

*Private Members' Business*

I appreciate the opportunity to share my thoughts and look forward to hearing some intelligent and thought provoking debate on the motion before the House.

**Mr. Ronald J. Duhamel (Parliamentary Secretary to President of the Treasury Board, Lib.):** Mr. Speaker, I am happy to have the opportunity to speak to the motion presented by the hon. member for Nanaimo—Cowichan.

[Translation]

The motion being debated today includes two proposals. The first one is that the government should thoroughly assess the way the Official Languages Act is applied in Canada, by appointing an individual to carry out a detailed and balanced review of the work done so far. The second proposal is that the government should reaffirm Parliament's commitment to a just and adequate policy on official languages. These are good intentions, no doubt about that.

However, do we not already have all the required processes to ensure that the act is properly applied and to see how it is implemented? I listened carefully to the hon. member's speech. It is true that the implementation of the Official Languages Act could be improved. It is that aspect that we, parliamentarians, should look at.

I heard about a number of flaws, but I did not hear anything about the positive aspects, and that makes me feel uncomfortable.

I also want to say that, from what I understood, the former MP, now a senator, had proposed something very similar in terms of assessing the way the act is applied across the country, from coast to coast. He was interested in reviewing the application of the act. So, I will discuss the topic from this perspective.

• (1345)

[English]

Let me explain. A number of mechanisms are available today. The Official Languages Act confers very clear responsibilities and rather precise mandates on three federal departments with respect to its application. These are the departments of justice, treasury board and Canadian heritage.

The Department of Justice has special responsibilities in the area of the administration of justice in both official languages under the act. The act clearly stipulates that English and French are the official languages of the federal courts and that either language may be used by any person in any oral or written proceedings.

The act further stipulates that the federal government is required to use the official language chosen by the other parties in a civil case to which it is a party before a federal court and that any final decision, order or judgment issued by any federal court must be made available simultaneously in both official languages under the circumstances specified in the legislation.

These are fundamental rights which guarantee all Canadians, whether they are English speaking or French speaking equal access to justice. This access is reinforced by the fact that the Official Languages Act requires all federal institutions, including the federal courts, to comply with the provisions of the act.

[Translation]

The second department with a specific mandate regarding official languages is Treasury Board. It is responsible for developing and co-ordinating the official language policies and programs of our federal institutions.

Treasury Board's mandate covers all federal institutions, including Crown corporations, and all agencies which have obligations regarding official languages under any other federal act. By virtue of the scope of its mandate under the Official Languages Act, Treasury Board is a key player in the management of the official languages program.

[English]

It is the responsibility of treasury board to ensure that federal institutions respect official language obligations regarding services to the public and the language of work with regard to the language of services. Federal institutions are required to provide services to the Canadian public in the official language of its choice in those locations and under the circumstances prescribed by the legislation.

Federal institutions have a further obligation to inform the public of the availability of services in the official language of its choice.

The official languages regulations adopted in 1991 identify the circumstances under which federal institutions are required to provide their services to and communicate with the public in both official languages. These regulations are essential to the application of the legislative framework enacted to ensure that Canadians receive the services they require from federal institutions in the official language of their choice.

[Translation]

In so-called bilingual regions, federal institutions must also provide a work environment which promotes the use of both official languages in the circumstances covered by the act. In particular, the federal institutions in question must provide bilingual human resources and central services, among others, to their employees, and must provide them with the general and common working tools in the language of their choice.

They must ensure that supervision is available to employees in both official languages, when this will contribute to the creation of a work environment promoting the use of both official languages. These institutions must also ensure that senior managers are functional in both official languages and that general and common information technology tools can be used in both official language. Lastly, federal institutions must be able to provide a comparable level of service in either