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## Standing Committee on Official Languages

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EVIDENCE

**Thursday, December 3, 2009**

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**Chair**

**Mr. Steven Blaney**



## Standing Committee on Official Languages

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• (0900)

[Translation]

**The Chair (Mr. Steven Blaney (Lévis—Bellechasse, CPC)):** Good morning, everyone. Welcome to this 40th meeting of the Standing Committee on Official Languages. We will begin without further ado as there is a strong possibility that we will have to vote this morning.

This morning, pursuant to Standing Order 108(2), we are hearing from two representatives of the Fédération des communautés francophones et acadienne du Canada as part of the review of the last 40 years of the Official Languages Act. It is our pleasure to welcome the President of the FCFA, Ms. Marie-France Kenny, who is accompanied by the Director General, Ms. Suzanne Bossé. Welcome to the committee, or rather to your committee. Without further ado, I'll ask you to make your opening address.

**Ms. Marie-France Kenny (President, Fédération des communautés francophones et acadienne du Canada):** Thank you very much.

Ladies and gentlemen, first I want to thank you for agreeing to hear us this afternoon. I am accompanied by Suzanne Bossé, Director General of the FCFA.

One year ago now, we at the FCFA began a major effort to reflect on and analyze the record of the four decades of the Official Languages Act, and we are very proud to be submitting the results of that process to you. There is nothing new in the findings we are presenting today. Over its 34-year existence, the FCFA has spoken out on a number of occasions about the deficiencies of the federal official languages policy, with regard to both services to francophones and support for communities. And we have not been the only one to do so: year after year, in the past four decades, successive Commissioners of Official Languages have used words such as "ceiling," "stagnation," "deterioration" and "lack of leadership" in their reports to describe the situation. In that respect, the tone of Commissioner Fraser's reports differs little from that of Commissioner Yalden's reports 30 years ago. It is hard to understand why, in a number of respects, matters have not changed. As the year of the 40th anniversary of the Official Languages Act comes to a close, the question that arises is whether we have learned the lessons of the past four decades. We must ask ourselves, "What do we do now?" And that is the gist of my remarks today.

We are here to suggest some solutions so that, 10 years from now, we do not have to restate the same findings we are delivering to you this morning. Let me be clear on this: there are definitely reasons to celebrate the Act's fortieth anniversary this year. It is in large part to

the Official Languages Act that we owe the French-language schools, institutions and services that we now have across Canada and that have enabled our communities to live better lives in their language. And I would definitely not want to pass over in silence the role that all French-speaking citizens who have complained to the Office of the Commissioner or who have gone to court to ensure their rights are respected have played in this regard.

And the fact is that some federal institutions do indeed take their obligations under the Official Languages Act very seriously. However, there are still far too many deficiencies. How is it that, at three out of four designated bilingual federal offices, staff are unable to inform us that we can be served in French by saying "Hello, Bonjour," or posting a pictogram stating "English/Français"? Why is it that the manner in which obligations under the Official Languages Act are met is usually left to the discretion of senior management in every federal department and agency? Because, in the past 40 years, there has constantly been a significant lack of political and administrative will to take action and enforce the Act as a whole. Left to a large degree to their own devices, many federal institutions have come to the point where they no longer even make the strict minimum effort to meet their obligations. By focusing solely on minimum obligations, we think they have forgotten the reason why the Official Languages Act was enacted in the first place.

The Official Languages Act is a plan to achieve genuine equality between French and English in Canadian society. It is a plan to promote our linguistic duality across the country. It is a plan to provide support for the development of the ability of the official language minority communities to live and develop in their language. When the institutions lose sight of these three objectives, they are bound to fail. It is now time to go back to essentials. To achieve this great goal of equality, the Official Languages Act was designed as a whole, not as a series of separate initiatives. For example, no institution can really say it supports francophone community development when its regional offices do not even offer French-language services. And you cannot offer services in French if you don't equip government employees to do so and if you don't give them the opportunity to work in their own language in designated bilingual offices.

Furthermore, the regulations are so complex that it is hard for francophones to know exactly whether they are entitled to service in French. Let me give you an example. You are on the Trans-Canada Highway and you are stopped by the RCMP. You don't know whether you're entitled to be served in French. You may be entitled to it where you are, but not 10 kilometers down the road. And yet there is a French-language school just next door. And if there is a French-language school, there is necessarily a francophone community. That is why new regulations must be established so that services can be provided where francophones actually live, regulations that take into account not only statistics, which do not necessarily reflect the actual situation, but also the fact that, if there is a French-language school or community centre in a region, it is necessarily because a French-language community lives there. These regulations would apply to the entire Act.

• (0905)

They would determine ways of providing services that support the development of communities by responding to their needs, and that take into account the fact that, in some places, provincial language policy is now more generous than the federal government's.

At the same time, they would define measures to enable francophone federal employees to work in their language, which would have a positive impact on the ability to offer citizens services in French. That is what I have to say about the ground rules.

Now let us talk about the team. The cacophony of the past 40 years has clearly demonstrated a need within the federal government for a single official languages conductor. Coordination of Official Languages Act implementation should be assigned to an institution that has clear authority throughout the federal government and can command results. That institution is the Privy Council Office. There, we believe, lies supreme responsibility for the official languages file. That is what I wanted to say about the official languages captain or conductor.

However, three other players on the team are also very important, and they are expressly named in the Act: the Department of Canadian Heritage, the Department of Justice and the Treasury Board. Those three institutions are on the front line when it comes to implementation of and compliance with the Act, and it is important that they work together. We propose that there be a memorandum of understanding among the three institutions to ensure that everything done with respect to official languages is done by the three together, not separately.

This would relieve the rest of the team, the rest of the federal government, of none of its official languages responsibilities. In every department and agency, there are employees who believe in the importance of the Official Languages Act, who want to take action to ensure it is complied with. All too often, however, they are isolated. Too often, the office responsible for official languages is shoved away in a corner. We propose a change of culture. Walls must be torn down and organizations opened up, and official languages must be an organization-wide issue in every department, and every institution as a whole must become an official languages champion.

Now let's talk about us, francophones. Measures must be introduced so that the communities can influence all development stages of the policies and programs that have an impact on them, but,

especially, the federal institutions must be compelled to show how they have consulted the communities and how they plan to respond to the needs expressed during those consultations. In that respect, the federal institutions must be accountable for the measures they take to support the development and vitality of our communities.

We've talked about the team, the players and the captain. Now let's talk about the umpire. For 40 years now, the six individuals who have occupied the position of Commissioner of Official Languages have done an exceptional job, and I wish to emphasize that fact. All were brilliant people who used every possible means to advance linguistic duality in Canada. The fact remains, however, that people listen to the Commissioner only when it suits them.

And yet what we want is for everyone to take the Official Languages Act seriously. That is why we propose that consideration be given to the possibility of granting the Commissioner enhanced authority to compel federal institutions that do not meet their obligations to take corrective measures, as well as the power to sanction those institutions to ensure that corrective measures are indeed taken.

That then is what we propose. We are presenting this new approach in a spirit of openness and dialogue with the government, in a desire to work together to find solutions to the deficiencies that the francophone and Acadian communities, the Commissioners of Official Languages, the parliamentary official languages committees and many others have lamented year after year for four decades.

Thank you. I am now ready to answer your questions.

• (0910)

**The Chair:** Thank you very much, Ms. Kenny, for that sporting allegory in your presentation.

Mr. Rodriguez, will you break the ice?

**Mr. Pablo Rodriguez (Honoré-Mercier, Lib.):** Thank you, Mr. Chairman. I'll break the ice.

Good morning, Ms. Kenny and Ms. Bossé.

It is always a pleasure to have you with us.

I'll refer to two of your texts because there appears to be a minor contradiction. I would like to have an answer because the difference between the two figures is significant. In your address, you ask how it is that three-quarters of the federal designated bilingual offices cannot even offer us service in French. However, your highlights state that francophones receive French-language services in only 75% of bilingual offices.

**Ms. Marie-France Kenny:** According to the last report of the Commissioner of Official Languages, bilingual service is not actively offered in 75% of offices. The bilingual greeting, "Hello, bonjour," which costs nothing and is easy to use, is not offered. In 25% of cases, no French-language service is offered in designated bilingual offices.

**Mr. Pablo Rodriguez:** I understand figures better. Perfect.

The government doesn't have the resources to check that. It seems to me it would be easy, for example, to send people into the field, incognito, to check and request service. Is that done?

**Ms. Marie-France Kenny:** The commissioner does it regularly. Before it became the agency, the Treasury Board did it as well. Some institutions do it too. However, the reports are that the institutions aren't disclosed or reported. The commissioner's reports aren't done on a government-wide scale; by that I mean that there is a turnover in audits that are done in certain departments.

**Mr. Pablo Rodriguez:** On the whole, you seem to be saying that, over the years, governments have done the minimum to avoid having their wrists slapped. There has been some success, but that was definitely not across the entire public service, from what I was able to understand. More must be done.

Since we're talking about the public service, shouldn't the example be set by making bilingualism mandatory for all deputy ministers? Wouldn't that be an important example to set for the rest of the public service?

**Ms. Marie-France Kenny:** Positions are designated for a reason. The conditional designation is being increasingly withdrawn. It is no longer possible to be bilingual or not to be bilingual; bilingualism is imperative.

**Mr. Pablo Rodriguez:** Shouldn't deputy ministers be compelled to be bilingual? Shouldn't bilingualism be made a qualification in their case? They could be told that they must be bilingual if they want to be deputy ministers.

If you aren't comfortable answering my question, don't answer it. I think the answer is yes. It seems to me the example has to be set from above. As far as possible, it should include ministers. I think that, if the minister responsible for coordination in a department comes and testifies before us, but is unable to say "hello" or "bonjour", there's a problem.

**Ms. Marie-France Kenny:** Mr. Rodriguez, I know some unilingual anglophones and francophones who are real official languages champions. Those people, who headed up departments and Crown corporations, made it so that the official languages were taken seriously and applied to their entire department or Crown corporation.

Is it necessary for deputy minister and ministers to be bilingual?

**Mr. Pablo Rodriguez:** For people who want to rebuild their careers, that can be an incentive. They can say to themselves that they'll have to learn the other language in order to get to the top of the scale.

How much time do I have left?

• (0915)

**The Chair:** You have two minutes left, Mr. Rodriguez.

**Mr. Pablo Rodriguez:** The time goes quickly.

The fact that official languages coordination was transferred from the Privy Council to Canadian Heritage must not have helped a lot.

**Ms. Marie-France Kenny:** On that subject, I would say that the ministers themselves agree that it is hard for them now to tell someone else what to do. That's why we say there should be a supreme official languages authority. It would impose procedures and require organizations to be accountable. Organizations are currently responsible for the actions they take, but not responsible for the results of those actions.

**Mr. Pablo Rodriguez:** So every department is sort of doing what it wants.

**Ms. Marie-France Kenny:** Exactly.

**Mr. Pablo Rodriguez:** There should be direct coordination at the Prime Minister's Office so that that person has a right of review, can coordinate and even compel—

**Ms. Marie-France Kenny:** Absolutely, and that's what we're advocating. Since the three departments are named in the act, it is hard for them to be both judge and jury. That's why we're suggesting the Privy Council.

**Mr. Pablo Rodriguez:** With respect to the changes made to Part VII of the Official Languages Act and as concerns Bill S-3, which was adopted four years ago... At that time, I was committee chair. We were very hopeful. We thought that that was something positive, that we would be going beyond mere obligations and would be working on the vitality of the official languages. However, I don't get the impression measures were taken in that direction. I haven't seen any directives from the departments.

Shouldn't more and more be done to integrate the changes made to Part VII of the Act?

**Ms. Marie-France Kenny:** There aren't any regulations on that, that is to say on Part VII. The people working toward that in the regions are very poorly equipped. As we said, they often live in remote regions and don't have the necessary tools to implement those changes. Initiatives related to Part VII have been taken, but they have been very few and very sporadic.

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

Mr. Nadeau, go ahead, please.

**Mr. Richard Nadeau (Gatineau, BQ):** Thank you, Mr. Chairman.

Good morning, mesdames.

I see you've done a colossal job of analyzing the existence of the Official Languages Act, which is 40 years old. There have obviously been a lot of changes since 1969. The act has had its ups and downs. You are doing a job to inform us and to encourage an upgrading of the Official Languages Act, in particular.

If I understood correctly, there are four points. First of all, there is the universality of the Official Languages Act. The act must address all all, not just part of the government or part of the public service or a portion of those who want to comply with it. It has to be wall to wall. We know that was the spirit of the act from the outset, but that's not the way it's been over the years, and that's not the way it is today.

The second point is governance. We know that, when Minister Werner abolished the Committee of Deputy Ministers on Official Languages, there was a setback. We also know that, by delegating oversight of status of the official languages in the public service to a department rather than to a supra-department, that of the Prime Minister, the Privy Council Office, it was like asking a peer to check on what his friends were doing. I'd like to hear you say more on that point.

Third, there's the active participation of the communities. The idea is to ensure that consultations lead to concrete results based on the communities' needs, not for the government necessarily to project or polish up a good image.

The final point, if I understood correctly, are the enhanced powers granted to the Commissioner. I would like to hear you speak on that subject as well. What does that mean exactly? I would also like you to give us some examples concerning the four points in question.

**Ms. Marie-France Kenny:** I'm going to start with the point concerning the Office of the Commissioner. We're talking about a progressive role. We don't want to make a court case of everything. We have a commissioner, and when he decides that there has been a breach of obligations, we want him to impose corrective measures and for there to be penalties if they are not complied with. However, we want the commissioner to retain his role as ombudsman and to continue conducting investigations and preparing reports and studies. In our view, that is still an essential role.

Furthermore, once he has decided, conducted his investigation and said that the act has been contravened, that often falls on deaf ears. We therefore want to give the commissioner this enhanced power. We want to explore this option.

With regard to consultations, there are a lot fewer of them. In fact, there aren't any more. Some things were being done, but there have been a lot fewer of them for a long time now. Let's simply look at the road map. Although it's excellent, it doesn't contain a section on consultation or accountability for results. The institutions must be accountable and say what the results are. They'll measure what they've done, but they won't measure the impact or results.

When we say that we want to be consulted and that we want what we say to be taken into account, that doesn't mean that you have to do everything we say. That nevertheless does mean that you shouldn't listen to us simply for the sake of listening to us. There has to be accountability on that score.

With respect to the act, as I said, it's difficult. When it's compartmentalized in this way, it's hard for employees to offer me service in French if they don't have tools in French. It's hard to say that you're going to promote the vitality of my community if you can't offer me service in French.

We think there is a very high degree of interdependence among the various parts of the act. When the regulations were made, the components of the act were really separated. We're talking about universal regulations that would take all these aspects, the interdependence of the various parts of the act, into account.

• (0920)

**Mr. Richard Nadeau:** There's also the governance issue. How would you see that? Was there a time when it worked well, and should we go back to that kind of model?

**Ms. Marie-France Kenny:** It worked well at one point, 40 years ago. And we've been making the same observations over the past 40 years.

With regard to governance, as you said, it's hard for the minister to tell his peers how to do things and to ask them to be accountable. A peer is talking to a peer. Whereas if that responsibility were handed

over to a supreme authority—that's why we're suggesting the Privy Council Office—it would have the power to present what has to be done with regard to official languages, to establish objectives for each of the departments, Crown corporations and institutions, and to compel accountability in those areas at the end of the year.

**Ms. Suzanne Bossé (Director General, Fédération des communautés francophones et acadienne du Canada):** I'd simply like to cite a brief and very concrete example of the importance of having an authority that supervises the situation and coordinates everything horizontally.

Let's talk, for example, about the definition of a francophone. On October 15, there was a meeting of the Citizenship and Immigration Canada-Francophone Minority Communities Steering Committee. The Official Languages Secretariat did some research at the committee's request to determine what the definition of the term "francophone" was in each of the departments. The government does not operate on the basis of one single definition of what a francophone is. And the differences among the departments are quite significant.

**The Chair:** Thank you.

Mr. Godin.

**Mr. Yvon Godin (Acadie—Bathurst, NDP):** Thank you, Mr. Chairman.

Welcome, Ms. Kenny and Ms. Bossé. I also want to congratulate you on your report.

This year, we are marking the 40th anniversary of the Official Languages Act. It's a celebration that I would never have wanted to attend because we're still talking about it 40 years later. When you celebrate, it's because it's a joyful occasion. We're celebrating, but we receive reports like yours, or when we hear that the RCMP has stopped someone on the road who is entitled to be served in French, although, 10 kilometers from there, the act doesn't protect the person they have stopped, even though they're in front of a French-language school. I remember some time ago, when we fought in New Brunswick for the RCMP—regardless of whether the person was in Fredericton, Moncton or Caraquet; we're a bilingual province and the only bilingual province in Canada—to be subject to the act. If the RCMP decided to proceed in English, that was fine. We had to go to court, and we had to face the three departments, Canadian Heritage, the Department of Justice and Treasury Board. Everyone is involved but there is no conductor.

Lastly, we had to go to court, then to appellate court, and we won our case. That occurred 40 years after the Official Languages Act was introduced and in a country that says it is bilingual and in a province that says it's bilingual. We weren't fighting because the members of the RCMP only spoke French and didn't want to speak English.

We passed Bill S-3, which made Part VII of the act executory. What do you think of that? Do you think we've made progress since that act came into force, or has there been no change?

**Ms. Marie-France Kenny:** As I said earlier, there has been some progress. The institutions are very poorly equipped. I'll give you a concrete example: now there's a program to promote the vitality of the communities. Money is granted to facilitate various initiatives. Last year, money was granted to an anglophone organization so that it could translate its website. I wanted to know whether that organization offered services in French. The answer was no. I asked how a bilingual website would contribute to the vitality of my community if I couldn't receive any services in French. The people didn't understand. What was a positive measure was not clearly defined. It's still very vague. There are some great success stories, particularly in the departments that were targeted at the time. However, there's increasing talk of problems. There has been some progress, but it isn't enough.

**Mr. Yvon Godin:** We're still talking about progress. We can talk about it for another 40 years because it's only progress, baby steps.

The government is responsible for consulting the public. Are you being consulted? Is the public being consulted.

● (0925)

**Ms. Marie-France Kenny:** No. We have been consulted sporadically, occasionally. We don't feel consulted. Sometimes we're consulted, but we're not listened to.

**Mr. Yvon Godin:** Can you explain how you should be consulted?

What should the government do to comply with the act? You should be consulted under the act.

**Ms. Marie-France Kenny:** If a department or Crown corporation wants to improve Part VII of the act and has a duty to do so in order to promote the vitality of the linguistic communities, shouldn't that department or Crown corporation consult the main parties involved to determine what they need in order to grow and develop and ensure that they work with those minorities to find ways of doing things? That's one concrete way—

**Mr. Yvon Godin:** Give me some examples of situations in which the public has not been consulted.

**Ms. Marie-France Kenny:** I'm trying to think of an example.

**Ms. Suzanne Bossé:** I think that Bernard Lord's consultation was an example of consultation. What action was given to it?

**Mr. Yvon Godin:** It was done in camera in hotels in Toronto. Is that what we're talking about?

**Ms. Suzanne Bossé:** The communities had a chance to prepare and present briefs. Recommendations were made by Mr. Lord.

**Mr. Yvon Godin:** I remember that some communities wanted to attend the consultations and were not heard.

**Ms. Suzanne Bossé:** That's possible.

**Mr. Yvon Godin:** Yes, the committee was given that news.

**Ms. Marie-France Kenny:** The meetings were held in camera. I asked to be heard at the time, but I wasn't invited to appear.

**Mr. Yvon Godin:** Were you able to appear?

**Ms. Marie-France Kenny:** No, but I sent a letter.

**Mr. Yvon Godin:** It was just said that didn't happen. Did it actually happen?

**Ms. Marie-France Kenny:** It was in camera.

**Mr. Yvon Godin:** However, you asked to appear and were denied.

**Ms. Marie-France Kenny:** At the time, a number of persons asked to be registered, but I didn't belong to a francophone network. I was absent for a year. No, I wasn't consulted. However, I was invited to send a letter and a document, which I did. According to the Lord Report, we were consulted. Mr. Lord made recommendations that were not considered.

**Mr. Yvon Godin:** They weren't considered; they weren't complied with.

**Ms. Marie-France Kenny:** No.

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

We'll continue with Ms. Boucher.

**Mrs. Sylvie Boucher (Beauport—Limoulu, CPC):** Well, I'm not sure this is a good idea. I'm going to go ahead with it anyway. You know me: I'm frank.

Good morning, mesdames, and welcome to the committee.

I'd like to put a few things in perspective. Prime Minister Harper was given the rank of Grand-Croix of the Ordre de la Pléiade by the Assemblée parlementaire de la Francophonie, one of the highest distinctions in the francophone world. That's not insignificant. He always speaks French, although he's an anglophone. He makes considerable effort to speak French. You have to give him that. You can look at the bad sides, but you also have to see the good side of things.

I would like to go back to the fact that Minister James Moore told some stories in committee. When he travels, he does the test you are asking for; he always asks to be served in French. He takes a lot of notes if he is denied service. He often tells us that he demands to be served in French.

Have you received the annual official languages report of the Treasury Board Secretariat of Canada?

**Ms. Marie-France Kenny:** No, we haven't received it.

**Mrs. Sylvie Boucher:** I hope you'll have the opportunity to study it because it contains some figures. The report contains this passage:

The proficiency level required has increased considerably over the years. The rate of bilingual positions requiring superior proficiency was 7.2% in 1978, and 32.4% in 2008.

We've nevertheless taken a step forward for bilingualism. I was parliamentary secretary for official languages before Ms. Glover. I'm pleased that she is a francophile from Manitoba. She sees both sides of the story.

Do you think the fate of the communities is determined solely by governments? How much will the changes requested by the FCFA cost?

● (0930)

**Ms. Marie-France Kenny:** We're requesting full compliance with the act. I want that to be clear. This has been going on for 40 years. We're accusing no government, but rather all of government. I want that to be clear because no government has completely complied with the act.

Ms. Boucher, you gave me some figures; you mentioned an increase from 7% to 32% 40 years later. Pardon me, but to my mind, an act is an act. If English-language services were withdrawn from anglophones at Toronto Airport, believe me there would be an outcry and indignation. I'm very passionate about this.

**Mrs. Sylvie Boucher:** I am too.

**Ms. Marie-France Kenny:** Aren't there reasons for us francophones to be indignant about the fact that, 40 years later, our rights are not respected to the same degree?

Are we asking that the act be complied with 100%? Yes. We would do so in an ideal world.

**Mrs. Sylvie Boucher:** Everyone agrees on that.

**Ms. Marie-France Kenny:** I would say to you that there will still be complaints, but that should be an exception, not the norm.

Over the past 40 years, we have managed to accept that receiving 10,000 or 15,000 complaints is the norm. Let's just take the case of Air Canada, among others. There are a host of other examples. I can't tell you how many complaints I myself have filed in the past month.

Don't we have reasons to be indignant? That's what we're arguing.

As for the amendments to the act, in my view, if the government has to pay to comply with its own act, it's entirely logical for it to do so. It will be up to the government to bear the costs. This is an act passed by the government; we therefore expect it to comply with its own act, regardless of the party in power.

**Mrs. Sylvie Boucher:** Everyone agrees.

However, there has nevertheless been an improvement. We used to be below zero.

**Ms. Marie-France Kenny:** We were below zero 40 years ago.

**Mrs. Sylvie Boucher:** We have taken some steps. Perhaps it's not going as fast as we would like. Now that I'm in politics, I know how it works. We want to change the world. Things don't always go at the speed we would like, but, when steps are made, you nevertheless have to say so.

**Ms. Marie-France Kenny:** We're saying that steps have been made, and we acknowledge the progress.

However, I would say to you that a lot of the progress that has been made—we said so, and it's in our document—thanks to employees and politicians, some of whom are around this table and who work very hard to ensure linguistic duality. You talked about Minister Moore, who requested services in French at the airport. Ms. Glover does so as well.

**Mrs. Sylvie Boucher:** Yes.

**Ms. Marie-France Kenny:** So, in my opinion, there are examples, but I must tell you that I know from having worked in the federal government myself, in official languages, there is a very great lack of administrative and political will. Employees like me could suggest tonnes of initiatives, and if they didn't come from above, and someone didn't say he or she was going to make sure it was done, it wasn't done.

I did it, in the department where I was, without any budget, apart from a portion of my salary. So we didn't have any money.

● (0935)

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

We'll begin our second round with Mr. D'Amours.

**Mr. Jean-Claude D'Amours (Madawaska—Restigouche, Lib.):** Thank you, Mr. Chairman.

Thank you both for being here before us this morning.

I understand your comments, Ms. Kenny, regarding the slowness of improvements. I'll cite you a few examples.

First, in 2006, I introduced a motion in committee concerning the maintenance of the Publications Assistance Program. You know of it. Among other things, you sent us a letter of support for the Association de la presse francophone, for the maintenance and continuation of the program. It is now 2009 and it will soon be 2010, when the program will simply be replaced by the Canada Periodical Fund. That's what we suppose. It should be done before next April 1. It is already December.

Failing a guarantee that the program won't be cancelled—it can change names and be called whatever anyone wants; that's not the objective; the objective is for the funding to continue—I want to inform you that the clerk will be receiving a motion from me today concerning that program. I introduced one in 2006, and I'm forced to do so again today. That's terrible.

**I can read you the text of the motion:** That the Committee recommend that the government:

- maintain the funding provided by the Canada Post Corporation for the Publication Assistance Program for publications serving official language communities living in minority areas;
- immediately replace the program ending on March 31, 2010 with the new Canada Periodical Fund on April 1, 2010; and
- that these recommendations be reported to the House as soon as possible.

I did it in 2006 in the hope of never needing to do it again. Today I have to redo the same process, and there's still no guarantee that the new program will be in place on April 1.

Second, yesterday I put a question to the Minister of Justice, who appeared before the Standing Committee on Justice and Human Rights. I asked him his opinion on the obligation for Supreme Court judges to be bilingual. At no point did he want to say that would be desirable. He only told me about the merit issue. I asked whether it would be possible to include bilingualism in the factors related to merit that made it possible to score additional points. He was unable to answer me in the affirmative.

Third, last Tuesday, the Commissioner of Official Languages presented a report on Vancouver Airport's preparations for the 2010 Olympic Games. The head of the airport told us that he had hired someone. To our great dismay, we learned that that person had been hired four weeks earlier. That's terrible.

I put some questions to the woman who accompanied the head of the airport—she mentioned that she had been one of the persons responsible for official languages over her 32 years at the airport—and it seemed clear that someone somewhere was preventing bilingualism from advancing.

If someone has managed official languages at the airport for 32 years and the organization has just hired a person who will be responsible for that matter in anticipation of the Games—14 weeks before the start of the event—how do you think they can resolve the situation?

Airport officials told us that it was a complex matter, that it was infernal and that franchisees can't be bilingual. They believe that, in 14 weeks, they'll resolve everything, when they were unable to do so in the six, 12, 24 preceding months or, as you mentioned, over the last 40 years.

I know I'm not leaving you a lot of time to answer, but I wanted to mention some situations we face every day. We got a message from Air Canada saying that they wanted to assure us that, on board Air Canada's aircraft—especially the Jazz DASH 8s—we'll no longer be seeing the sign stating “Ne pas fumer les toilettes.” I had to talk about that for a year or a year and a half regularly—

● (0940)

**Mr. Pablo Rodriguez:** And it's not over.

**Mr. Jean-Claude D'Amours:** —for someone to finally resolve that situation. And yet it was simple: they just had to remove the sticker and post another one.

**Mr. Pablo Rodriguez:** It works; no one smoked them.

**Mr. Jean-Claude D'Amours:** However, it took all that time for someone to finally recognize that it made no sense. We at least got a message from Jazz saying that it was unacceptable and they would make sure it was corrected. That took a year and a half.

**The Chair:** Mr. D'Amours, your time has gone up in smoke.

We'll now move on to Ms. Guay.

**Mr. Yvon Godin:** Everything's recorded.

**Ms. Monique Guay (Rivière-du-Nord, BQ):** Good morning, mesdames.

I have been listening to my colleagues' questions for a while now, and I'm a bit discouraged to see that matters haven't advanced further in 40 years. The fact that it took a year and a half to change a sticker on an airplane is virtually unimaginable. I realize that people really do the strict minimum—and I'm being generous when I say that—solely for appearances. It's disturbing. As far as I'm concerned, I've seen a net decline rather than an advance.

Furthermore, do you have the necessary resources? You seem to lack them at the grassroots level. Ms. Kenny, you say you used your salary to move matters forward. That makes no sense. There has to be funding. I'm convinced it wouldn't take you billions of dollars. However, you need financial assistance to be able to work at both the grassroots level and at a higher level.

I entirely agree that our ministers and deputy ministers should be bilingual. I'm a francophone from Quebec. I speak French, and even though I'm perfectly bilingual, I like to be served in my language and to speak my language. That's my priority. I have total respect for those who speak English, but the fact remains that francophones are a minority. Here we're talking about 25%, and I can't believe that things are moving forward so slowly across the country.

I'm really saddened and I hope that more than ever you won't be denied or that a group won't be denied the opportunity to make a presentation to us on the lack of progress on bilingualism or the French language. I'm telling you this: that's unacceptable. We have to be aware of what is going on, so that we can discuss matters in committee and ensure that every person who has something to present to us can do so. We're working hard and you're presenting reports to us. It's important for us always to be informed so that we can act as members of Parliament, inform ministers or deputy ministers and bring pressure to bear. That's our role. I'd like to hear your comments on that subject.

**Ms. Marie-France Kenny:** I'd like to clarify one point. Earlier I talked about a portion of my salary. However, I was working for a federal Crown corporation at the time and I was managing the national official languages program. So I was on the other side of the fence. Back home in Saskatchewan, the official languages were working. If that was the case in Saskatchewan, that should also be the case in Ottawa, Montreal and across the country. We didn't have an official languages budget, except for a part of my salary. I also managed translation and a portion of my assistant's salary. Earlier I didn't mean that I had used my personal money to fund official languages.

You asked whether we had the necessary resources. We don't have the required resources to go to all the federal offices and check to see whether service is being offered in both languages. That, in any case, is the commissioner's role. Obviously, when I go somewhere and I'm not served in French, I ask for that to be done, and if I don't get that result, I file a complaint. After 40 years, however, it's a bit frustrating, as you said.

Concerning the document that we submitted, people asked us what our concrete solutions were. First, we have neither the expertise nor the necessary resources to conduct a reform of the regulations made under the act. Second, we don't want to propose any solutions without first consulting the government. We think that this is a discussion and consultation paper and that we must work together with your committee, that of the Senate, the offices of the three ministers concerned, the Prime Minister's Office and the Office of the Commissioner of Official Languages. The key stakeholders would be able to find a method that works.

We're talking about amendments to the regulations, but that doesn't represent millions of dollars. Once there is a will to sit down together and to ensure that the Official Languages Act is entirely complied with, it will be done. I also guarantee that it won't be very costly. It's the will that's lacking.

● (0945)

**Ms. Monique Guay:** But if the will isn't there, we can't act. I've been in Parliament for 16 years now, and for some time I've been receiving letters written in English only from members seeking support for a private member's bill they are introducing. This kind of thing didn't used to happen. In that kind of situation, I write them, and I send the letter back. There's a translation department here that enables us to have a letter translated in less than a day. I've noticed, however, that even that service has changed.

I very much fear that we're seeing a step backward, not an advance. We'll have to work together to improve the situation.

**The Chair:** Thank you, we'll continue with Ms. Glover.

**Mrs. Shelly Glover (Saint Boniface, CPC):** Thank you very much, Mr. Chairman.

Welcome, Ms. Kenny and Ms. Bossé.

I just wanted to respond briefly to the comment made by my colleague Mr. D'Amours concerning his suggestion regarding a new program. There will be a new program, the Canada Periodical Fund, and eligibility criteria. It will be announced shortly and it will start on April 1. I just wanted to tell you that the minister has listened to you and acted.

**Ms. Marie-France Kenny:** Thank you.

**Mrs. Shelly Glover:** I want to ask you a few questions. I wrote them down because I only have five minutes. So allow me to put them to you.

On page 10, you conclude that it's simply the political and administrative will that is lacking. And yet, since I've been sitting on this committee, we've had hundreds of witnesses tell us as well that there is a real shortage of bilingual people qualified to enter the labour force. We've conducted a study on postsecondary education, on universities, schools, etc. We're also told it's really important to start at the primary and secondary levels. We have a real shortage for training bilingual people to help us achieve our 100% objective, if that's possible.

Why did you choose to disregard all that testimony when you concluded that it was only political and administrative will affecting this situation?

I can tell you that I am really confident that all the politicians here in the House and on our committee have the will in this area. I'm convinced that our minister has the will and that we are doing our best to promote this act. Ms. Boucher talked about 32.4%. That's even higher than the 24% that the number of francophones represent across Canada. I'm proud of that, but the reality is that you don't have enough people to occupy those positions. You disregarded that testimony, and I'd like to know why.

**Ms. Marie-France Kenny:** We didn't disregard the testimony.

I told you earlier that I worked for the federal government in Saskatchewan. I agree with you that it's hard to recruit bilingual people, but we managed to do so in Saskatchewan. If we can do it in Saskatchewan, there's no reason why it can't be done in Ottawa, Montreal or other designated bilingual regions.

**Mrs. Shelly Glover:** We're told it isn't possible. I myself had trouble finding bilingual people to work with me because I always encourage bilingualism. We have extraordinary francophones in Manitoba, but they also have trouble finding qualified people to fill bilingual positions. That's really a fact that's missing from your document. I would have liked the conclusion to include the testimony of those hundreds of witnesses. Francophones from across Canada testified here to explain our shortage in that area.

I've done things in the provinces and territories. You mentioned the provinces and territories. I visited the school board in my province, in my riding, to push it as well because, as we have seen, we don't have enough bilingual teachers, qualified bilingual people. I took measures to push it even though that was not an area under my

jurisdiction. I would like to know what the FCFA has done at the provincial and territorial levels to push that as well because the entire committee acknowledges that more has to be done at the primary and secondary levels.

Have you prepared a document to encourage them? Have you had any meetings with the Council of Ministers of Education Canada? I'd like to know what you've done with the other levels of government.

Thank you.

• (0950)

**Ms. Marie-France Kenny:** At the provincial and territorial level, the FCFA's member organizations work with their respective departments. I must admit to you that they are very good and do an enormous amount of work on promotion. You need only think of the "Bonjour Saskatchewan" campaign promoting francophone culture and immersion, as you are fully doing it.

I would like to add that, when we say that the political and administrative will is lacking, we're not talking about the everyone. We don't put everyone in the same basket. Earlier I said: here we have a group of champions. There are champions in the departments, among the politicians and employees, but, in a number of departments, the will isn't there. It hasn't even become an afterthought.

In my opinion, it is essential for this communication to start from the top and for measurement tools to be established so that it can be said that, in the next five years, here's where we want to be with the Official Languages Act, so that there is accountability and so that there are measures.

**Mrs. Shelly Glover:** But if the problem—

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

We'll continue with Mr. Godin.

**Mr. Yvon Godin:** Thank you, Mr. Chairman.

If Ms. Boucher hadn't mentioned the fact that the Prime Minister had received the rank of Grand-Croix of the Ordre de la Pléiade from the Assemblée parlementaire de la Francophonie, I wouldn't have talked about it. I wasn't in favour of that, and I'm going to tell you why.

I don't think you should receive that kind of reward simply because you've learned to speak French. Let's look at the work that's been done. Pardon me, Ms. Boucher, but you talked about it, so I'm going to do so as well. It was the Conservative government that cancelled Canada's Court Challenges Program, for which we had to fight. In fact, it has not yet been resolved; it's not really in place. The program disappeared about two years ago. It was given to a university, but it's not yet been resolved.

The Conservatives voted against requiring Supreme Court judges to be bilingual. The Supreme Court isn't a place where you make gifts to lawyers or judges. The Supreme Court justices are there for Canadian citizens. Citizens should feel comfortable in the Supreme Court.

As for the Roadmap for Canada's Linguistic Duality, where do we stand? The situation regarding funding sent to the communities is worse this year. And they award a medal! I think it was just to be nice. They figured that if they awarded a medal, the government might be kinder and give more.

I've given you my opinion. If Ms. Boucher hadn't broached the subject, I wouldn't have addressed it, but she opened the door.

Let's go back to the Commissioner's powers because I also say he should have more. I go further than you because you used the word ombudsman, which I don't like. An ombudsman checks, reports, but you'd think the government was never wrong. A commissioner is appointed under the act; he has power. Currently, for example, he can't issue contraventions or anything of that kind, but he has the power to take the government to court and thus to ensure that the court imposes sanctions.

I would like to hear what you have to say. How do you view the commissioner's role? You said he should have enhanced powers. How could that help us?

**Ms. Marie-France Kenny:** You just said it. The Commissioner's role is to prepare reports, to investigate, and so on. Once he has investigated and found that Marie-France Kenny, for example, has breached the act and obligations under the Official Languages Act, the commissioner has to tell me what I'm going to do. Corrective measures have to be imposed, and if I don't take corrective measures, I should be sanctioned.

**An hon. member:** Can't he do that?

**Ms. Marie-France Kenny:** He can't do it right now, and that's why we're talking about enhanced powers.

• (0955)

**Mr. Yvon Godin:** In fact, Ms. Kenny, you know that the government will never grant the commissioner that power. That will remain with Parliament. The only thing that can bring that kind of change about would be for a member, in the context of a minority government, to table a bill giving the commissioner that power.

Whatever the government in power, I don't think a majority government would give the commissioner the power to discipline the government because it's the government that's violating the act.

**Ms. Marie-France Kenny:** I would like to add something. I'm looking at your committee. You are committed to linguistic duality and you prepare reports. We've seen the impact that you can have; we see it and we thank you for the rigour you show. You are the only committee that has demanded compliance with the act.

However, I must tell you that a number of reports prepared by the dedicated, brilliant and intelligent people who are seated here have been falling on deaf ears for years, since you have been in existence. I'm not criticizing any government in particular, but I'm telling you that your reports often aren't listened to.

And yet you put your hearts into it, your work, your commitment and your dedication. We find that terrible. The same is true in the case of the commissioner. He's there to say that he has investigated and that someone isn't right, or is right, because an investigation may be conducted and may not be founded. That's previously happened. However, if a complaint is deemed valid, why is it that no corrective

action is taken? We're talking about a quasi-constitutional act that, 40 years later, is still not fully complied with.

That was an incidental remark on my part.

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

I want to mention to you that the Vancouver airport people told us they appreciate the consultation service component provided by the commissioner and intended to assist organizations in implementing the act.

**Ms. Marie-France Kenny:** Absolutely.

**The Chair:** We're going to begin our third round with Ms. Zarac.

**Mrs. Lise Zarac (LaSalle—Émard, Lib.):** Thank you, Mr. Chairman.

Good morning, mesdames. Thank you for being here today.

Thank you especially for the study you've submitted to us. I find it factual. You managed to show both the positive and negative aspects, where there are any. That's important. I think studies of this kind can make us react and urge us to take the necessary measures.

I agree with you: there has been little progress in 40 years. The example of the City of Mississauga comes to mind. Thirty years ago, when the act was already in effect, that city was mostly anglophone. Now, however, you have a better chance of hearing French when you walk around Mississauga than when you take the metro in Montreal. There are more and more regions like that.

That leads me to ask you how the statistics are established and how often places are designated bilingual.

**Ms. Marie-France Kenny:** The departments and Crown corporations, that is the institutions subject to the act, must carry out an exercise every 10 years. Let's take, for example, the Mississauga office of Canada Post, which serves a given region. Based on the census, it is determined whether 5% of the community is francophone or not. The designation of the office is assigned on that basis. Incidentally, this is a highly costly exercise for the departments and Crown corporations.

However, I know, since I have carried it out, that it is left to every department to determine the service area of the office. In the case of this example, a Canada Post office, the service area may prove to be so big that francophones represent only 5% of the population there. However, there may be three French-language schools, three francophone communities very close to the office. That's why it would be logical to offer the service, in my view.

**Mrs. Lise Zarac:** Why is that left up to the departments? How could that situation be improved?

**Ms. Marie-France Kenny:** It's due to the regulations, the regulations made under the act. The 5% statistic, which is complex, does not take a number of factors into account. It is ultimately static, whereas the communities evolve. For those reasons, we believe the focus should be not just on the act, but on all the regulations related to the manner in which the act is implemented, and we should see together how to go about making it respond to the situation.

One model that works very well is Manitoba's. French-language services there are offered by the province, the federal government and the municipality in service centres where the communities are. It isn't the only model, but it's definitely one of the ones that should be explored.

• (1000)

**Mrs. Lise Zarac:** So it's a model to follow. Thank you.

You also talked about will, and I'd like to go back to that subject.

When we asked the representatives of the departments to tell us why there weren't more bilingual employees at designated bilingual locations, they told us that it was hard to find staff. Do you think that's an acceptable response? Is that normal? Shouldn't those people be offered incentives? Are there deficiencies in the selection criteria or incentives?

**Ms. Marie-France Kenny:** There are problems, and I agree on that. However, there are ways to solve those problems. I go back to the example of Regina. I'm from that city and that's where I worked for a federal Crown corporation. Obviously, if you look for a bilingual chartered accountant in Regina only, you have access to a fairly limited pool. However, if you go further afield, in Saskatchewan or Manitoba, where there is a francophone population, it becomes a lot easier.

Will there be relocation fees to pay? Absolutely. However, you have to consider what it costs to put a unilingual employee into a designated bilingual position. Here we're talking about language training that the employee will have to take and about the success rate, the number of years during which the employee will not be able to offer the service or to supervise, if the employee is a supervisor. I would say that, compared to all those costs, the relocation costs for a person who comes to settle in Regina are quite low.

To that, I would add that we in the regions are paying the cost—and the expression is carefully chosen in this case—of this situation, that is to say of the shortage of bilingual employees. The big stealer of employees in our francophone communities is the federal government. We obviously can't afford to offer the salaries, working conditions and 8:00 a.m. to 5:00 p.m. work schedules that the federal government offers. I'm going to finish that incidental remark here.

**The Chair:** We sympathize with you. I can tell you that the politicians understand you.

**Ms. Marie-France Kenny:** We're on the verge of charging referral fees.

[English]

**The Chair:** Now we'll turn to Ms. O'Neill-Gordon.

**Mrs. Tilly O'Neill-Gordon (Miramichi, CPC):** Thank you, Mr. Chair.

Welcome. We're happy to have you here this morning.

As a New Brunswicker and coming from a bilingual country, I was happy to hear you note how much work Premier Lord did in bringing bilingualism to the forefront. I know that New Brunswickers appreciate all that he has done.

It's kind of disappointing right now to me as a former teacher to see core French taken out of the kindergarten and grades one and

two. From my years in the classroom I know how much they enjoyed it and how much they learned, but that's neither here or there.

In your talk and in your report you mentioned that we should give more powers to the Commissioner of Official Languages; for example, he should be able to request corrective measures. How exactly would the Commissioner of Official Languages be able to impose these corrective measures and what kinds of measures are we talking about?

**Ms. Marie-France Kenny:** We didn't go into detail, because for one thing we don't think we have all the solutions, and we don't think we should be providing any solution without consulting the key stakeholders in this. The other thing is we don't have either the resources—the financial and the human resources—or the expertise to dig out everything that needs to be done, nor do we think we should be doing it by ourselves. We think it's a societal thing we should be looking at. What we're asking is to explore the possibility of giving the commissioner more powers.

As I mentioned earlier, if I did something to contravene the act, then the commissioner should come and see me and say “you did this and this is how you should be correcting”, and if I don't correct, then he can impose sanctions. As for the way it will come out, it's up to all of us as a society to sit down and discuss the possible solutions.

**Mrs. Tilly O'Neill-Gordon:** As we know, and as you mentioned, over the 40 years we see that more and more things could have been done, but as a New Brunswicker I feel that in the last 10 years more things have been coming together to make our area much more bilingual.

Can you focus not just on New Brunswick, but on telling us what things have we really focused on and where we see some changes in making Canada, and New Brunswick especially, more bilingual?

• (1005)

**Ms. Marie-France Kenny:** I lived in New Brunswick for several years, so I'm quite familiar with New Brunswick. My father is from New Brunswick. He's a francophone Acadian from New Brunswick.

There have been several improvements, I will say. Just the recognition of New Brunswick as a bilingual province is great. We saw the World Acadian Congress this summer. I was there. It was quite an event. So there is some progress being made.

There are still quite a few gaps. Our beef, if I can use that term this morning, is that it has been 40 years. I don't know the statistics. I'm sure some of my colleagues would. How many of those complaints were filed by anglophones and how many by francophones?

When it was created, the Official Languages Act was meant to create equal status for English and French. Is equal status 99% of the time getting service in English and 75% of the time getting service in French? As I said, it's a law. When we decided that everybody needed to wear their seat belts, we didn't say that 75% of the time you need to wear it and 25% of the time you don't. The day after the law came in, I think we gave a one-month heads-up that it was coming in and we were giving warnings. But after that one month was up, that was it. If you got caught, you got fined.

That's what we're saying. Why did we not apply the same rigour to the Official Languages Act as we would to any other act in this country? As Canadian citizens, are we going to settle with the bare minimum—and sometimes not even the bare minimum—for 40 more years? Are we going to be back here in 10 years saying the same thing?

Canadian citizens are in favour of linguistic duality, at 77%, and this is the biggest opening we've ever seen. This is the time to make these changes. This is the time. I think that as a society we need to.

If I may talk about the Olympics, we've talked about the Olympics at length. I think the Olympics are great. What I'm hearing—me personally as a francophone citizen, not the FCFA—is that international communities are coming and we need to show them how we can greet them and how they can be made welcome. For 40 years I've lived in this country and we haven't made any effort at the Vancouver airport to provide me with services. So it's telling me that as a Canadian people we are valuing more the guy from France than we are me, the francophone who's been contributing all these years, the businesswoman who's been here all these years and paying income tax. That's the message we're getting.

For me, it's all a question of respect and equity, nothing more and nothing less. We don't want anything more than what's given to any other Canadian citizen in this country, but we don't want anything less either.

**The Chair:** Thank you.

Thank you, Ms. O'Neill-Gordon

Now we'll move to what will probably be our last member to speak before the bell.

[*Translation*]

I take this opportunity to thank you. Forty years! You have been an important player over the past 40 years. I'm sure committee members join with me in congratulating you.

**Ms. Marie-France Kenny:** We weren't born yet.

**Mr. Jean-Claude D'Amours:** You've just been had.

**Ms. Marie-France Kenny:** Pardon me, that was too tempting.

**Mrs. Sylvie Boucher:** Yes.

**The Chair:** You were at the symposium that was held with the commissioner. It was mentioned how much the act had helped shape the Canadian identity and, to a certain degree, contributed to national unity, and made it so that francophones feel at ease across the country. So that's not negligible despite the stumbling blocks. I think you've shown your passion.

We'll continue with Mr. Nadeau, who will probably have the last word.

**Mr. Richard Nadeau:** Thank you, Mr. Chairman. Today I won't be sharing my time with Mr. Petit. I'm sorry.

**Mr. Daniel Petit (Charlesbourg—Haute-Saint-Charles, CPC):** He never shares.

**Mr. Richard Nadeau:** Thank you, Mr. Chairman.

We're talking about political will, about how much this costs, about how much money you need. I remember the report of the Fédération de la jeunesse canadienne française, which was written by Roger Bernard. The title was "Vision d'avenir" and, if I'm not mistaken, that was 1990. In four volumes, he painted a picture of the francophone community at that time. Among other things, he emphasized that money is always a consideration in the official languages issue because the political will is not in place. If you put this in the contemporary context, if the A H1N1 virus is important, we invest the necessary money so that all citizens who want to be vaccinated can be vaccinated, regardless of how much it costs. It's important; it's a priority.

In what you've presented us today, there is this vision for fighting these old demons that ask how much it costs and what return it ultimately provides. We know that the effort the Fédération des communautés francophones et acadienne has made since it was founded in the early 1970s has been to ensure the vitality of the communities against that very tough Canadian evil called assimilation and disappearance of the French fact. Today in Manitoba, Saskatchewan and even in certain other regions closer to Quebec, such as New Brunswick and Ontario, people have difficulty finding people who speak French. There are even some who have French family names but who no longer speak French as a result of assimilation, because governments have shut down schools and the whole question of returning schools management to francophones in all provinces is very recent. The federal government has also let matters ride and never made sure the French fact was respected across the country, except recently when this was established. In Saskatchewan, I know from having worked there, that there were 63 French-language schools in 1931—that goes back to the time of Émilie Bordeleau. The Anderson government, a Conservative government, had abolished the French-language schools at the time and they did not come back until 1995, 64 years later. At that time, they were only able to open eight schools.

That's what we're dealing with. That's the reality. So I'm going to ask you this. What are the priorities where we have to hammer in a nail and then hammer in the next one so that this structure of the French fact can be solid and lasting in English Canada and across Canada as a whole? What are the areas where you suggest that we as parliamentarians should rectify the situation immediately?

●(1010)

**Ms. Marie-France Kenny:** Governance, regulations and consultation. Enhanced powers for the commissioner are important, but if we begin by resolving all that, there will probably be less of a need for enhanced powers because we'll be complying with the act.

**Mr. Richard Nadeau:** So you're saying governance, consultation and...?

**Ms. Marie-France Kenny:** Regulations.

**Mr. Richard Nadeau:** And when you say regulations, I assume we're talking about the Official Languages Act?

**Ms. Marie-France Kenny:** Yes.

**Mr. Richard Nadeau:** Which needs a backbone.

**Ms. Marie-France Kenny:** There's the 5% and the supervision question. There is all the regulation that decides who will have services, when, where and how. This part is very complex and very much separate, whereas the act is intended as a whole and the parts of the act are highly interdependent. Let's look at them as interdependent parts and create regulations that are universal rather than separate regulations.

**Mr. Richard Nadeau:** In that context, from what I heard at the start of your presentation, the entire question of institutions—to clearly define the terms, in my opinion, a school is an institution—must be considered for those regulations to be effective. That's what I understand. It's not a matter of statistics.

**Ms. Marie-France Kenny:** Precisely. You have to take into account more than a mere static statistic and consider the reality.

That's greatly evolved as well over the past 40 years. So that reality also has to be taken into account.

**Mr. Richard Nadeau:** That's good.

Thank you, Mr. Chairman.

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

Thank you for appearing before us this morning. We tabled the report on Canadian Heritage in the House yesterday. Thank you as well for your cooperation, in particular for the survey.

Thanks to all committee members.

●(1015)

**Ms. Suzanne Bossé:** Thank you.

**Ms. Marie-France Kenny:** Thank you very much.

**The Chair:** We'll see each other next Tuesday at our usual meeting.

(The committee adjourned.)

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