

Ministers' Council on the Canadian Francophonie

Portrait of the Language Frameworks of the Federal, Provincial, and Territorial Governments of Canada



Conseil des ministres
sur la francophonie
canadienne

Ministers' Council
on the Canadian
Francophonie

Table of Contents

3	Ontario
6	Québec
8	New Brunswick
10	Nova Scotia
12	Manitoba
14	Northwest Territories
16	British Columbia
17	Prince Edward Island
19	Yukon
21	Alberta
22	Saskatchewan
23	Newfoundland and Labrador
24	Nunavut
26	Canada



Conseil des ministres
sur la francophonie
canadienne | Ministers' Council
on the Canadian
Francophonie



Ontario

The *French Language Services Act*, 1986 (FLSA), modernized for the first time in December 2021, guarantees every individual the right to receive provincial government services in French in 27 designated areas and from central offices. Approximately 80% of Francophones in Ontario live in a designated area. However, those who live outside a designated area can obtain services in French by contacting a ministry's central office, a branch located in a designated area or by using Service Ontario's online services.

The preamble to the FLSA states that French is recognized as an official language under the Constitution and that the Legislative Assembly recognizes the contribution of the cultural heritage of the French-speaking population and wishes to preserve it for future generations. The French-speaking presence in Ontario dates back more than 400 years.

The FLSA is part of a series of legal provisions designed to guarantee the language rights of Ontario Francophones. Other provincial acts guarantee Francophone rights, including the *Education Act*, the *Courts of Justice Act* and the *Child, Youth and Family Services Act*.

- In April 2021, Ontario adopted Bill 245, the *Accelerating Access to Justice Act*, which amends the *Courts of Justice Act* to expand Ontarians' ability to file documents in French for all civil, family and *Provincial Offences Act* proceedings in all Ontario courthouses. These changes came into effect in February 2022.
- In April 2019, Ontario adopted Bill 74, the *People's Health Care Act*, 2019. This act is the basis for a restructuring of health care services in Ontario that will be implemented over several years. The Act refers directly to compliance with the obligations under the *French Language Services Act*. It should be noted that the Ministry of Health is currently conducting a review of the French Language health care planning structure in Ontario.

In June 2009, the Government of Ontario adopted a new, broader definition of the Francophone population to better reflect the Francophone population of Ontario: the “inclusive definition of Francophone” (IDF). Previously, Francophones were defined based on the basis of mother tongue. The “mother tongue” category defined Francophones as only those who had learned French at home at a young age and still understood French at the time of the census. However, the IDF is based on three census questions concerning mother tongue, language spoken at home, and knowledge of official languages. Data from the 2021 Statistics Canada Census and based on the inclusive definition of Francophone indicates that Ontario has 652,540 Francophones, an increase of 30,125 since the 2016 Census. The 2021 Census identified 591,860 Francophones under the mother tongue criterion and 582,695 under the first official language spoken criterion. The IDF therefore makes it possible to identify, respectively, a 10% and 12% increase in the Ontario Francophone population. Additionally, according to Statistics Canada, approximately 1.5 million people speak French in Ontario.

A policy adopted in 2010 governs the Ontario government’s French Language communications and is accompanied by guidelines. The ministries and classified agencies are required to take into consideration the specific needs of Ontario’s Francophonie when developing and implementing communications strategies. An update of this policy and its guidelines is planned for 2025.

Also in 2010, the province adopted the *Act to proclaim Franco-Ontarian Day*, which recognizes September 25 each year as the day set aside to celebrate their language and heritage. In 2020, the Franco-Ontarian flag was recognized as an official emblem of Ontario.

On June 24, 2011, Ontario adopted *Regulation 284/11* under the FLSA; this regulation requires agencies that provide services on behalf of the Government of Ontario to comply with the FLSA.

In 2011, a new policy on designated bilingual positions in the provincial public service came into effect. For the first time, formal expectations concerning the management of designated bilingual positions were an integral part of the Ministry of Public and Business Service Delivery and Procurement’s policy on human resources.

In June 2021, Ontario’s Francophone Economic Development Strategy was launched. It strengthens the French Language Services Strategy while also supporting the development of a qualified bilingual workforce. Additionally, in 2023, the Ontario Public Service (OPS) Bilingual Human Resources Initiative was launched to improve the OPS bilingual workforce’s ability to deliver high-quality and timely French Language services to Ontarians. This initiative covers the areas of recruitment, retention, training, management, and data collection for designated bilingual positions.

In December 2021, the Ontario government modernized the French Language Services Act for the first time. The changes include, but are not limited to, the following:

- Ontario has adopted a new active offer regulation, which came into effect on April 1, 2023, so that the availability of services in French is brought to the attention of the recipient on first point of contact. This regulation sets out nine specific measures to provide a framework

for the active offer, including a welcome in French, signage in French at or near the entrance, and continued use of French if the services are offered in several stages.

- Ministries and their agencies are accountable to, and must report to, the Executive Council on the application of the FLSA and on the quality of the French Language services they offer.
- In practice, through the Ontario Public Service's annual internal strategic planning process, ministries provide key performance indicators on their bilingual human resources capacity. The ministries also complete an annual report on their provision of services in French, which is used, in particular, to draft the Ministry of Francophone Affairs' annual report to cabinet.
- A new provision requires the Act to be reviewed at least once every 10 years, to ensure that it meets the changing needs of the Ontario Francophone community.

Ontario also has a French Language Services Commissioner within the Ombudsman's Office. He or she is responsible for conducting investigations under the *French Language Services Act*, either in response to complaints from the public or on his or her own initiative, for preparing reports on investigations, and for monitoring the progress made by government agencies in the delivery of French language services in Ontario.

The Ministry of Francophone Affairs oversees the implementation of the *French Language Services Act*. It provides information about the Ontario Francophone population and participates in the development of government-wide policies on implementing the FLSA. The ministries, supported by their coordinators and heads of French services, ensure the development and delivery of services to the population. ■



Table of
Contents



Québec

French has been the only official language of Quebec since 1974. French is also Quebec's only common language and constitutes one of the foundations of its identity and distinct culture.

The *Charter of the French Language*, adopted in 1977, is the foundation of Quebec's language policy. It covers all aspects for making French the language of Government and of the law, as well as the normal and everyday language of work, instruction, communication, commerce and business. The preamble to the Charter refers to pursuing this objective in a spirit of fairness and open-mindedness, respectful of the institutions of the English-speaking Quebec community. It also recognizes the right of First Nations and Inuit to preserve and develop their native language and culture.

The *Charter of the French Language* has approximately a dozen regulations. A government policy also oversees the use and quality of the French language in the public administration (government ministries and agencies). This policy requires that the ministries and agencies it covers adopt a language policy that promotes French monolingualism in their activities, while being aligned with their mission and individual characteristics.

The *Charter of the French Language* underwent a major reform in 2022. The Ministère de la Langue française was created and the Office québécois de la langue française's field of action expanded. A French Language Commissioner position was created. Language rights in favour of French have been strengthened, particularly in the areas of justice and the language of work and business. The Administration's duty to set an example in the use, promotion, protection and influence of French, has been established.

The Politique linguistique de l'État, which came into effect on June 1, 2023, replaces the 2011 government policy. It guides government and municipal departments and agencies, as well as parliamentary institutions, in carrying out their duty to set an example. Under this, the Administration uses French (written and spoken) exclusively in all its activities, subject to certain

exceptions governed by directives. The Charter also has approximately 15 regulations respecting its application.

There are also other government policies and legislative or regulatory provisions in sectors where language is a strategic dimension (education, culture, immigration, information technologies, and so on). These are also aimed at ensuring the sustainability and influence of the French language in Quebec.

All these elements make up Quebec's language policy. ■



Table of
Contents



New Brunswick

New Brunswick is the only officially bilingual province in Canada.

The first *Official Languages Act* (OLA) was adopted in 1969. In 2002, it was revised for the first time to take into account New Brunswick's constitutional obligations in regard to official languages under the *Canadian Charter of Rights and Freedoms*. Further revisions to the OLA were made in 2013 and again in 2021.

The *Act Recognizing the Equality of the Two Official Linguistic Communities in New Brunswick*, or Bill 88, is a law passed by the Legislative Assembly of New Brunswick in 1981 that recognizes the equality of the English and French linguistic communities in this province. In 1993, the foundations of Bill 88 were enshrined in the *Canadian Charter of Rights and Freedoms* through section 16.1.

The OLA applies to government departments and agencies, the eight cities (including their police services), municipalities with an Anglophone or a Francophone minority representing at least 20% of their population, regional service commissions, and associations established by acts of the legislative assembly to regulate professions.

The Office of the Commissioner of Official Languages has the mandate to investigate, present reports and make recommendations in regard to compliance with the OLA and to promote the advancement of both official languages.

The right to use both official languages in the courts of New Brunswick is enshrined in the Constitution.

The *Official Languages Act* and the *Act Recognizing the Equality of the Two Official Linguistic Communities* in New Brunswick are administered by the Office of the Premier. The Secretariat of Official Languages, which falls under the responsibility of the Department of Intergovernmental Affairs, ensures the application of the OLA within the government. It coordinates the Government of New Brunswick's Implementation Plan 2024 to 2031 for official languages. Among other things,

it provides support to the work teams responsible for the action plans of each government department or agency. Official languages policies (language of work and language of service) are applied by all government organizations.

The Secretariat of Official Languages also coordinates and administers the implementation of the Canada–New Brunswick Agreement on the Provision of French Language Services. It also coordinates the Canada–New Brunswick Agreement on French Language Education and Second-Language Instruction. ■



Table of
Contents



Nova Scotia

The *French Language Services Act* was adopted in 2004, amended in 2011 and again in the fall of 2024. The latest changes recognize, among other things, the contribution of Acadian and Francophone communities, strengthen the role of the minister of Acadian Affairs and Francophonie, confirm an advisory committee to the Minister, require regular review and stipulate that all regulations adopted under the Act be written and published in French and English.

The *French Language Services Regulations* were adopted in 2006. They present the list of departments, offices and agencies (collectively called designated public institutions) to which the *French Language Services Act* and its regulations apply. Annually, each designated public institution must develop and publish a French Language services plan for the coming fiscal year and report on the progress made in the fiscal year coming to an end.

The development and delivery of French Language services are the responsibility of designated public institutions. A federal-provincial agreement also supports the development and delivery of government services by the Government of Nova Scotia.

The *French Language Services Act* officially establishes the French Language Services Co-ordinating Committee, which is made up of French Language services co-ordinators of designated departments and offices. The Executive Director of the Office of Acadian Affairs and Francophonie chairs the French Language Services Co-ordinating Committee.

The Office of Acadian Affairs and Francophonie was created by the *French Language Services Act* (2004), which defined its mission. In 2011, the Office became a division of the Department of Communities, Culture, Tourism and Heritage, now the department responsible for the Act. In 2016, an Order in Council assigned general management and supervision of the *French-Language Services Act* to the Minister of Acadian Affairs and Francophonie and named the division the Office of Acadian Affairs and Francophonie. The 2024 update of the *French Language Services Act*

confirms, in the very text of the Act, the general supervision and management of the Act to the Minister of Acadian Affairs and Francophonie.

In November 2022, the province released an action plan to guide the growth of the province's French-speaking population. The plan, entitled "Growing Nova Scotia's Francophone Population – An Action plan for Success (2022–2025), adds to efforts to attract Francophones from other countries and provinces.

In October 2023, the province announced the new *Conseil scolaire acadien provincial* (CSAP) Act, to support French-first-language public education programs. This is the first law targeting education in French as a first language in Nova Scotia and in Canada. It repeals the previous act on the Conseil scolaire acadien provincial (*the Education (CSAP) Act*) and is complementary to the *Education Act* (2018).

In August 2024, the province celebrated its first Acadian Heritage Month. It will be celebrated annually in Nova Scotia . ■



Table of
Contents



Manitoba

The *Manitoba Act of 1870* recognized the official status of French in the Legislative Assembly and before the courts. The French Language Services Policy, adopted in 1989 and revised in 1999 and 2017, governs the provision of governmental and para-governmental services in French in the province, particularly in designated regions where the French-speaking population is concentrated. The *Bilingual Service Centres Act* (BSC), promulgated in June 2012, aims to guarantee a permanent role for BSCs and establishes a legislative framework codifying the principles and practices already in effect for their operation. On June 30, 2016, the Manitoba government adopted the *Francophone Community Enhancement and Support Act*, which guarantees the administrative structures and existing tools to support the Francophone community. Its purpose is to establish the necessary framework to enhance the vitality of Manitoba's Francophone community and support its development.

The *French Language Services Regulation* (46/98) of the *Health System Governance and Accountability Act* provides for the provision of French language services by four designated regional health authorities. The *Bilingual and Francophone Facilities and Programs Designation Regulation* (131/2013), enacted under the *Health System Governance and Accountability Act*, prescribes the designation of programs and institutions that offer services in French only or in both French and English. The *French Language Services Regulation* (199/2005), made under the *Child and Family Services Authorities Act*, requires four authorities to establish a French Language Services Plan and have it approved annually. Section 147.1 of the *Municipal Act* came into effect in November 2015 and aims to ensure the continuity of French Language services in bilingual municipalities. Part 9 of the *City of Winnipeg Charter Act* (1971, amended in 1992) governs the provision of services in French in the City of Winnipeg and in particular in St. Boniface, St. Vital and St. Norbert (Riel constituency). The *Public Schools Act* (1979, amended in 1993) reiterates the right to instruction in French and establishes school management for Francophones. The *Centre culturel franco-manitobain Act* establishes its mandate to present, promote, foster and sponsor cultural and artistic activities in

the French language for all Manitobans. The *Université de Saint-Boniface Act* recognizes the vital role played by the only French Language post-secondary institution in the province in the linguistic, cultural, social and economic development and growth of Manitoba's Francophone community.

The Francophone Affairs Secretariat (formerly the French Language Services Secretariat, created in 1981) reports to the minister responsible for Francophone affairs. The Secretariat, whose mandate applies to all public entities covered by the French Language Services Policy, is responsible for guiding, monitoring and coordinating the implementation of this policy.

The Secretariat is composed of three units: the Policy Unit, the Bilingual Service Centres team and Translation Services. ■



Table of
Contents



Northwest Territories

The *Official Languages Act* of the Northwest Territories (1984) gives French and English equal status. Amendments passed in 1990 give official language status to nine Indigenous languages. The Act requires that government services be available in French at its central offices and at regional or community offices where there is a significant demand, or given the nature of the service. All acts and regulations are published in both French and English and have equal status before the courts. The Act provides for the appointment of a N.W.T. Languages Commissioner. The Legislative Assembly must review the provisions and administration of the Act every five years.

The *Government Institution Regulations* designate the government bodies subject to the Official Languages Act. The Regulations also define what constitutes a significant demand for services in French or English at a territorial institution office and determine the circumstances whereby the nature of the office justifies that communications and services be made available in French or English.

The Official Languages Policy was approved by the Executive Council in August 1997.

An initial Strategic Plan on French Language Communications and Services was approved by the Executive Council in 2018.

The first version of the Government of the Northwest Territories (GNWT) Standards for French Communications and Services was approved in 2013. Since then, several updates have been made.

The Strategic Plan and the Standards were established to direct departments, boards, and agencies in the development and delivery of French services.

The minister responsible for the *Official Languages Act* is responsible for coordinating GNWT policies and programs relating to official languages. The Official Languages Policy makes each minister responsible for the delivery of official language services and programs within the departments or agencies that report to him or her. The Francophone Affairs Secretariat coordinates and oversees the implementation of the Strategic Plan on French-Language Communications and Services. Each GNWT department has a French language communications and services coordinator. ■



Table of
Contents



British Columbia

British Columbia's French Language Policy came into effect on April 1, 2024. It provides guidance to progressively increase the capacity of ministries to serve the province's Francophone population. The policy supports ministries in increasing their engagement, coordination and planning activities. The minister responsible for Francophone affairs is responsible for the administration of this policy and the supervision of its implementation. The policy will be reviewed for the first time two years after its adoption, then every five years.

The 2024-2028 Implementation Plan accompanies this policy, specifying the priority sectors and initiatives that will support its implementation and the continued development of government services offered in French. Two strategic objectives were identified: strengthening the internal capacity of the province's public service, and maintaining or increasing the availability of French Language services in priority sectors.

On June 20, 2024, the Canada-British Columbia Agreement on French-Language Services was renewed until the end of fiscal year 2027-2028.

Francophone Affairs of British Columbia was created in 2001. It reports to the Deputy Minister of the Intergovernmental Relations Secretariat in the Office of the Premier.

The minister responsible for Francophone affairs manages this file and acts as a liaison between the British Columbia Francophone community and the government. ■



Table of
Contents



Prince Edward Island

Since December 2013, the *French Language Services Act* of the Government of Prince Edward Island, accompanied by its *General Regulations*, establishes obligations in regard to the provision of services in French by the government institutions subject to it. It is based on the principle of aligning the service priorities of the Acadian and Francophone community with the service capacity of the Government.

The *French Language Services Act* specifies the obligations in regard to public consultations and correspondence in French. It also sets out obligations for the provision of services designated under the Act, namely that institutions offer these services with comparable quality in both French and English. The designation of a service is made through the General Regulations of the Act. When a service is designated bilingual, active offer is mandatory.

The *French Language Services Act* includes measures to ensure its implementation. It provides for the establishment of the Acadian and Francophone Community Advisory Committee (AFCAC), whose role is to advise the Minister Responsible for Acadian and Francophone Affairs on the priorities of this community in regard to services in French. In addition, the Act stipulates that each government institution must appoint a French Language Services Co-ordinator. The co-ordinators' role, among other things, is to advise their institution on the implementation of the Act. The Act also establishes two accountability mechanisms (annual plans and reports) and a complaint process.

The Acadian and Francophone Affairs Secretariat (1989) advises the provincial government in the development and implementation of various measures to increase its capacity to offer services in French. The Secretariat is also responsible for coordinating the implementation of the French Language Services Act, including the chairing of the French Services Co-ordinators' Committee and providing operational and administrative support to the AFCAC. The Public Service Commission supports the implementation of the Act.

In June 2023, the province released the PEI Francophone Immigration Strategic Action Plan 2023–2028 to attract French-speaking immigrants in order to contribute to the prosperity of the province and enrich the diversity of Island communities. These people help address the French-speaking and bilingual labour needs in various sectors, particularly in health and early childhood education. ■



Table of
Contents



Yukon

The *Yukon Languages Act* (1988) recognizes the right to communicate with, and to receive services in French from, any head or central office or point of service of the Government of Yukon where demand is significant or owing to the nature of the service. It also recognizes the right to use English, French, or a Yukon Indigenous language in the Legislative Assembly, the right to use English or French in the courts, and provides for the publication of acts and regulations in both official languages, with both versions having legal force.

Adopted in May 2021, the Policy and Guidelines on French Language Services and Communications clarify the scope of the Act. They promote a government-wide, consistent and regular approach to communication and the delivery of services in French.

The deputy ministers and Crown corporation chairs are responsible for communications and the delivery of services in French for their department or Crown corporation, in accordance with the *Languages Act* and the Policy.

The Government of Yukon established the French Language Services Office in 1989. This central agency became the French Languages Services Directorate in 2006. It became a stand-alone department in 2013. The Directorate supports the departments by providing them with:

- funding to cover the cost of communication and the delivery of services in French
- advice based on language planning principles to support the planning and delivery of French Language services
- tailor-made French-language evaluations and training
- centralized translation services

The French Language Services Directorate also manages the Yukon government's French Language content on the Web and on social media, consults with Yukoners to develop government strategic frameworks on French Language services, and collaborates with the Francophone community and the Government of Canada to foster a thriving Yukon Francophonie. ■



Table of
Contents



Alberta

Adopted in June 2017, and updated in March 2023, the Government of Alberta's French Policy guides Alberta government departments, agencies, boards and commissions, as well as justice services, in their efforts to improve French Language services. The French Policy aims to support the vitality of Francophone communities in Alberta. It provides the government with guidelines to strengthen engagement, dialogue and collaboration with the Francophonie.

In May 2024, the Alberta government unveiled its French Policy: 2024-28 Action Plan. This is the province's third action plan in this regard. This action plan describes the ministerial initiatives planned to implement the policy.

The *Languages Act* of 1988 reaffirms the unilingual English character of the province while recognizing the right to use French in the Legislative Assembly and before certain courts.

The Francophone Secretariat of Alberta was created in February 1999 and is part of the Ministry of Arts, Culture and Status of Women. The Secretariat has an executive director (who answers to the deputy minister), an administrative service and a multidisciplinary team dedicated to the coordination of services, public policy analysis, translation, active offer, Internet content and community liaison.

Only the Canada–Alberta Agreement on French Language Services and the Canada–Alberta Agreement on Minority-Language Education and Second-Language Instruction specifically target the delivery of services in French. Other agreements between Canada and Alberta contain provisions to take into account the needs of the Francophonie in Alberta. ■



Table of
Contents



Saskatchewan

The *Language Act, 1988* provides for the adoption of any new act in English only, or in both English and French. When an act is passed in both English and French, the two versions have equal authority. Also, the Language Act recognizes the right to use French in the Legislative Assembly and before the Saskatchewan courts. Some 50 acts, along with 40 related regulations, have been adopted in English and French. Generally, the statutes to be adopted in English and French are determined in consultation with the Fransaskois community. Most bilingual acts concern the administration of justice, family law, and education.

In 2003, the Government of Saskatchewan adopted the French Language Services Policy. This policy has three service goals: communication with citizens, service development and delivery, and consultation. The Government of Saskatchewan appointed an Advisory Committee on Francophone Affairs in 2009. This Committee offers advice to the government on the implementation of its French Language Services Policy.

The Francophone Affairs Branch (FAB) serves as a liaison between the provincial government and the Fransaskois community. It is responsible for managing the Canada–Saskatchewan Agreement on French Language Services. The FAB also supports implementation of the French Language Services Policy by offering translation services to the provincial ministries and agencies, advising them on French language services, providing French-language courses to provincial civil servants, managing the French Language pages on saskatchewan.ca, and providing French Language services by telephone and email.

The Minister of Parks, Culture and Sport is responsible for Francophone affairs and is the government liaison with the Fransaskois community. ■



Table of
Contents



Newfoundland and Labrador

The Office of French Services (OFS), under the auspices of the Ministry of Government Modernization and Service Delivery, acts as the key point of contact in the provincial government regarding French Language services and Francophone affairs. It collaborates with departments to increase their capacity to offer services to the public in French and to promote dialogue and partnerships with the Francophone and Acadian community in Newfoundland and Labrador.

The French Language Services Policy was adopted in 2015 by the Treasury Board. The objective of this policy is to ensure a consistent and coordinated approach to service delivery in French throughout the provincial government. It is administered by the OFS.

The OFS supports the minister responsible for Francophone affairs. It also coordinates and administers the implementation of the Canada–Newfoundland and Labrador Agreement on French Language Services, which was renewed until the end of fiscal year 2027–2028. ■



Table of
Contents



Nunavut

Section 38 of the *Nunavut Act* provides that the *Official Languages Act* of the Northwest Territories (inherited by Nunavut in 1999) “may not be repealed, amended or otherwise rendered inoperable (...) without the concurrence of Parliament (...) if that repeal, amendment or measure that otherwise renders that law inoperable would have the effect of diminishing the rights and services,” and thus confirms the official language status of French.

In 2008, Nunavut adopted its own *Official Languages Act*, which came into effect on April 1, 2013. Section 3 of the OLA recognizes three official languages in Nunavut: Inuktitut, English and French, each having “equality of status and equal rights and privileges as to their use in territorial institutions.” Sections 11 and 12 govern communication with the public and the provision of services. These articles recognize, among other things, the obligation of territorial institutions to make an active offer of their services and to communicate with members of the public in the official language of their choice. In short, the OLA aims to establish institutional trilingualism in Nunavut. The law began its five-year review at the end of 2023.

To coordinate the implementation of the OLA, the Minister of Languages tabled the plan, *Uqausivut 2.0* (“our languages”) 2018-2023 in the Legislative Assembly of Nunavut in June 2018. This overall plan dictated the steps to be taken by territorial institutions with regard to the implementation of obligations, policies, programs and services.

Central coordination of the implementation of the plan is ensured by the Department of Culture and Heritage (DCH). The DCH also manages the Canada–Nunavut Agreement on French Language Services and Inuktitut Language. It offers consulting services to territorial institutions in the conceptualization, development and delivery of services in French, and provides financial support to their initiatives. The DCH supports the development of plans, policies and training, as well as the delivery of services in French in the Government of Nunavut departments through linguistic and communication services.

The Official Languages Branch plays a central role in promoting and coordinating the implementation, management, monitoring and evaluation of government language obligations and policies. The Francophone Affairs section of the branch oversees the administration of funds from the Canada–Nunavut agreement allocated to departments and public agencies for their French programs and services, and supports community initiatives promoting Francophone vitality in the territory. ■



Table of
Contents



Canada

Language rights in Canada

The [*Constitution Act, 1982*](#) provides that 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. It provides for full and equal access to Parliament, to the laws of Canada and to courts established by Parliament in both official languages. Section 23 of the *Canadian Charter of Rights and Freedoms* guarantees the right, in Canada, to instruction in the minority official language, i.e. English in Quebec and French elsewhere in Canada. This right applies to citizens of Canada who have received their primary school instruction in English or French in Canada and want their children to enjoy the same access. The right also extends to parents whose mother tongue is the minority official language of that province. Where the number of eligible students so warrants, the provincial governments are obligated to provide educational facilities for the linguistic minority population.

The *Official Languages Act* (the Act) ensures the implementation of the language rights enshrined in Canada's constitutional statutes. The Act was adopted in 1969, revised in 1988 and modernized in 2023; [this modernization bill received royal assent on June 20, 2023](#).

The Act recognizes the specificity of the provincial and territorial language regimes and the importance of cooperation with the provincial and territorial governments. It also recognizes the importance of Indigenous languages and of not prejudicing the status or the reclamation, revitalization and strengthening of such languages.

Part IV of the Act sets out the rights and duties relating to communications with and services to the public. It states that any member of the public in Canada has the right to communicate with and receive available services from the head or central offices of federal institutions in the official language of their choice where there is significant demand for communications with and services from that office in that language. It also establishes duties involving services made available to the public by another person or organization, active offer of communications with and services to the public in both official languages, and the equal prominence of the official languages on any sign identifying the office of a

federal institution. Part V of the Act affirms that English and French are the languages of work in federal institutions, and that employees have the right to use the official language of their choice in designated-bilingual regions, including the National Capital Region.

Part VII of the Act provides for the implementation of the following three commitments through the taking of positive measures by federal institutions:

- enhancing the vitality of the English and French linguistic minority communities and supporting and assisting their development, and fostering the full recognition and use of both English and French in Canadian society;
- protecting and promoting the French language, recognizing that French is in a minority situation in Canada and North America due to the predominant use of English; and
- advancing opportunities for members of English and French linguistic minority communities to pursue quality learning in their own language throughout their lives.

The *Official Languages Act* also created the position of Commissioner of Official Languages. The duty of this independent officer of the Parliament of Canada is to take all actions and measures with a view to ensuring recognition of the status of each of the official languages and compliance with the Act in the affairs of the federal administration. To this end, the Commissioner conducts investigations and submits reports and recommendations. Where a federal institution remains in breach of its obligations under the Act, the Commissioner may enter into a compliance agreement, issue an order or (power not yet in force) impose an administrative monetary penalty. ■



Table of
Contents