



Language Rights in the Northern and Western Canadian regions

Note: This table is intended as an overview (not exhaustive) of language rights in the northern and western Canadian regions, and does not constitute legal opinion.

Partie 1 : Federal Government

Rights	Examples	Implemented by	Reference
<p>Right to use French and English during parliamentary debates, for printing and publishing laws, as well as Records and Journals of Houses of the Parliament of Canada.</p> <p>Right to use French and English by any person or in any pleading or process in or issuing from any Court of Canada established under the <i>Constitutional Act</i>.</p>	<p>All statutes and regulations adopted by the federal government must be written and published in both official languages.</p> <p>Members of parliament can use English or French during parliamentary debates.</p> <p>A person may testify in the language of his or her choice in courts.</p>	Federal government (constitutional right)	Section 133 of the <i>Constitutional Act, 1867</i>
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.		Federal government (constitutional right)	<p>S. 16(1) of the <i>Canadian Charter of Rights and Freedom</i></p> <p>For more details, see the <i>Official Languages Act</i> and <i>Official Languages Regulations</i></p>
Right to use French and English during parliamentary debates and other proceedings of Parliament.	<p>Members of parliament can use English or French during parliamentary debates.</p> <p>Members of parliament have access to simultaneous translation.</p>	Federal government (constitutional right)	<p>S. 17(1) of the <i>Canadian Charter of Rights and Freedom</i></p> <p>For more details, see the <i>Official Languages Act</i> and <i>Official Languages Regulations</i></p>
The statutes, records and journals of Parliament shall be printed and published in English and French and both versions are equally authoritative.	All statutes and regulations adopted by the federal government must be written and published in both official languages.	Federal government (constitutional right)	<p>S. 18(1) of the <i>Canadian Charter of Rights and Freedom</i></p> <p>For more details, see the <i>Official</i></p>

Rights	Examples	Implemented by	Reference
			<i>Languages Act and Official Languages Regulations</i>
Right to use French and English in any pleading in or process issuing from any court established by Parliament.	A person may testify in the language of his/her choice before the federal courts. The definition of “court” is interpreted broadly and liberally; meaning that it includes the federal courts created by federal statute. Ex.: Public Service Staffing Tribunal.	Federal government and federal courts (constitutional right)	S. 19(1) of the <i>Canadian Charter of Rights and Freedom</i> For more details, see the <i>Official Languages Act and Official Languages Regulations</i>
<p>Right to receive services and communications from the federal government in both official languages where there is “significant demand.”</p> <p>Active Offer: The active offer concept means that the service providers publicize the availability of services in both languages, and ensure that people feel equally comfortable in dealing with the designated service centres in the language of their choice.</p> <p>Right to services of “substantive equality” offered by the federal government to official language minority communities.</p>	<p>The government has the obligation to communicate in both official languages when communicating with the public. Ex.: communications from Ministers to the population</p> <p>Central offices of the federal government have the obligation to offer services in both official languages. Ex.: National Energy Board (Calgary, AB), Canadian Wheat Board (Winnipeg, MB). Obligation to offer in both languages equal service (ex. Comparable waiting time, equal quality of service) such as the Passport Service, the postal service.</p>	Federal government (constitutional right)	S. 20(1) of the <i>Canadian Charter of Rights and Freedom</i> For more details, see the <i>Official Languages Act and Official Languages Regulations</i>
Right to education and management of school boards	French-language school boards in regions where the number of right-holders warrants it.	Provincial government (constitutional right)	Section 23 of the <i>Canadian Charter of Rights and Freedom</i>
Note : All provinces and territories have a statute concerning Education stating the government’s obligations			



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Partie 2 : Provincial Governments

Manitoba			
Rights	Examples	Implemented by	Reference
Right to use English or French in the debates of the House of the Legislature, in the respective Records and Journals of those Houses; in any pleading or process, in or issuing from any court. The Acts of the Legislature shall be printed and published in English and French.	Members of parliament can use English or French during parliamentary debates. Members of the legislature have access to simultaneous translation. All statutes are written and published in both official languages.	Provincial Government (constitutional right)	S. 23 of the <i>Manitoba Act of 1870</i>
In civil and criminal matters: Right to opt for trial in English or French. Right to be understood by the judge without an interpreter.	Right of any Manitoban to use either official languages before any court (including boards and quasi-judicial tribunals)	Provincial Government (constitutional right)	S. 23 of the <i>Manitoba Act of 1870</i> S. 530 of the <i>of the Criminal Code</i> French Language Services Policy
Services in both official languages from designated institutions according to the Policy	Ex. Designated institutions of St-Norbert, St-Boniface See appendix of the Policy online at: http://www.gov.mb.ca/fls-slf/pdf/fls_policy.pdf	Provincial Government	French Language Services Policy
Services in both official languages from the municipality	Winnipeg	Municipal	By-Law No. 8154/2002 of the city of Winnipeg
Saskatchewan			
Right to use English or French in the debates of the House of the Legislature	Services of the Legislative Assembly translate French to English during the debates.	Provincial Government	S. 12 (1) of the <i>Language Act</i> According to the rules of the Legislative

			Assembly, the right for an MP to speak English or French is based on freedom of expression (S. 2 of the <i>Charter</i>)
<p>The rules and procedures of the Assembly and records and journals of the Assembly may be made, printed and published in English only.</p> <p>The Assembly may, by resolution, direct that all or part of the rules and procedures of the Assembly or records and journals of the Assembly shall be made, printed and published in English and French.</p>	<p>Where all or any part of the rules and procedures of the Assembly or the records and journals of the Assembly are made, printed and published in English and French, the English version and the French version are equally authoritative.</p> <p>Ex. According to the guide of the Legislative Assembly, a petition to the Assembly may be presented in English or in French.</p> <p>French interventions during debates are translated and both versions are included in records. Ex.: First Session - Twenty-Fifth Legislature of The Legislative Assembly of Saskatchewan, Debates and Proceedings(Hansard), Vol. XLVII No. 2A Friday, March 19, 2004, 10 a.m.</p>	Provincial Government	S. 12 of the <i>Language Act</i>
All Acts and regulations may be enacted, printed and published in English only or in English and French.	Many laws have been enacted, printed and published in English and in French. Ex. : - <i>Language Act</i> ; - <i>Act to amend The Enforcement of Maintenance Orders Act, 1997</i>	Provincial Government	S. 4 of the <i>Language Act</i>
Where an Act or regulation is enacted, printed and published in English and French, the English version and the French version are equally authoritative.	Ex. The Legislative Assembly and Executive Council Amendment Act, 2011; <i>Act to amend The Enforcement of Maintenance Orders Act, 1997</i>	Provincial Government	S. 10 of the <i>Language Act</i>
<p>Right to use English or French before the following courts:</p> <ul style="list-style-type: none"> • Court of Appeal of Saskatchewan; • Court of Queen’s Bench of Saskatchewan; • Provincial Court of Saskatchewan; • Traffic Safety Court. <p>In criminal matter, right for the</p>	<p>Tribunal Rules of Procedure are written and published in French and in English.</p> <p>In criminal matters, the judge shall understand the language of the trial without an interpreter and the court has an obligation to provide an interpreter for testimony in a</p>	Provincial Government	<p>S. 11 of the <i>Language Act</i></p> <p>Tribunal Rules of Procedure</p> <p>S. 530 of the <i>Criminal Code</i></p>

accused to choose a trial in English or French.	language other than the language of the trial.		
Services in both official languages from designated institutions according to French-language Services Policy	Services and communications are provided in the language chosen by the customer where services in both languages are justified. Services available in French online at : http://www.bonjour.gov.sk.ca/Default.aspx?DN=b1642a3c-c6c6-49a0-b762-05a45f4a669d&l=English	Provincial Government	French-language Services Policy (2003)
Services in both official languages	Ex.: Saint Isidore de Bellevue	Municipal	(No reference : Services given on a voluntary basis)
Alberta			
Right to use English and French during the legislature debates.	With prior notification to the Speaker of the Assembly and translation provided to all MPs, MPs have the right to speak French in the Legislature.	Provincial Government	S. 5(1) of the <i>Linguistic Act</i>
English is the official language of the province. The Assembly may, by resolution, direct that all or part of the Standing Orders or the records and journals of the Assembly shall be made, printed and published in English or French or both.	Provincial Archives provide French language services upon request. A collection of the Francophone Community Documents is available in the archives.	Provincial Government	S. 5(4) of the <i>Linguistic Act</i>
Right to use English or French in oral communication in proceedings before the following courts: • Court of Appeal of Alberta; • Court of Queen's Bench of Alberta; • Provincial Court of Alberta.	No certainty regarding the judge comprehension. Interpreter at the discretion of the court.	Provincial Government	S. 4(1) of the <i>Linguistic Act</i> Tribunal Rules of Procedure
In criminal and quasi criminal matters, right to be tried in French at the request of the accused. The judge or crown attorney has the obligation to inform the accused of that right.	In criminal matters, section 530 of the <i>Criminal Code</i> includes the right to be understood by the judge without an interpreter, and have a jury which understands the official language chosen.	Provincial Government	S. 530 of the <i>Criminal Code</i> Tribunal Rules of Procedure
Services in both official languages	Ex.: Lac La Biche	Municipal	(No reference : Services given on a voluntary basis)

British Columbia

Note : The *English Law Act (1960)*, which incorporates a law that dates from 1731 in England, judicial and legal services in the province are offered in English only, and not in "Latin or French or any other language".

In criminal and quasi criminal matters, right to be tried in French at the request of the accused. The judge or crown attorney has the obligation to inform the accused of that right.	In criminal matters, section 530 of the <i>Criminal Code</i> includes the right to be understood by the judge without an interpreter, and have a jury which understands the official language chosen.	Provincial Government	S. 530 of the <i>Criminal Code</i> Tribunal Rules of Procedure
There is a general provision in the province's Rules of Procedure establishing that all documents shall be prepared in the English language. That provision would not apply to the courts of criminal jurisdiction since it is contrary to the provisions of the <i>Criminal Code</i> .	Ex.: Provincial Court of British Columbia Criminal Caseflow Management Rules	Provincial Government	S. 530 of the <i>Criminal Code</i> Tribunal Rules of Procedure
Services in both official languages	Ex.: Nanaimo, Maillardville	Municipal	(No reference : Services given on a voluntary basis)



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Partie 3 : Territories Governments

Yukon			
Rights	Examples	Implemented by	Reference
<p>Right to use English, French, or a Yukon aboriginal language in any debates and other proceedings of the Legislative Assembly.</p> <p>The Legislative Assembly or a committee of the Assembly, when authorized by resolution of the Assembly, may make orders in relation to the translation of records and journals of the Assembly, Hansard, Standing Orders, and all other proceedings of the Legislative Assembly.</p>	<p>Members of the legislature can use English, French or aboriginal language during debates of the legislative Assembly.</p>	<p>Territorial Government</p>	<p>S. 3 of the <i>Languages Act</i></p>
<p>The statutes and regulations of the territorial legislature shall be printed and published in English and French and both versions are equally authoritative.</p>	<p>English and French are the official languages of the Yukon</p>	<p>Territorial Government</p>	<p>S. 4 of the <i>Languages Act</i></p>
<p>Either English or French may be used by any person in, or in any pleading in or process issuing from, any court established by the Legislative Assembly.</p>	<p>Territorial tribunals (in civil matters)</p>	<p>Territorial Government</p>	<p>S. 5 of the <i>Languages Act</i></p> <p>Tribunal Rules of Procedure</p>
<p>In criminal and quasi criminal matters, right to be tried in French at the request of the accused.</p> <p>The judge or crown attorney has the obligation to inform the accused of that right.</p>	<p>In criminal matters, territorial tribunals have additional obligations according to S. 530 of the <i>Criminal Code</i>.</p> <p>Ex. Right to be understood by the judge without an interpreter, and have a jury which understands the official language chosen.</p>	<p>Territorial Government</p>	<p>S. 530 of the <i>Criminal Code</i></p> <p>Tribunal Rules of Procedure</p>

Right to services in both official languages from institutions if there is a significant demand or due to the nature of the office .	O.I.C. 2003/79 prescribes that the following institutions have the obligation to offer services in both official languages : (a) Department of Energy, Mines and Resources, (i) Client Services and Inspection Branch; (ii) Forestry Branch; (iii) Lands Branch; (iv) Mining Lands Unit; (v) Yukon Geological Survey; (b) Department of Environment, Water Resources Branch; (c) Yukon Water Board.	Territorial Government	S. 6 of the <i>Languages Act</i>
Unconditional right to communicate with, and to receive available services from, any head or central office of an institution of the Legislative Assembly or of the Government of Yukon in English or French. Such offices are mainly located in Whitehorse.	The Policy applies to government agencies of the Yukon government, including these institutions : The Yukon Liquor Corporation, the Health and Safety Workplace Commission, the Yukon Housing Corporation, the Yukon Development Corporation, as well as regulatory commissions and courts that perform government functions, such as the Transportation Board, the Assessment Commission of appeal, the Yukon water Board and other agencies as may be prescribed by law.	Territorial Government	<i>French Language Policy</i>
North West Territories			
Right to use official languages (English, French, or a NWT aboriginal language) in any debates and other proceedings of the Legislative Assembly.	Members of the legislature can use English or French during debates.	Territorial Government (constitutional right)	S. 110 of the North-West Territories Act S. 6 of the <i>Official Languages Act</i> under review
The statutes, records and journals of the territorial legislature shall be printed and published in English and French and both versions are equally authoritative.	Statutes are written and published in both official languages	Territorial Government	S. 7 of the <i>Official Languages Act</i> under review
Right to use English or French in, or in any pleading in or process issuing from, any court established by the	Territorial tribunals	Territorial Government (constitutional	S. 110 of the North-West Territories Act

<p>Legislative Assembly.</p> <p>Simultaneous translation at the expense of the Court if required.</p>		right)	<p>S. 9 of the <i>Official Languages Act</i> under review</p> <p><i>Judicature Act</i></p>
<p>In criminal and quasi criminal matter, right to be tried in French at the request of the accused. The judge or crown attorney has the obligation to inform the accused of that right.</p> <p>Simultaneous translation at the expense of the Court if required.</p>	<p>In criminal matters, territorial tribunals have additional obligations according to S. 530 of the <i>Criminal Code</i>.</p> <p>Ex. Right to be understood by the judge without an interpreter, and have a jury which understands the official language chosen.</p>	Territorial Government (constitutional right)	<p>S. 110 of the North-West Territories Act</p> <p>S. 9 of the <i>Official Languages Act</i> under review</p> <p>S. 530 du <i>Code criminel</i></p> <p><i>Judicature Act</i></p>
<p>Decisions issued by any judicial or quasi-judicial body shall be issued in both English and French where the decision, order or judgment determines a question of law of general public interest or importance; or if the proceedings were conducted, in whole or in part, in both English and French.</p>	In civil and criminal matters	Territorial Government	<p>S. 10 of the <i>Official Languages Act</i> under review</p> <p>Official Languages Policy</p>
<p>Right to services in both official languages from institutions if there is a significant demand or due to the nature of the office.</p>	Nature of the office and significant demand determined by the Official Languages Policy	Territorial Government	<i>Official Languages Act</i> under review
<p>Right to services in French in designated areas and from offices in Yellowknife which provide services to the public.</p> <p>An office which provides services to the public in an area where the office is located and to other designated areas, the office shall offer services in the official languages of the other designated areas.</p>	<p>Designated Offices :</p> <p>In Fort Smith and Hay River: offices of the departments of Justice, Education, Culture and Employment, Renewable, Wildlife and Economic Development, and Safety and Public Services which provide services to the public shall make those services available in French.</p> <p>Ex. The office located in an English designated region which offers services in Hay River (French designated area) without having an office located in Hay River, shall offer services in French in Hay River.</p>	Territorial Government	Official languages Policy

<p>Active offer and signage in designated areas, institutions and offices.</p> <p>The Policy applies at all territorial government institutions and designated institutions.</p>	<p>The Official Languages Policy applies to the following boards and agencies:</p> <ul style="list-style-type: none"> • Legislative Assembly • Assessment Appeal Tribunal • Divisional Education Councils • District Education Authorities in Yellowknife • Hospital/Health Boards of Management • Labour Standards Board • Liquor Licensing Board • Northwest Territories Housing Corporation • Northwest Territories Power Corporation • Social Assistance Appeal Board • Territorial Board of Revisions • Workers' Compensation Board 	Territorial Government	Official Languages Policy
<p>Right to public health services and social services in French in designated areas where offices provide these services.</p>		Territorial Government	Official Languages Policy
<p>Nunavut Note : Laws, regulations, policies and proclamations of the NWT are enforceable if written and published in English and French. Nunavut enacted the <i>Inuit Language Protection Act</i>.</p>			
<p>Right to use official languages (English, French, or a Nunavut aboriginal language) in any debates and other proceedings of the Legislative Assembly.</p> <p>Copies of the sound recordings of the public debates of the Legislative Assembly, in their original and interpreted versions, shall be provided to any person on reasonable request.</p>	<p>Members of the legislature can use English or French during debates.</p>	Territorial Government (constitutional right)	<p>S. 110 of the <i>North-West Territories Act</i></p> <p>S. 10 of the <i>Codification administrative of the Official Languages Act of the NWT</i></p>
<p>Right to use English or French in, or in any pleading in or process issuing from, any court established by the Legislative Assembly.</p> <p>Simultaneous translation at the</p>	Territorial tribunals	Territorial Government (constitutional right)	<p>S. 110 of the North-West Territories Act</p> <p>S. 12 of the</p>

expense of the Court if the matter is of public interest or importance			<i>Codification administrative of the Official Languages Act of the NWT</i>
In criminal and quasi criminal matters, right to be tried in French at the request of the accused.	In criminal matters, territorial tribunals have additional obligations according to S. 530 of the <i>Criminal Code</i> . Ex.: Right to be understood by the judge without an interpreter, and have a jury which understands the official language chosen.	Territorial Government	S. 110 of the North-West Territories Act S. 12 of the <i>Codification administrative of the Official Languages Act of the NWT</i> S. 530 of the <i>Criminal Code</i> <i>Judicature Act</i>
Decisions issued by any judicial or quasi-judicial body shall be issued in both English and French where the decision, order or judgment determines a question of law of general public interest or importance; or the proceedings were conducted, in whole or in part, in both English and French.	Civil and criminal matters	Territorial Government	Official languages Policy(NWT)
Right to services in both official languages from institutions if there is a significant demand or due to the nature of the office . Active offer and signage in designated areas, institutions and offices.	Nature of the office and significant demand determined by the Official Languages Policy	Territorial Government	S. 14 of the <i>Codification administrative of the Official Languages Act of the NWT</i> Official languages Policy(NWT)
The Policy applies to all territorial government institutions and designated institutions. Active offer and signage in designated areas, institutions and offices.	The Official Languages Policy applies to the following boards and agencies: <ul style="list-style-type: none"> • Legislative Assembly • Assessment Appeal Tribunal • Divisional Education Councils • Hospital/Health Boards of Management • Labour Standards Board 		Official languages Policy(NWT)

	<ul style="list-style-type: none"> • Liquor Licensing Board • Northwest Territories Housing Corporation • Northwest Territories Power Corporation • Social Assistance Appeal Board • Territorial Board of Revisions • Workers' Compensation Board 		
Right to interpretation services for public hearings and public meetings	<p>Public hearings that are of general public interest or importance or could benefit members of the public in attendance.</p> <p>Public meetings when public opinion is sought regarding major changes to legislation, regulations or policy.</p> <p>Public meetings for initiatives which may have a major impact on a community.</p>	Territorial Government	Official languages Policy(NWT)
<p>Services in French in designated offices.</p> <p>Active offer and signage in designated areas, institutions and offices.</p>	<p>Designated Offices :</p> <p>In Iqaluit, offices of the departments of Justice, Education, Culture and Employment, Renewable, Wildlife and Economic Development, Safety and Public Services, and Transportation which provide services to the public shall make those services available in French.</p>	Territorial Government	Official languages Policy(NWT)