



Official Languages Centre of Excellence Frequently Asked Questions

Official Languages (services to and communications with the public) Regulations

1. What is the purpose of the Official Languages (communications with and services to the public) Regulations (Regulations)?

- The provisions of the Regulations set out the circumstances under which a federal office communicates with the public and provides services in English, in French or in both official languages.
- As of March 31, 2018, nearly 4,000 federal offices in Canada and abroad provide services in both official languages out of a total of approximately 11,000 offices.

2. What changes were made to the Regulations?

- A new and more inclusive calculation method for estimating significant potential demand was adopted. It includes, among others, more people of immigrant background and bilingual families.
- A qualitative criteria that takes into account community vitality was added to determine the language obligations of offices. This provision will ensure bilingual services when a minority language school (elementary and secondary schools) is within an office's service area.
- The list of key services was expanded to include regional development agencies, the Business Development Bank of Canada, and all services offered through Service Canada centres, including passport services.
 - Key services are closer to citizens in general, so more of these services are offered in both official languages. For example, tax services, employment centres, post offices and RCMP detachments.
- Airports and train stations subject to the Official Languages Act that are located in provincial or territorial capitals, as well as federal offices within those airports, will be designated bilingual.
- Services offered to the public by means of videoconferencing will be added to the list of services that are automatically bilingual, regardless of demand.
- A rule was added to protect the bilingual designation of certain offices that depend on the proportion of the local official language minority population (5% threshold).

- Greater weight, visibility and importance was given to the requirement to consult official language minority communities on the location of bilingual offices by moving this requirement from the Directive to the Regulations.
- The language of service to the public in embassies and consulates was standardized and simplified by designating as bilingual the offices of Immigration, Refugees and Citizenship Canada in these locations.
- A rule was added to ensure a comprehensive analysis of the regulations 10 years after the adoption of the amendments and every 10 years thereafter.
- A rule was added to ensure services in the majority language where needed.
 - 3 offices were designated unilingual in the minority language while the demand suggested a need for bilingual services. This rule will correct such situations.
- A rule will ensure bilingual services in the post office located in Entry Island, Quebec.
- A provision will improve access to bilingual services in small communities with a large concentration of minority speakers.
- Rules were updated to allow for a single set of provisions for all immigration services and customs services provided by the Canada Border Services Agency at ports of entry into Canada.
 - The 1991 Regulations provided for two sets of rules at ports of entry: one for immigration services and one for non-immigration services. These provisions reflected the division of responsibilities that existed at the time the 1991 Regulations were adopted, and is no longer accurate.

3. When will the amendments come into force?

The coming into force of the amendments and their implementation in federal offices will be done in four major stages:

1. Upon registration of the Regulations, in 2019, the provision regarding consultation with minority languages communities will come into force.
2. One year after the registration of the Regulations, so in Spring 2020, the provision for train stations and airports in provincial capitals, the one for immigration offices in embassies and consulates and the provision ensuring services in the majority language when needed will come into force.
3. Most changes will come into force the day of the publication of linguistic data from the 2021 Census. Probably in 2022. Among those changes are the new calculation method, the vitality criteria, the expanded list of key services, the provision ensuring bilingual services in small communities with a large concentration of minority population, the provision for Entry Island and the unique series of provisions for immigration and customs services.
4. Finally, one year after the publication of the linguistic data from the 2021 Census, probably in 2023, the amendment protecting the bilingual designation of some offices and the provision pertaining to services offered by means of videoconferencing will come into force.

4. Regarding the rule ensuring that an office is bilingual if there is a school in its service area, what happens if a school closes or a new school opens?

- The rule would certainly apply to any new office subject to service area rules, and at each Regulations Re-Application Exercise (OLRE) for offices subject to service area rules.
- When a school opens or closes between two censuses, the implementation of the vitality mechanism – and its update – is still to be confirmed by other stakeholders affected, including Heritage Canada, which manages the list of minority schools, and with the communities themselves.

5. The amendments include a rule protecting the bilingual designation of some offices. What does that mean?

- With this amendment, an office will remain bilingual when the official language minority population that it serves has remained the same or has increased, even if its proportion of the general population has declined.
- This rule will protect the bilingual designation of offices that no longer meet the percentage threshold because the linguistic minority, although flourishing, doesn't increase as fast as the majority population of the locality.

6. If the rule protecting the bilingual designation of some offices only affects offices that are already bilingual, what will happen with new offices opening in that community?

- This provision aims to maintain obligations that have already been acquired to avoid losses where only the proportion of the minority population has changed. This is a concept of acquired bilingual designation.
- The Regulations will continue to set forth the circumstances in which there is significant demand and where an office must offer services in both official languages.
- New offices opening in the community will need to apply the Regulations to determine their language designation and implement new language obligations where required.

7. What will be the impact of the regulatory amendments?

- Approximately 700 federal offices will become bilingual following the implementation of the new provisions of the Regulations.
- Currently, more than 3, 800 (34%) of the some 11, 330 federal offices are designated bilingual. The amendments will increase this number to more than 4, 600 (41%) bilingual offices.
- This could change depending on the total number of federal offices and the 2021 decennial Census linguistic data.
- The changes are expected to result in an estimated \$91.4 million in costs over a 15-year period, based on a phased implementation approach.
- Institutions will absorb these costs as part of their usual operations.

8. In the Fall of 2018, it was mentioned that the regulatory amendments would impact approximately 600 offices. Why do we now say they will impact approximately 700 offices?

- After they were tabled before Parliament on October 24, 2018, the Draft Regulations were published in the Canada Gazette, Part I on January 12, 2019 with a public comment period of 30 sitting days of both Houses of Parliament.
- Stakeholders' feedback resulted in some adjustments to the Draft Regulations. Some changes resulted in new provisions being added to the amendments which impact more offices.
- Moreover, the simulations were revised and refined to have a better estimate of the amended Regulations' impact on federal institutions.
- The simulations revised to include the additional changes and refined for a better estimate revealed that approximately 700 offices could become bilingual following the implementation of the new provisions of the Regulations.
- This estimate could change depending on the total number of federal offices and the 2021 decennial Census linguistic data.

Still have questions? Contact the team at info-ollo@tbs-sct.gc.ca.

