



INTERIM REPORT
OF THE
SELECT COMMITTEE ON THE REVISION OF THE *OFFICIAL LANGUAGES ACT*
Second Session
Fifty-seventh Legislative Assembly
of the
Province of New Brunswick
June 28, 2012

MEMBERS OF THE COMMITTEE

Hon. Ms. Blais, Q.C., Chair
Mr. Albert, Vice-Chair
Mr. Bonenfant
Mr. Davis
Mr. Killen
Mr. C. Landry

Ms. Lynch
Mr. McLean
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To the Honourable
The Legislative Assembly of
The Province of New Brunswick

Mr. Speaker:

We are pleased to present the Interim Report of the Select Committee on the Revision of the *Official Languages Act*.

The Select Committee on the Revision of the *Official Languages Act* is mandated to oversee the examination of and consultation on the *Official Languages Act*, to review legal decisions, recommendations of the Office of the Commissioner of Official Languages, as well as suggestions and recommendations from civil society and New Brunswickers.

Pursuant to Motion 95, adopted June 8, 2011, the Committee shall file with the Legislative Assembly an interim report and a final report with recommendations.

Respectfully submitted,

Hon. Marie-Claude Blais, Q.C.
Chair

Hédard Albert, MLA
Vice-Chair

Background

The Status of New Brunswick as an officially bilingual province is enshrined in the Canadian Charter of Rights and Freedoms. Official bilingualism has guided cultural, social, and political growth in New Brunswick since 1969. The official languages of New Brunswick are an integral part of the identity and unique character of the province.

The *Official Languages Act*, which was passed in 2002, provides for a review of the Act to be initiated before December 31, 2012. Pursuant to the Act, a regulation was passed to prescribe the form and the manner in which the review was to be undertaken.

The Legislative Assembly has established a Select Committee on the Revision of the *Official Languages Act*. As stipulated in Motion 95 adopted on June 8, 2011, the Select Committee is made up of both government and opposition Members. The committee is tasked with submitting recommendations to the Legislative Assembly.

Select Committee on the Revision of the *Official Languages Act*

Membership and Mandate

The members of the committee are Hon. Marie-Claude Blais, Q.C., Chair; Mr. Hédard Albert, Vice-Chair; Mr. Yvon Bonenfant; Mr. Greg Davis; Mr. Carl Killen; Mr. Claude Landry; Ms. Pam Lynch; Mr. Wes McLean; Mr. Ryan Riordon; Mr. Chris Collins; and Mr. Roland Haché.

The committee has a mandate to undertake a review of the Act, to conduct consultations, to review legal decisions, recommendations from the Office of the Commissioner of Official Languages for New Brunswick, and suggestions and recommendations from civil society and New Brunswickers. The committee shall present an interim report and a final report with recommendations to the Legislative Assembly.

Work of the Committee as of June 28, 2012

The committee met on February 14, May 30, June 6 and 19, 2012. The committee approved a consultation process, a time frame for its work, and a preliminary list of interest groups and individuals to meet with. It also considered the principal legal decisions related to official languages in Canada and New Brunswick.

The committee met with a stakeholder group that had already prepared and submitted to the Premier and to the Chair of the Committee, a proposal for a revised Act. The group is composed of the SANB, the Association des juristes d'expression française and the Observatoire international des droits linguistiques.* The committee also met with the Commissioner of Official Languages for New Brunswick, as stipulated in Motion 95.

The Select Committee is supported by an interdepartmental working group, which provides files, analysis, definitions, and other relevant information to enable the committee to fulfill its mandate and propose appropriate changes.

*See Attached Addendum

Time Frame

The Select Committee has approved a time frame designed to provide for tabling a bill before the end of December 2012. The time frame provides for consultations lasting until late August and the tabling of a final report with recommendations to the Legislative Assembly in mid-October. This would enable the interdepartmental working group to draft a bill that would be introduced for adoption in December 2012.

New Brunswick citizens and interested groups and organizations will have almost three months to share their comments with the Select Committee. Furthermore, members of the committee will meet with groups and organizations in the coming weeks to hear their comments and suggestions. The Select Committee will be inclusive in its approach. If a specific group or individual requires more time, the committee will be flexible.

Consultation Process

To promote open and constructive debate, the committee has developed four questions to guide reflection and solicit suggestions and comments from the public.

The consultation process was launched on June 7, 2012, when the Premier and the Leader of the Opposition made statements in the House inviting the people of the province to take part in the process. Individuals and groups have until August 31 to contribute to the review exercise by responding to the four questions developed by the committee or by submitting their views by mail or e-mail.

The Questions

1. The *Official Languages Act* provides for the delivery of services in both official languages by government institutions. It establishes the criteria for areas to which the Act applies, such as policing services, health services, and municipalities.

In your opinion, what services should be specified in the *Official Languages Act*?

2. The *Official Languages Act* does not provide for any mechanism to ensure that the obligations of the government with regard to official languages are carried out.

In your opinion, how can we ensure compliance with the *Official Languages Act*?

3. The *Official Languages Act* specifies that the role of the Commissioner of Official Languages is to investigate, report on, and make recommendations with regard to compliance with the Act and to promote the advancement of both official languages.

In your opinion, how does the Commissioner of Official Languages, in performing his duties, contribute to ensuring compliance with the *Official Languages Act*?

4. The status of New Brunswick as an officially bilingual province is enshrined in the Canadian Constitution.

In your opinion, how can New Brunswickers be better informed about this?

The questions are posted on the Legislative Assembly Web site and will be published in newspapers across the province over the next few months. Individuals and interest groups may submit comments via the Web site at <www.gnb.ca/legis>, or mail them, addressed to the attention of the Select Committee on the Revision of the *Official Languages Act*, to the Legislative Assembly of New Brunswick, P.O. Box 6000, Fredericton, New Brunswick, E3B 5H1, or e-mail them to <OLA-LLO.consultations@gnb.ca>.

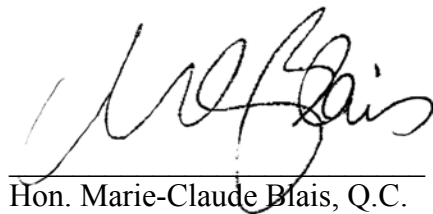
The committee has also agreed to hold meetings with individuals, experts, and interest groups presenting briefs and suggestions. These meetings can be held throughout the province if necessary.

Next Steps

Over the coming months, the committee will be meeting with interest groups, experts, and individuals, and will be studying the suggestions, proposals, and comments that are submitted.

The Select Committee will present its final report with recommendations to the Legislative Assembly in mid-October.

All of which is respectfully submitted,



Hon. Marie-Claude Blais, Q.C.
Chair



Hédard Albert, MLA
Vice-Chair

**ADDENDUM TO THE INTERIM REPORT
OF THE
SELECT COMMITTEE ON THE REVISION OF THE *OFFICIAL LANGUAGES ACT***

Clarification

The committee met with a stakeholder group composed of the SANB and the Association des juristes d'expression française. The group presented the main points of the draft bill, proposed by the SANB, the Association des juristes d'expression française and the Observatoire international des droits linguistiques.