mr. Chair, I thought that all the LIB series amendments numbered with periods are basically the result of a collaboration between the Government of Quebec and the Government of Canada to ensure compliance with both statutes, the Act Respecting French, the Official and Common language of Québec and the Official Languages Act.

I would suggest speeding up the adoption of these amendments by trusting the officials who worked on them. Earlier, we unanimously adopted the first two amendments in the series. Allow me to suggest proceeding quickly without fully reading each of these amendments. The purpose is to speed things up to get through the whole document.

These amendments are extremely technical. No one has had the time to read them. I, for one, haven't had the time to do so. I don't want to rush things for no reason, but I believe that we have no option but to trust the Quebec and Canadian government officials who worked on these amendments to make both acts consistent with one another.

The Chair: Mr. Généreux, I have to read them one at a time. In fact they don't exist until they have been proposed.

As we have the wording of the amendments in front of us, we can call the vote right away without any debate. As the chair, I can't require this, but the committee can decide to proceed this way. Nevertheless, we will keep your comment in mind.

Mr. Godin, you have the floor to speak to amendment LIB-41.1.

Mr. Joël Godin: Mr. Chair, there were discussions between the Government of Quebec and the Government of Canada. The issue was settled yesterday, when we received amendment LIB-41.1 and other amendments.

I am delighted with this outcome. The fact is that the opposition parties did extraordinary work. They put pressure on the Government of Canada to make it capitulate to some extent—that's how I interpret it. As I said earlier, I just trust the Government of Quebec because its goal is to defend French in Quebec.

The Chair: I think we can reach unanimous consent. I therefore suggest that when we come to the amendments proposed by the Liberals, and numbered in the 40s, as you pointed out, Mr. Généreux, I won't call for a recorded vote, but will ask whether anyone is opposed.

Is everyone agreed on that?

Some hon. members: Yes.

The Chair: Excellent.

We will now go to amendment LIB-41.1.

Mr. Mario Beaulieu: But they must at least be moved, Mr. Chair.

The Chair: Yes, Mr. Beaulieu, they have to be moved.

As I previously mentioned, amendments don't exist until they are moved. That's why I can't move them collectively.

Mr. Serré has moved amendment LIB-41.1.

Is there unanimous consent to adopt this amendment?

Some hon. members: Agreed

(Amendment LIB-41.1 is agreed to)

The Chair: And now we have amendment BQ-70.

Mr. Beaulieu, are you moving this amendment?

Mr. Mario Beaulieu: No, I won't be moving it.

● (1415)

The Chair: So amendment BQ-70 isn't moved.

Mr. Serré, would you care to move amendment LIB-41.2?

Mr. Marc Serré: Yes, I move it.

The Chair: I will now call a vote on amendment LIB-41.2.

Is there unanimous consent to adopt this amendment?

Some hon. members: Agreed.

Amendment LIB-41.2 is agreed to.

The Chair: Mr. Beaulieu, do you wish to move amendment BQ-71?

Mr. Mario Beaulieu: No, Mr. Chair.

The Chair: Amendment BQ-71 is not moved.

We'll go now to amendment LIB-42.

Mr. Anthony Housefather: I'd like to move it, Mr. Chair.

Amendment LIB-42 establishes some exceptions, adding a number of criteria in terms of francization programs.

We propose requiring federally regulated private businesses to also factor in these criteria.

That Bill C-13 in clause 54, be amended by replacing line 18 on page 43 with the following:

impede the learning of French, as well as the nature of the activities carried out by the business, whether the workplace is a head office or a research centre, and the relations that the business has with entities outside Quebec.

These businesses need to use English differently from other companies.

I would add that the amendment uses the same words found in subsections 2, 3 and 4 of section 142 of the Charter of the French Language. The proposed exceptions are therefore in the Charter of the French Language.

The Chair: Thank you, Mr. Housefather.

Are there any questions?

As no one appears to wish to intervene, I'll now call the vote on the amendment.

Excuse me. Do you have a comment to add, Mr. Beaulieu?

Mr. Mario Beaulieu: Yes, Mr. Chair.

In the end, I'm going to vote against the amendment, because it establishes a regime that functions by exception.

We don't know where that will take us. It's as if we were allowing all kinds of businesses to avoid being subject to the application of this act.

The Chair: Thank you, Mr. Beaulieu.

Does anyone wish to add anything?

As no one appears to want to comment, we'll call the vote on amendment LIB-42.

(Amendment LIB-42 is negated: nays 10; yeas 1)

The Chair: Mr. Beaulieu, would you like to propose amendment BQ-72?

Mr. Mario Beaulieu: One moment, please.

We need to look at the new amendments.

No, I will not move it.

The Chair: Amendment BQ-7 is not moved.

Mr. Serré, do you want to move amendment LIB-42.1?

Mr. Marc Serré: Yes, I'll move it.

The Chair: Is there unanimous consent to adopt amendment LIB-42.1?

Some hon. members: Yes.

(Amendment agreed to)

The Chair: Good. Thank you.

We'll go now to amendment BQ-73.

Mr. Beaulieu, would you like to move it?

Mr. Mario Beaulieu: No, I won't move it.

The Chair: You aren't going to move it. Is that right?

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

The Chair: We'll go now to amendment LIB-43.

Do you want to move it, Mr. Housefather?

[*English*]

Mr. Anthony Housefather: Yes, Mr. Chair. This simply creates equal acquired rights for employees so that we do not treat adversely employees who do not speak the other language adequately before the coming-into-force date of this law. It's about the right to require knowledge of a language. Basically, again, this creates a reciprocity in the two clauses that doesn't exist right now.

The goal here is for businesses to have the flexibility to determine what they need in terms of job skills, so we've made very clear what is required in order for a business to say someone needs to know French or English as a job skill. This is an important addition and would create a situation similar to what already exists in Quebec.

Thank you.

[*Translation*]

The Chair: Thank you, Mr. Housefather.

Are there any questions or comments on amendment LIB-43?

Seeing none, I'll call a vote on amendment LIB-43.

(Amendment negated: nays 10; yeas 1.)

• (1420)

The Chair: That leads us to amendment BQ-74.

Mr. Beaulieu, I forgot earlier to point out that if amendment LIB-42.1 were unanimously adopted, which it was, then amendment BQ-74 could not be moved owing to a line conflict.

Mr. Mario Beaulieu: Okay.

The Chair: All right.

I wanted to point that out in the interest of transparency. I should have mentioned it earlier, but as the amendment was adopted unanimously and I'd been asked to proceed more quickly, I forgot this detail. Fortunately, I'm in good company here and was reminded.

Amendment BQ-74 can therefore not be moved, because we adopted amendment LIB-42 unanimously. I wanted to make this clear.

We'll go now to amendment LIB-43.1.

Mr. Serré, would you like to move it?

Mr. Marc Serré: Yes, I'll move it.

The Chair: Is there unanimous consent to adopt amendment LIB-43.1?

Some hon. members: Yes.

(Amendment agreed to)

The Chair: Mr. Serré, would you like to move amendment LIB-43.2?

Mr. Marc Serré: Yes, I will move it.

The Chair: Is there unanimous consent to adopt amendment LIB-43.2?

Some hon. members: Yes.

(Amendment agreed to)

The Chair: Good.

Amendment LIB-43.2 is adopted unanimously.

Things are moving right along.

Mr. Beaulieu, do you want to move amendment BQ-75?

Mr. Mario Beaulieu: No, I won't be moving it.

The Chair: Mr. Beaulieu, do you want to move amendment BQ-76?

Mr. Mario Beaulieu: No, I won't be moving it.

The Chair: You won't be moving it. Is that right?

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

The Chair: Amendment BQ-76 is therefore not moved.

That brings us to amendment BQ-77

Mr. Beaulieu, do you want to move it?

Mr. Mario Beaulieu: No, I won't be moving it.

The Chair: We will now go to amendment CPC-66.

Monsieur Godin, would you like to move it?

Mr. Joël Godin: No, I won't be moving it.

The Chair: So you are not moving amendment CPC-66.

Mr. Joël Godin: You can say it however you like.

It's Friday afternoon and it's 2:25 p.m.

The Chair: Understood.

On to amendment BQ-78.

Mr. Beaulieu, will you be moving it?

Mr. Mario Beaulieu: No, I won't be moving it.

The Chair: Amendment BQ-78 is not moved.

We've got to amendment BQ-79.

Mr. Beaulieu, will you be moving it?

Mr. Mario Beaulieu: No, I won't be moving it.

The Chair: We'll go to amendment CPC-67.

Mr. Godin, you have the floor.

Mr. Joël Godin: Mr. Chair, as the idea of the fifth anniversary is very important to me, I'll move this amendment for consistency's sake.

I propose that Bill C-13 in Clause 54, be amended by replacing lines 14 and 15 on page 57 with the following:

42 (1) On the fifth anniversary of the day on which this clause comes into force and every five years after that an-

This allows time to react appropriately when the situation is urgent. The decline of French has to be stopped and the trend reversed.

The Chair: Okay.

Mr. Joël Godin: Amendment CPC-67 is therefore consistent with what I was just saying. I don't know whether it's admissible.

The Chair: Yes it is.

• (1425)

Mr. Joël Godin: Thank you, Mr Chair.

The Chair: I would nevertheless like to point out to the committee members that if amendment CPC-67 is adopted, amendment BQ-80 cannot be proposed because it's identical.

Are there any comments on amendment CPC-67?

As there are none, I'll call the vote, Madam Clerk.

(Amendment negated: nays 6; yeas 5)

The Chair: As amendment CPC-67 was negated, amendment BQ-80 cannot be proposed because it's identical.

(Clause 54 as amended agreed to)

(Clause 55)

The Chair: We are now at clause 55.

Mr. Beaulieu, do you want to move amendment BQ-81?

Mr. Mario Beaulieu: No, I won't be moving it.

The Chair: Thank you.

There are no further amendments to clause 55 being proposed.

(Clause 55 agreed to)

(Clause 56)

The Chair: We'll now go to clause 56.

Mr. Beaulieu, do you want to present amendment BQ-82?

Mr. Mario Beaulieu: Yes, I will present it.

The Chair: You have the floor.

Mr. Mario Beaulieu: That Bill C-13, in Clause 56, be amended by replacing lines 30 to 34 on page 57 with the following:

7 (1) Consumers in a region with a strong francophone presence have the right to communicate in French with and obtain available services in French from a federally regulated private business that carries on business in that region.

The wording of subclause 7(1) as amended is therefore:

7 (1) Consumers in a region with a strong francophone presence have the right to communicate in French with and obtain available services in French from a federally regulated private business that carries on business in that region.

The Chair: Mr. Beaulieu, amendment BQ-82 is inadmissible, and I'll explain why.

Bill C-13 enacts the Use of French in the Federally Regulated Private Businesses Act, which contains provisions that apply initially to federally regulated private businesses in Quebec, and which, two years after the initial amendments come into force, will be extended to include private businesses under federal authority located in regions where there is a strong francophone presence.

The purpose of the amendment is to remove from the new act its application to federally regulated private businesses in Quebec, which is in conflict with the underlying principle of the act.

Do you agree with this line of reasoning?

Mr. Mario Beaulieu: We received the amendments yesterday evening. We're trying to avoid counteracting...

The Chair: I understand, and I'm not holding it against you.

Am I correct in saying that you are not challenging the chair's decision?

Is that right?

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

The Chair: Great. Thank you.

(Clause 56 agreed to)

(Clause 57)

The Chair: We'll now go to clause 57.

That brings us to amendment LIB-43.3.

Mr. Serré, would you like to move amendment LIB-43.3?

Mr. Marc Serré: Yes, I'll move amendment LIB-43.3.

The Chair: Is there unanimous agreement for the adoption of amendment LIB-43.3?

(Amendment agreed to)

The Chair: We'll go now to amendment BQ-83.

Do you want to move it, Mr. Beaulieu?

Mr. Mario Beaulieu: It looks the same to me. So I won't move it.

The Chair: All right.

(Clause 57 as amended is adopted)

The Chair: We are now moving to amendment LIB-43.4, which proposes a new clause, clause 57.1.

Mr. Serré, would you like to move this amendment?

Mr. Marc Serré: Yes, Mr. Chair.

I move amendment LIB-43.4.

The Chair: All right.

Is there unanimous consent to adopt amendment LIB-43.4?

(Amendment agreed to)

(Clause 58)

• (1430)

The Chair: We are now at clause 58

We are now at amendment LIB-43.5.

Mr. Marc Serré: Mr. Chair, I move amendment LIB-43.5.

The Chair: Thank you, Mr. Serré.

Is there unanimous consent to adopt amendment LIB-43.5?

Excuse me. I'd like to backtrack a bit because Mr. Godin would like to comment.

Mr. Joël Godin: I'd like to go back to clause 57.1

The Chair: Let's call it the new clause 57.

Mr. Joël Godin: So it's not clause 57.1, but rather clause 57, isn't it?

The Chair: It is indeed the new clause 57.

Mr. Joël Godin: Okay, Mr. Chair, I'll rely on what you're saying.

I'd like some clarification on amendment LIB-43.4.

In my document, "new clause 57.1" is mentioned. There is no clause 57 before that.

The Chair: The committee adopted clause 57 earlier. We then moved on to new clause 57.

Mr. Joël Godin: Okay.

So it's clause 57.1 and amendment LIB-43.4.

Is that correct?

The Chair: That's right.

Mr. Joël Godin: Okay.

So a new clause was created. Is that right?

The Chair: Yes, that's right.

It was adopted unanimously by the committee.

Mr. Joël Godin: Okay.

The Chair: It wasn't amended. The clause did not yet exist.

Mr. Joël Godin: In short, it's new and it's the only one.

The Chair: Yes, that's right.

Mr. Joël Godin: Thank you, Mr. Chair. You made it very clear.

The Chair: It went smoothly.

Mr. Joël Godin: You were very quick.

The Chair: That's what you had asked me to do.

Let's return to clause 58 and amendment LIB-43.5, which was just moved by Mr. Serré.

Is there unanimous consent to adopt amendment LIB-43.5?

(Amendment agreed to)

The Chair: We are now going to amendment BQ-84.

Mr. Beaulieu, do you want to move it.

Mr. Mario Beaulieu: No, I won't be moving it.

The Chair: Okay.

Mr. Mario Beaulieu: The word "Quebec" was removed again, but that doesn't apply here.

The Chair: Right.

(Clause 58 as amended is agreed to)

(Clause 59)

The Chair: We will now go to clause 59 and amendment LIB-43.6.

Are you moving the amendment, Mr. Serré?

Mr. Marc Serré: I move amendment LIB-43.6.

The Chair: Good.

Is there unanimous agreement to adopt amendment LIB-43.6?

(Amendment agreed to)

The Chair: We now go to amendment BQ-85.

Do you wish to move it, Mr. Beaulieu?

Mr. Mario Beaulieu: I am not going to move it, for the same reason I gave earlier.

The Chair: Okay.

(Clause 59 as amended is agreed to)

(Clause 60)

The Chair: We are now moving to clause 60.

(Clause 60 is agreed to)

(Clause 61)

The Chair: And now on to clause 61.

(Clause 61 is agreed to)

(Clause 62)

The Chair: We have now reached clause 62 and amendment BQ-86.

Do you wish to move it, Mr. Beaulieu?

Mr. Mario Beaulieu: No, I won't be moving it.

The Chair: All right.

And we are now at amendment CPC-68.

Mr. Godin, you have the floor.

Mr. Joël Godin: Mr. Chair, I will move this amendment, which is suggested by one of my colleagues from British Columbia.

I move that Bill C-13, in clause 62, be amended in item (a) by replacing lines 33 to 35 on page 59 with the following:

“the Governor in Council shall take into account the following factors, as well as any factors that the Governor in Council considers appropriate:”

I further move that this bill, in the same clause, be amended in item (b) by replacing line 2 on page 60 with the following:

minority communities, including the institutional vitality of the French linguistic minority community of the region, which could be established, among other factors, by the presence or absence of a public elementary or secondary school, a cultural or community centre or other institutions belonging to that minority; and
(d) the offer of services in French by federal institutions under Part IV of the Official Languages Act.

I think it's important for our francophone minorities outside of Quebec that we think about them. It's an additional tool, and we know that organizations in British Columbia are fighting very hard and they often have the wind in their face. I think this proposal would give them an additional tool.

The Chair: Are there any questions?

Since there are none, we will proceed to a vote, Madam Clerk, on amendment CPC-68.

(Amendment negatived: nays 6; yeas 5.)

(Clauses 62 through 69 agreed to)

(Clause 70)

• (1435)

The Chair: This brings us to clause 70.

Mr. Beaulieu, you have the floor on amendment BQ-87.

Mr. Mario Beaulieu: I do not move it.

The Chair: Okay.

(Clause 70 agreed to)

(Clause 71)

The Chair: We'll move on to amendment NDP-16.

Ms. Ashton, you have the floor.

Ms. Niki Ashton: I will propose it and, in order to move forward quickly, as we are doing, I hope we will receive the committee members' support.

The Chair: Just to be clear, we are dealing with the first amendment. We are on page 224.1 of the document bundle. The reference number is 12290446.

The Chair: Ms. Ashton, go ahead.

Mr. Marc Serré: Mr. Chair, I think Ms. Boyer would like to say something.

Ms. Julie Boyer: Mr. Chair, could the question be repeated?

The Chair: Yes, Ms. Boyer.

However, I will let Ms. Ashton finish her remarks. I will then give you the floor.

Ms. Niki Ashton: Mr. Chair, what we want to emphasize is the following passage:

Requiring an employee to have a knowledge of a language other than French does not constitute adverse treatment...if the federally regulated private business is able to demonstrate that a knowledge of that language is objectively required by reason of the nature of the work to be performed by the employee [if the business has taken all reasonable steps to avoid requiring knowledge of that language].

There are a number of other clauses.

• (1440)

The Chair: I think Ms. Boyer wanted to add a comment on that.

Ms. Boyer, is there anything you would like to add?

Also, Mr. Beaulieu had a question about the effect on the act.

Mr. Beaulieu, was your question for Ms. Boyer?

Mr. Mario Beaulieu: Yes, Mr. Chair.

I was trying to understand because it deletes several things. We are not going to give a blank check, we want to understand.

The Chair: Ms. Boyer, go ahead.

Ms. Julie Boyer: Thank you, Mr. Chair.

I will let my colleagues, Mr. Fallu, answer that question.

Mr. Marcel Fallu (Manager, Modernization of the Official Languages Act, Department of Canadian Heritage): Earlier, the committee voted, in clause 36, to provide order-making authority for certain provisions of part VII of the Official Languages Act. Amendment NDP-16 makes this order-making authority effective, by order of the Governor in Council.

An order in council for a power like this, on a part that is so broad, may allow time for preparation by the commissioner or by various federal institutions. As I understand it, that is what NDP-16 does.

That said, at the rate things have been going—

Mr. Mario Beaulieu: We just need to take the time. I'm going to vote against this amendment if—

The Chair: I understand, Mr. Beaulieu, but you asked me to do things quickly, and that is what I have done.

Amendment NDP-16 is a continuation of amendment NDP-13, which we passed, if you want to refer to it.

Mr. Godin, you have the floor.

Mr. Joël Godin: After reading amendment NDP-16, I would like to know why my NDP colleague is adding subsections 36(3) and 36(4).

What is the intent and motivation behind this?

The Chair: Ms. Ashton, go ahead.

Ms. Niki Ashton: I must admit that I didn't think we would get this far in our study. If I am to give you a satisfactory answer, I will have to talk to my team members a bit. However, I see that we have only 17 minutes left in the meeting.

Mr. Mario Beaulieu: We could take a break to understand what we are voting on.

The Chair: If you want to take a break and the committee members agree, we can take a break. However, some people need to leave the meeting at 3 p.m.

Mr. Marc Serré: Mr. Chair, we have six witnesses who can give us explanations if we ask them. That's why they're here.

The Chair: You can ask questions.

Mr. Marc Serré: Okay.

I would like to know how amendment NDP-16 affects Bill C-13. I am referring to the subsections Mr. Godin mentioned earlier.

Ms. Julie Boyer: Mr. Chair, I yield the floor to Mr. Fallu.

Mr. Marcel Fallu: You'll tell me when you're ready, Mr. Chair.

The Chair: Great.

Can I interject for a moment? You can imagine that I have all the answers, instinctively.

Let's all go back to amendment NDP-13 on page 153 of the document bundle.

You see subsection (3) that we passed unanimously. There is also a subsection (4). Amendment NDP-16 is to enact these subsections.

Mr. Mario Beaulieu: Amendment NDP-16 refers to subsections 36(2) to 36(4). This is not the same thing.

• (1445)

The Chair: If you like, we'll let our legislative clerk explain what the situation is.

In summary, subsections 36(2) and 36(3) were passed unanimously through amendment NDP-13. Thus, we have ensured consistency between NDP-13 and NDP-16.

I will let Ms. Thivierge speak to this further.

Ms. Émilie Thivierge (Clerk of the Committee): Thank you, Mr. Chair.

If you look at NDP-13, on page 153, you will notice that subsection 64.5(1) appears twice, in items (a) and (b) of the amendment. In item (a), the first version of subsection 64.5(1) comes into force on royal assent.

Mr. Joël Godin: Excuse me, Madam Clerk. What document are you referring to?

Ms. Émilie Thivierge: I am on page 153.

Mr. Mario Beaulieu: —of the Bill C-13 bundle.

Ms. Émilie Thivierge: I am on page 153 of the amendment bundle. This is the new amendment NDP-13, which was passed earlier today.

So this amendment has two versions of subsection 64.5(1): one that appears in item (a) of the amendment and one that appears in item (b). The one in item (a) comes into force on royal assent. The one in item (b) is the one that Ms. Ashton proposes to add, which is subsection (3):

(3) Subsection 64.5(1) of the Act is replaced by the following:

Subsection (3), which is a new version of subsection 64.5(1) proposed by Ms. Ashton, shall take effect by order in council at a later time.

So there are two coming into force dates for subsection 64.5(1): one on royal assent and the other, if the committee adopts Ms. Ashton's amendment NDP-16, which is the new version of subsections 36(3) and 36(4), will come into force by order in council later.

Mr. Mario Beaulieu: On what page of the bundle are subsections 36(3) and 36(4)?

Ms. Émilie Thivierge: On page 153.

On page 24 of Bill C-13, there is already subsection 36(2), which is located just above section 37.

Amendment NDP-13 adds section 36(3). This is not in amendment NDP-13, but subsections (3) and (4) are combined with section 36 to make 36(3) and 36(4).

The committee adopted sections 36(3) and 36(4), which were in Ms. Ashton's amendment.

The Chair: Section 36 is referenced in the first line of the NDP-13 amendment. It reads: "That Bill C-13, in Clause 36, be amended".

Then details are provided.

Mr. Généreux, you have the floor.

Mr. Bernard Généreux: As I understand it, Madam Clerk, we have no choice but to adopt this amendment if we are to make these two subsections effective in the act.

Ms. Émilie Thivierge: That's right.

Mr. Bernard Généreux: Okay. Thank you.

The Chair: Are there any further questions?

Ms. Niki Ashton: Thank you.

The Chair: Is there unanimous consent to adopt the amendment?

Mr. Godin, you have the floor.

Mr. Joël Godin: I will abstain. I don't understand. And I don't want to vote on something I don't understand. I don't know if it's because of the time. I thank the clerk for clarifying. We need to take the time to get it right, and there are still a few pages to cover.

I will abstain, but it's not going to change the bill much.

The Chair: Mr. Godin, in no way would I want to close the door on debate. We are talking about six and a half hours of debate here. If there are any questions, I will take them.

Mr. Généreux, you have the floor.

Mr. Bernard Généreux: Contrary to what Mr. Godin just said, it does change something. It is important.

In order for the two amendments that were amended and that we passed unanimously to be put into effect and effective in the act, we need to pass this one. It could not be clearer.

• (1450)

The Chair: That's also my understanding.

Mr. Bernard Généreux: Otherwise, the other two subsections are obsolete, as I understand it. I think that goes without saying.

The Chair: There you have it.

Are there any other questions?

Mr. Mario Beaulieu: What subsections exactly are we talking about?

The Chair: This is what we passed unanimously in NDP-13.

You are asking me to be quick, but we can proceed with a recorded vote.

Do you want me to proceed in that way or ask for unanimous consent and have abstentions?

Mr. Joël Godin: I will abstain, Mr. Chair.

An hon. member: Me too.

Mr. Joël Godin: I don't want to comment on something I don't understand. However, it doesn't make much difference, given that the Liberals and the NDP are going to vote for this amendment.

The Chair: Great.

So we will move on to a vote on amendment NDP-16.

(Amendment agreed to [*See Minutes of Proceedings*])

The Chair: We're moving on to amendment LIB-44.

Mr. Serré, would you like to move it?

Mr. Marc Serré: No, I won't move it.

The Chair: Okay.

We move on to amendment BQ-88.

Mr. Mario Beaulieu: I won't move it.

The Chair: Okay.

We are moving on to amendment LIB-45.

Mr. Marc Serré: Mr. Chair, amendment LIB-45 would make it possible to implement the federal private business regime in re-

gions with a high concentration of francophones in a different manner than in Quebec.

Therefore, I move amendment LIB-45.

The Chair: Are there any comments or questions on amendment LIB-45?

Since there are none, is there unanimous consent to adopt amendment LIB-45?

(Amendment agreed to)

(Clause 71, as amended, agreed to)

• (1455)

The Chair: Shall the short title carry?

Some hon. members: Agreed.

The Chair: Shall the title carry?

Some hon. members: Agreed.

The Chair: Shall the bill as amended carry?

Some hon. members: Agreed.

The Chair: Do I have the committee's consent to report the bill as amended to the House?

Some hon. members: Agreed.

The Chair: Shall the committee order a reprint of the bill as amended for the use of the House at report stage?

Some hon. members: Agreed.

The Chair: Hear, hear! We just completed the clause-by-clause study. Congratulations, everyone.

Some hon. members: Hear, hear!

The Chair: Before I leave the meeting, I absolutely wanted to thank, first and foremost, Isabelle D'Souza. She is the one who drafted everything that we asked her to do.

I want to thank the teams from all the political parties that are here and their support staff.

I also want to thank our fine team, who went out of their way to make this happen.

I thank the entire amazing expanded team and our stars who have been sitting in front of us for the past few weeks.

Dear bureaucrats, dear public servants, thank you for your advice, guidance, and, most importantly, for your patience.

Thank you very much to all of you. It's done.

The meeting is adjourned.

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