

## Excerpt from Bill 1, "Charter of the French Language in Quebec"

*Chapter VIII, Bill 1 of the Quebec Legislature, deals with the language of instruction:*

"51. Instruction in the kindergartens and the elementary and secondary schools shall be in French, except where this chapter allows otherwise.

"This rule obtains in schools governed by the Education Act (Revised Statutes, 1964, chapter 235) and in school bodies governed by the Private Education Act (1968, chapter 67) that are declared to be of public interest or recognized for purposes of grants in virtue of the latter act.

"52. In derogation of section 51, the following children, at the request of their father and mother, may receive their instruction in English:

(a) a child whose father or mother received his or her elementary instruction in English in Quebec;

(b) a child who, on the date of the coming into force of this act, is domiciled in Quebec and,

(i) is already receiving his instruction in English at kindergarten or elementary or secondary school in Quebec, in which case this right is shared by his younger brothers and sisters;

(ii) whose father or mother is domiciled in Quebec on the said date and received his or her elementary instruction in English.

"Where a child is in the custody of only one of his parents, the request

provided for in this section must be made by that parent.

"53. A school body not already giving instruction in English is not required to introduce it, and shall not introduce it without express and prior authorization of the minister of education, who shall grant it if of opinion that it is warranted by the number of pupils in its jurisdiction who are eligible for instruction in English under section 52.

"54. The minister of education may empower such persons as he may designate to verify and decide on children's eligibility for instruction in English.

"Children's eligibility for instruction in English in accordance with paragraph b of section 52 must be verified before 31 December 1977.

"55. The government may, by regulation,

(a) prescribe the procedure to be followed where parents invoke section 52, and the elements of proof they must furnish in support of their request;

(b) provide for an appeal from the decisions of the school bodies and the persons designated by the minister, dealing with the application of section 52.

"The appeal provided for hereinabove shall be lodged before an ap-

peal committee formed for that purpose by the minister. The decision of the appeal committee is final.

"56. The persons designated by the minister under section 54 may verify the eligibility of children to receive their elementary instruction in English even if they are already receiving or are about to receive their instruction in French.

"Children whose eligibility has been confirmed in accordance with the preceding paragraph are deemed to receive their instruction in English for the purposes of section 52.

"57. No secondary school leaving certificate may be issued to a student who does not have the speaking and writing knowledge of French required by the curricula of the Department of Education.

"58. This chapter does not apply to persons who, on conditions fixed by government regulation, are only passing through Quebec or staying for a limited time.

"59. Subject to the special provisions regarding them in the Education Act, the Amerinds and the Inuit may receive their instruction in their own language if they wish; if not, this chapter applies.

Reserves are not subject to this act."

facilities should be provided, wherever they do not now exist, for people moving from the province of Quebec to other provinces, and that they should continue to be provided for people moving from other provinces to the province of Quebec. In both cases, there will be particular situations where this will not be feasible. But the principle remains.

#### Immigrant participation

"If the province of Quebec is to remain a predominantly French-language province, as the Federal Government believes it should, it is only natural to expect that people from other countries who immigrate to that part of Canada should participate in the French-language community. However, it is by far preferable that immigrants

should be attracted to the French-language education system for reasons that do not include coercion. By the same token, it would also be preferable if immigrants to the English-speaking provinces enjoyed a similar choice.

#### Deferment may be necessary

"While these difficult matters are being discussed, and while Canadians are genuinely attempting to create or improve the institutions, educational and otherwise, that will ensure equal rights and dignity for the English- and French-language communities in the country, the Federal Government accepts that circumstances may make necessary a deferment of the application of this important principle.

"In this connection, it should be

recognized that the educational rights of the English-speaking minority in Quebec have been, and still are, better respected and served than the rights of French-speaking minorities of comparable importance in the other provinces of Canada.

#### Other provinces

"However, New Brunswick, through the adoption of an Official Languages Act that will come fully into force this year, has established the equality of the two official languages in the legislature and the courts, in the provincial public service and in its educational system. The province also offers an extensive range of programs to develop and maintain minority language education and to promote a knowledge of the two official languages in the public