Several further amendments and adjustments put forward by committee members and the Commissioner of Official Languages were also accepted by the Government as part of our continued willingness to consider reasonable suggestions to clarify specific points without in any way deviating from the true character of this Bill.

• (1120)

Through the useful work of the legislative committee the consensus of understanding and support for this important measure has been broadened. As amended and reported by the committee, Bill C-72 has been improved and enhanced in a number of major respects, and I commend members of the committee for their hard work and patience. It was a very effective co-operative effort and a great credit to Members on both sides.

Some Hon. Members: Hear, hear!

Mr. Hnatyshyn: At this point I would like to briefly review the major provisions of this important initiative. The Bill commences with a preamble that recalls the fundamental constitutional and policy principles which have guided development of this legislation.

The Bill begins by recognizing that the Constitution of Canada provides for equality of status and equal rights and privileges for the two official languages as to their use in all federal institutions, a principle which is entrenched in our Constitution in Section 16 of the Charter of Rights and Freedoms. This includes their use as languages of work in those institutions.

The Constitution also provides, in Sections 17, 18 and 19 of the Charter and in Section 133 of the Constitution Act, 1867, as interpreted by the Supreme Court, for full and equal access to Parliament, to the laws and to the courts of Canada as established by Parliament, in English and in French. Section 20 of the Charter guarantees the right of members of the public to communicate with and to receive available services from federal institutions.

The Charter contains other constitutional provisions of importance to this legislation: protection of the educational rights of the English and French linguistic minorities; advancement of the status and use of both official languages, recognition of the rights associated with the preservation and enhancement of other languages. "I would suggest that it might be possible to devise a preamble to the Bill which would have that effect". That was a statement made by the Hon. Robert Stanfield in 1969. All of these principles and more are recognized by the preamble.

Moreover, the new legislation contains a purpose clause which states that the aim of the Act is to ensure respect for the equality of status enjoyed by the two languages in all federal institutions; to support the development of the English and French linguistic minority communities, which the preamble recognizes as being "an integral part" of our two official language communities, and advance both languages generally in Canadian society, and to set out the roles and responsibilities of federal institutions in official languages matters.

Parts 1 to 111 of the Bill flow from Section 133 of the Constitution Act, 1867. These parts deal with proceedings in Parliament, legislative and other government documents, and the administration of justice in federal tribunals. They are inspired by the principle that all Canadians must have full and equal access in both our official languages to Parliament, in its legislative and other proceedings, and to the federal courts, in the administration of justice.

[*Translation*]

If there is one part of the Bill that most clearly reflects the Government's desire to make substantive, effective improvements in the existing mechanisms, it is the part that concerns the administration of justice. Sections 14 to 20 guarantee unrestricted use of French and English in Canada's courts.

This means that any Canadian will have the right to speak his own language in any federal court of law or administrative tribunal. Is it too much to ask that, for the sake of equity, these federal institutions render justice to Canadians in their own language? To ask the question is to answer it. I do not think it is too much to ask of them, especially since we have ascertained that it is feasible right now. We will not have to interfere in any way with the internal management of the courts to have them implement this policy.

Under the new Act, federal courts composed of unilingual anglophone and francophone judges and bilingual judges will have no trouble administering their affairs. We have taken care to ensure due respect for a democratic value we consider paramount—the independence of the justice system.

As Minister responsible for Bill C-72, I am proud to put such measures before the Canadian people on behalf of the Government, and it is my personal conviction that no one will ever criticize us for having worked for greater equity in the administration of justice in Canada.

[*English*]

Part 1V deals with the constitutional right of any member of the public to communicate with and receive services from federal institutions in either official language. As under the 1969 Act, the new legislation creates duties on federal institutions to ensure that the right is respected at the head or central offices of those institutions, and at their offices in the National Capital Region. The 1969 Act further provided for the creation of federal bilingual districts where the minority numbered 10 per cent of the population. It stipulated that outside the proposed bilingual districts, services to the public would also be provided in both languages, to the extent feasible, in other locations where there was a significant demand. Bilingual districts were never proclaimed because the concept proved unworkable. For example, certain regional offices would serve minority language populations where located outside the bilingual districts themselves.