

When we debate this Bill, we do so keeping in mind the principle that Canada is a bilingual country. That fact is found not only throughout history but in the Constitution, and particularly in the Charter of Rights and Freedoms. Canadians are fully committed to equality of language within the parameters found in the Charter of Rights and Freedoms. I refer specifically to Section 16(1) of the Charter of Rights and Freedoms which states:

English and French are the official languages of Canada and have equality of status and equal rights and privileges as to their use in all institutions of the Parliament and government of Canada.

As well, Section 20(1) states:

Any member of the public in Canada has the right to communicate with, and to receive available services from, any head or central office of an institution of the Parliament or government of Canada in English or French, and has the same right with respect to any other office of any such institution where

(a) there is a significant demand for communications with and services from that office in such language;

or

(b) due to the nature of the office, it is reasonable that communications with and services from that office be available in both English and French.

Most Bills introduced in the House fall under the jurisdiction of one particular Minister. This Bill falls under the jurisdiction of three Ministers. The carriage of the Bill is with the Minister of Justice (Mr. Hnatyshyn) who is responsible for the proceedings of Parliament, legislation and administration of justice. The Ministry of the Secretary of State (Mr. Crombie) is responsible for the advancement of English and French. The President of the Treasury Board (Mr. Mazankowski) is responsible for communications with and services to the public, language of work and participation of English-speaking and French-speaking Canadians.

● (1140)

In the short time available to me, I would like to refer to those parts of the Act within Treasury Board's responsibility. I would like to suggest solutions to some of the problems which have come to my attention, and send a signal that the Government is open to improvement and clarification, whether in second reading debate or committee. We welcome constructive questions and comments for the purpose of clarification in order that the Bill pass second reading and progress to committee stage.

First I will deal with Part IV, "Communications with and Services to the Public". As I suggested, Section 20 of the Charter of Rights and Freedoms spells out the rights of a member of the public. As it happens, the same numbered article, Clause 20 in the Bill, reiterates the right of the public to communicate with the Government and receive available services from federal institutions in accordance with that part.

In Clause 21 reference is made to "significant demand". In other words, where there is significant demand the federal institution has the duty to provide, and so on. The question

then arises, what is significant demand? That has been asked in the House and it is a legitimate question.

I do not have a precise definition of "significant demand", but I would presume that in making regulations under Clause 21 the Government would take into account the following considerations. I refer the House specifically to Clause 31(2) which states that in prescribing the regulations which define significant demand:

—the Governor in Council may have regard to

(a) the number of persons composing the English or French linguistic minority population of the area served by an office or facility, the particular characteristics of that population and the proportion of that population to the total population of that area;

(b) the volume of communications or services between an office or facility and members of the public using each official language; and

(c) any other factors that the Governor in Council considers appropriate.

I do not think these are exhaustive but they do give us some idea as to what the Governor in Council would take into account in drafting those regulations.

The Bill goes on to recognize that the travelling public has a right to expect that federal institutions which provide services to those people in particular can communicate in either official language. That provision is found in Clause 22. Why? In order to recognize the bilingual nature of Canada, both nationally and internationally. Most of all, I suggest, it is to make all Canadians feel at home everywhere they travel through this unique and wonderful country.

I also want to address Clause 23 of the Bill, more particularly subclause (1) which states:

Every federal institution has the duty to ensure that any member of the public can communicate in either official language with, and obtain available services in either official language from, any of its offices or facilities in Canada or elsewhere—

It then goes on to spell out the circumstances, the most important of which concerns the health, safety or security of members of the public. In other words, a member of the public dealing with a federal institution has the right to communicate with that institution in either official language and obtain service from that office in either official language.

Clause 25 regulates persons or organizations whose activities relate to the health, safety or security of members of the public:

—wherever it is reasonable to do so in the circumstances, that members of the public can communicate with and obtain available services from those persons or organizations in relation to those activities in both official languages.

Why? Because we wanted to give federal regulatory agencies a mandate to take the official language needs of the public into account with respect to health, safety or security of the public. Those three things have to be paramount in anything we legislate.

In this part as well there are provisions to ensure that the public is aware that the services are available in both official languages. For example, in the case of federal institutions