

*Official Languages Act*

from Saskatchewan I should like to point out that recently my province entered into an arrangement in respect of the provision of trials for an accused in criminal proceedings in the French language as well as in the English language.

This would ensure that the language of trial provisions come into force by 1990. Since 1978, the Minister of Justice of Canada has had the power to proclaim these provisions in force in any province, following consultations in which no agreement has been reached with the provinces concerned, once two years have elapsed.

In January 1986 my predecessor, the then Minister of Justice, who is now the Minister of Transport (Mr. Crosbie), put the provinces on notice publicly that he intended to consult them with a view to bringing the provisions of Part XIV.1 into force across Canada as soon as possible. I reiterated that commitment to the Canadian Bar Association upon assuming the responsibilities of Minister of Justice.

Legal challenges to the province by province implementation have been mounted, some successfully, against the constitutionality of the scheme on the basis that it offended the equality rights provisions of the Charter. The January 1, 1990 date gives ample notice for bringing these 1978 provisions of the code fully into force and fully into compliance with the provisions of the Canadian Charter of Rights and Freedoms.

The Bill also reinforces the right of Canadians to use the official language of their choice in communicating with and receiving services from federal institutions. We are honouring the Charter by establishing constitutionally sound criteria for federal institutions regarding communications with the public and the provision of services. The new Act and the regulations under it will clearly determine, in accordance with the terms of the Charter, those offices at which there is significant demand for services in both languages and those offices whose nature makes it reasonable to provide such services.

Another important feature of the Bill relates to the languages of work in federal institutions. For the first time a federal law will spell out the right of officers and employees to use either official language while working for the institutions of Parliament and the Government of Canada. These institutions will be required to ensure that widely used work environments in the national capital and in prescribed regions are conducive to the effective use of both official languages. Elsewhere, the treatment given to the language of work must be comparable between regions where English predominates and regions where French predominates. When institutions carry out their language of work obligations, the right of members of the public to service in their language of choice will of course be respected.

In addition, I should note that it is not sufficient to foster the use of English or French within federal institutions without ensuring participation. The federal Government recognizes this requirement in its Bill. The Government is committed to seeing that English-speaking Canadians and French-speaking Canadians, without regard to their ethnic origin or first

language learned, have equal access to employment in federal institutions, and that the composition of the workforce of federal institutions tends to reflect in an equitable manner the presence of both English-speaking and French-speaking communities in Canada, taking into account the nature of the various institutions.

*[Translation]*

My colleague, the President of Treasury Board, has responsibility for the general direction and co-ordination of the policies and programs relating to the implementation of the parts of this bill concerning communications and services, language of work and full participation. Under the provisions of this bill, he will also be required to submit an annual report to Parliament on the progress achieved.

*[English]*

Bill C-72 reaffirms another important initiative of the Government—the enhancement of the vitality of the English and French linguistic minority communities of Canada and the advancement of the status and use of the official languages generally in Canadian society.

The Secretary of State (Mr. Crombie), who is present this morning, will play a major role in the implementation of this commitment. He will be responsible for co-ordinating federal efforts in this area and for co-operation with the provinces, as well as with the private and voluntary sectors. He will also ensure that his programs relating to official languages are maintained or developed. When the Bill was tabled, the Secretary of State announced that a further \$25 million would be allocated over three years to improve the provision of key services at all levels of government.

The Bill specifies that the Commissioner of Official Languages will continue to ensure that the spirit and letter of the law are upheld. The Commissioner will be given more effective instruments to achieve that goal, including a timely and efficient process for handling complaints.

Indeed, it would not have sufficed to set out the rights and obligations I have mentioned in the absence of mechanisms to ensure that the law is enforced. The new Official Languages Act will therefore provide for judicial recourse after a complaint to the Commissioner. Any complainant who feels that his or her language rights have been violated or denied by a federal institution may apply to the Federal Court for such remedy as the court finds just and appropriate in the circumstances. The Commissioner of Official Languages will also be able to exercise this recourse to the court.

This outlines the three principles which have guided our reform of Canada's official languages policy and legislation and sums up the major changes. I am confident that the objectives which form the basis of this Bill will respond effectively to the needs of all Canadians and reflect the Government's commitment to equity in official language matters for all Canadians. Bill C-72 facilitates the full