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SECTION 20
Right to Services in English and French

Compilation of primary documents to assist in interpreting the public meaning of Section 20 of the *Constitution Act, 1982*

Second Edition

August, 2025

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The Constitution Act, 1982

Part I. Canadian Charter of Rights and Freedoms

Official Languages of Canada

Communications by public with federal institutions

Section 20(1) *Any member of the public in Canada has the right to communicate with, and to receive available services from, any head or central office of an institution of the Parliament or government of Canada in English or French, and has the same right with respect to any other office of any such institution where*

(a) there is significant demand for communications with and services from that office in such language; or

(b) due to the nature of the office, it is unreasonable that communications with and services from that office be available in both English and French.

Communications by public with New Brunswick institutions

Section 20(2) *Any member of the public in New Brunswick has the right to communicate with, and to receive available services from, any office of an institution of the legislature or government of New Brunswick in English or French.*

PART 1:

Drafting History of the Charter of Rights and Freedoms Pertaining to Section 20's Public Meaning

Drafts of the Charter of Rights and Freedoms:

January 22, 1979: Proposed Charter of Rights & Freedoms, Ontario Draft tabled at the Continuing Committee of Ministers on the Constitution (January 22-24, 1979)

October 17, 1979: Rights and Freedoms within the Canadian Federation, Federal Draft, tabled at the Continuing Committee of Ministers on the Constitution (October 22-23, 1979)

November 5, 1979: Rights and Freedoms within the Canadian Federation, Federal Draft, tabled at the Meeting of Officials on the Constitution (November 15-16, 1979)

July 4, 1980: Continuing Committee of Ministers on the Constitution, Rights and Freedoms within the Canadian Federation, Discussion Draft (July 8-11, 1980)

July 4, 1980: Comité Permanent des Ministres sur la Constitution, Droits et Libertés à l'Interieur de la Fédération Canadienne, Document de Travail (July 8-11, 1980)

July 16, 1980: Revised Discussion Draft with Memo re Section 1 (July 18, 1980)

August 5, 1980: Revised Discussion Draft with Memo (August 5, 1980)

August 8, 1980: Formalities to Bill: Joint Resolution (August 8, 1980)

August 22, 1980: Discussion Draft (Federal) (August 26-29, 1980)

September 3, 1980: Revised Discussion Draft (September 8-12, 1980)

September 3, 1980 : Conference Fédérale-Provinciale des Premiers Ministres, Document de Travail, Charte Canadienne des Droits et Libertés (September 3, 1980)

September 24, 1980: Resolution for joint address to Her Majesty the Queen respecting the constitution of Canada (September 24, 1980)

October 2, 1980: Proposed Resolution for a Joint Address to Her Majesty the Queen respecting the Constitution of Canada with Handwritten Notes [Draft, Version1] (October 2, 1980)

October 2, 1980: Proposed Resolution for a Joint Address to Her Majesty the Queen respecting the Constitution of Canada with Handwritten Notes [Draft, Version 2] (October 2, 1980)

October 2, 1980: Proposed Resolution for a Joint Address to Her Majesty the Queen respecting the Constitution of Canada

November 3, 1980: Loose, Annex-Style Draft (November 3, 1980)

November 14, 1980: Memo from E.I. MacDonald to Deputy Minister [Amendments] (November 14, 1980)

November 17, 1980: Draft, Memorandum to Ministers re: Possible Amendments to proposed Resolution on Constitution of Canada (November 17, 1980)

November 20, 1980: Annex [No Title] Draft (November 20, 1980)

November 21, 1980: Appendices: Some French Text and Corrections to Follow Draft (November 21, 1980)

November 24, 1980: Annexes to Memorandum to Cabinet from Minister of Justice Dated November 24, 1980 Respecting Possible Amendments to Proposed Resolution on Constitution of Canada (November 24, 1980)

November 25, 1980: Annexes to Memorandum to Ministers from Minister of Justice dated November 25, 1980 respecting Possible Amendments to Proposed Resolution on Constitution of Canada (November 25, 1980)

December 5, 1980: Addendum to Ministers dated November 25, 1980 from the Minister of Justice re: Possible Amendments to Proposed Resolution on Constitution of Canada (December 5, 1980)
December 8, 1980: Addendum to Memorandum to Ministers Dated November 25, 1980 from the Minister of Justice re: Possible Amendments to Proposed Resolution on Constitution of Canada (December 5, 1980)
December 12, 1980: Annexes to Memorandum to Ministers from Minister of Justice dated December 12, 1980 respecting Possible Amendments to Proposed Resolution on Constitution of Canada [Version 1] (December 12, 1980)
December 12, 1980: Annexes to Memorandum to Ministers from Minister of Justice dated December 12, 1980 respecting Possible Amendments to Proposed Resolution on Constitution of Canada [Version 2] (December 12, 1980)
December 12, 1980: Draft [No Title]
December 19, 1980: Consolidation of Proposed Amendments to the Proposed Resolution Respecting the Constitution of Canada (December 19, 1980)
December 30, 1980: Regroupement des Modifications Éventuelles à Apporter au Projet de Résolution concernant la Constitution du Canada, Version Provisoire (December 30, 1980)
January 9-12, 1981: Briefing Book for Clause by Clause Consideration of the Resolution (January 1981)
January 12, 1981: Version formally presented to Special Joint Committee by Jean Chretien (January 12, 1981)

Statutes and International Agreements:

1978: Bill C-60: An Act to amend the Constitution of Canada

[*This section is incomplete*]

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Drafts of the Charter of Rights and Freedoms

January 22, 1979: Proposed Charter of Rights & Freedoms, Ontario Draft tabled at the Continuing Committee of Ministers on the Constitution (January 22-24, 1979)

> 14. (1) Any member of the public in Canada has the right to communicate with and to receive services from any head or central office of an institution of government of Canada in English or French, as he or she may choose and he or she has the same right with respect to any principal office of any such institution where that office is located within an area of Canada in which it is determined, in such manner as may be prescribed or authorized by Parliament, that a substantial number of persons within the population use that language.
>
> (2) Any member of the public in a province has the right to communicate with and to receive services from any head, central or other principal office of an institution of government of the province in English or French, as he or she may choose, to the extent to which and in the areas of the province in which it is determined, in such manner as may be prescribed or authorized by the legislature of the province that the right should pertain having regard to the practicability and necessity of providing such services.

(**Source:** Continuing Committee of Ministers on the Constitution, *Proposed Charter of Rights & Freedoms, Ontario Draft*, Doc 830-70/042 (Vancouver: 22-24 January, 1979). Click HERE)

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October 17, 1979: Rights and Freedoms within the Canadian Federation, Federal Draft, tabled at the Continuing Committee of Ministers on the Constitution (October 22-23, 1979)

> 11. Any member of the public in Canada has the right to communicate with and to receive services from any head or central office of an institution of government of Canada in English or French, as he or she may choose, and he or she has the same right with respect to any other principal office of any such institution when that office is located within an area of Canada in which it is determined, in such manner as may be prescribed or authorized by Parliament, that a substantial number of persons within the population use that language.
>
> [...]
>
> 15. Any member of the public in a province has the right to communicate with and to receive services from any head, central or principal office of an institution of government of the province in English or French, as he or she may choose, to the extent to which and in the areas of the province in which it is determined, in such manner as may be prescribed or authorized by the legislature of the province, that the right should pertain having regard to the practicability and necessity of providing such services.

(**Source:** Continuing Committee of Ministers on the Constitution, *Rights and Freedoms within the Canadian Federation Federal Draft* , [October 17, 1979] (Halifax: 22-23 October, 1979). Click HERE)

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November 5, 1979: Rights and Freedoms within the Canadian Federation, Federal Draft, tabled at the Meeting of Officials on the Constitution (November 15-16, 1979)

> 11. Any member of the public in Canada has the right to communicate with and to receive services from any head or central office of an institution of government of Canada in English or French, as he or she may choose, and he or she has the same right with respect to any other principal office of any such institution when that office is located within an area of Canada in which it is determined, in such manner as may be prescribed or authorized by Parliament, that a substantial number of persons within the population use that language.
>
> [...]
>
> 15. Any member of the public in a province has the right to communicate with and to receive services from any head, central or principal office of an institution of government of the province in English or French, as he or she may choose, to the extent to which and in the areas of the province in which it is determined, in such manner as may be prescribed or authorized by the legislature of the province, that the right should pertain having regard to the practicability and necessity of providing such services.

(**Source:** Meeting of Officials on the Constitution, Rights & Freedoms within Canadian Federation, *Federal Draft*, [November 5, 1979], Doc 840-177/005 (Toronto: 15-16 November, 1979). Click HERE)

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July 4, 1980: Continuing Committee of Ministers on the Constitution, Rights and Freedoms within the Canadian Federation, Discussion Draft

> 14. (1) Any member of the public in Canada has the right to communicate with and to receive services from any head or central office of an institution of government of Canada in English or French, and has the same right with respect to any other principal office of any such institution where that office is located within an area of Canada in which it is determined, in such manner as may be prescribed or authorized by Parliament, that a substantial number of persons within the population use that language.
>
> (2) Any member of the public in a province has the right to communicate with and to receive services from any head, central or other principal office of an institution of government of the province in English or French to the extent to which and in the areas of the province in which it is determined, in such manner as may be prescribed or authorized by the legislature of the province, that the right should pertain having regard to the practicability and necessity of providing such services.

(Source: Meeting of the Continuing Committee of Ministers on the Constitution, *Rights and Freedoms within the Canadian Federation, Discussion Draft. Tabled by the Delegation of the Government of Canada, 4 July 1980*, Doc 830-81/027 (Montreal: 8-11 July 1980). Click HERE.)

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July 16, 1980: Revised Discussion Draft with Memo re Section 1

> 14. (1) Any member of the public in Canada has the right to communicate with and to receive services from any head or central office of an institution of government of Canada in English or French, and has the same right with respect to any other principal office of any such institution where that office is located within an area of Canada in which it is determined, in such manner as may be prescribed or authorized by Parliament, that a substantial number of persons within the population use that language.
>
> (2) Any member of the public in a province has the right to communicate with and to receive services from any head, central or other principal office of an institution of government of the province in English or French to the extent to which and in the areas of the province in which it is determined, in such manner as may be prescribed or authorized by the legislature, that the right should pertain having regard to the practicability and necessity of providing such services.

(Source: Memo from Fred Jordan to Roger Tassé re Charter of Rights – Possible Modifications [with Possible Alternatives to Section 1 of July 4, 1980 Draft & Revised Discussion Draft (16 July 1980)] (18 July 1980). This text is found on p. 2. Click HERE.)

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August 5, 1980: Revised Discussion Draft with Memo

> 22. (1) Any member of the public in Canada has the right to communicate with and to receive services from any head or central office of an institution of government of Canada in English or French, and has the same right with respect to any other office of any such institution where that office is located within an area of Canada in which it is determined, in such manner as may be prescribed or authorized by Parliament, that a substantial number of persons within the population use that language.
>
> (2) Any member of the public in a province has the right to communicate with and to receive services from any head, central or principal office of an institution of government of the province in English or French to the greatest extent practicable accordingly as the legislature prescribes. (*)
>
> (* New Brunswick may wish special provision added respecting language of services to the public.)

(Source: Memo from Deputy Minister of Justice to Prime Minister, Charter of Rights incl. Discussion Draft, The Canadian Charter of Rights and Freedoms (5 August 1980). Click HERE.)

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August 8, 1980: Formalities to Bill: Joint Resolution

> 22. (1) Any member of the public in Canada has the right to communicate with and to receive services from any head or central office of an institution of government of Canada in English or French, and has the same right with respect to any other office of any such institution where that office is located within an area of Canada in which it is determined, in such manner as may be prescribed or authorized by Parliament, that a substantial number of persons within the population use that language.
>
> (2) Any member of the public in a province has the right to communicate with and to receive services from any head, central or principal office of an institution of government of the province in English or French to the greatest extent practicable accordingly as the legislature prescribes. (*)
>
> (* New Brunswick may wish special provision added respecting language of services to the public.)

(Source: Canada, Formalities to Bill, Draft Joint Resolution, An Act to Amend the Constitution of Canada (8 August 1980). Click HERE.)

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August 22, 1980: Discussion Draft (Federal)

> 22. (1) Any member of the public in Canada has the right to communicate with and to receive services from any head or central office of an institution of the Parliament or Government of Canada in English or French, and has the same right with respect to any other office of any such institution where that office is located within an area of Canada in which it is determined, in such manner as may be prescribed or authorized by Parliament, that a substantial number of persons within the population use that language.
>
> (2) Any member of the public in a province has the right to communicate with and to receive services from any head, central or principal office of an institution of the legislature or government of the province in English or French to the greatest extent practicable accordingly as the legislature prescribes. (*)
>
> (* New Brunswick may wish special provision added respecting language of services to the public.)

(Source: Continuing Committee of Ministers on the Constitution, *The Canadian Charter of Rights and Freedoms, Discussion Draft [Federal]*, (August 22, 1980), Doc 830-84/004 (Ottawa: 26-29 August 1980). Click HERE.)

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September 3, 1980: Revised Discussion Draft

> 20. (1) Any member of the public in Canada has the right to communicate with and to receive available services from any head or central office of an institution of the Parliament or Government of Canada in English or French, and has the same right with respect to any other office of any such institution where that office is located within an area of Canada in which it is determined, in such manner as may be prescribed or authorized by Parliament, that a substantial number of persons within the population use that language.
>
> (2) Any member of the public in a province has the right to communicate with and to receive available services from any head, central or principal office of an institution of the legislature or government of the province in English or French to the greatest extent practicable accordingly as the legislature prescribes.

(Source: Federal-Provincial First Ministers' Conference, *The Canadian Charter of Rights and Freedoms, Revised Discussion Draft, Federal*, [September 3, 1980] Doc 800-14/064 (Ottawa: 8-12 September 1980). Click HERE.)

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September 24, 1980: Resolution for joint address to Her Majesty the Queen respecting the constitution of Canada

> 20. Any member of the public in Canada has the right to communicate with, and to receive available services from, any head or central office of an institution of the Parliament or government of Canada in English or French, as he or she may choose, and has the same right with respect to any other office of any such institution where that office is located within an area of Canada in which it is determined, in such manner as may be prescribed or authorized by Parliament, that a substantial number of persons within the population use that language.

(Source: Canada, Parliament, DRAFT, "Resolution for joint address to Her Majesty the Queen respecting the constitution of Canada" (24 September 1980). Click HERE.)

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October 2, 1980: Proposed Resolution for a Joint Address to Her Majesty the Queen respecting the Constitution of Canada with Handwritten Notes [Draft, Version1]

> 20. Any member of the public in Canada has the right to communicate with, and to receive available services from, any head or central office of an institution of the Parliament or government of Canada in English or French, as he or she may choose, and has the same right with respect to any other office of any such institution where that office is located within an area of Canada in which it is determined, in such manner as may be prescribed or authorized by Parliament, that a substantial number of persons within the population use that language.

(Source: Canada, Parliament, DRAFT, Proposed Resolution for Joint Address to Her Majesty the Queen Respecting the Constitution of Canada, Version 1 (2 October 1980). Click HERE.)

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October 2, 1980: Proposed Resolution for a Joint Address to Her Majesty the Queen respecting the Constitution of Canada with Handwritten Notes [Draft, Version 2]

> 20. Any member of the public in Canada has the right to communicate with, and to receive available services from, any head or central office of an institution of the Parliament or government of Canada in English or French, as he or she may choose, and has the same right with respect to any other office of any such institution where that office is located within an area of Canada in which it is determined, in such manner as may be prescribed or authorized by Parliament, that a substantial number of persons within the population use that language.

(Source: Canada, Parliament, DRAFT, Proposed Resolution for Joint Address to Her Majesty the Queen Respecting the Constitution of Canada, Version 2 with Handwritten Notes (2 October 1980). Click HERE.)

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October 2, 1980: Proposed Resolution for a Joint Address to Her Majesty the Queen respecting the Constitution of Canada

> 20. Any member of the public in Canada has the right to communicate with, and to receive available services from, any head or central office of an institution of the Parliament or government of Canada in English or French, as he or she may choose, and has the same right with respect to any other office of any such institution where that office is located within an area of Canada in which it is determined, in such manner as may be prescribed or authorized by Parliament, that a substantial number of persons within the population use that language.

(Source: Canada, Parliament, "Proposed Resolution for a Joint Address to Her Majesty the Queen respecting the Constitution of Canada" in *Sessional Papers* (1980). Click HERE.)

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November 3, 1980: Loose, Annex-Style Draft

> 20. Any member of the public in Canada has the right to communicate with, and to receive available services from, any head or central office of an institution of the Parliament or government of Canada in either official language, and has the same right with respect to any other office of any such institution where it is determined, in such manner as may be prescribed or authorized by Parliament, that there is a significant demand for communications with and services from that office in both official languages.

(Source: [Department of Justice?], [Loose] Annex [Draft] (3 November 1980) found attached to Memo from Mary Dawson, Differences Between French and English, Possible Technical Changes, Possible Technical (31 October 1980). A second loose copy was found near that document as well. Click HERE.)

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November 14, 1980: Memo from E.I. MacDonald to Deputy Minister [Amendments]:

> 20. Any member of the public in Canada has the right to communicate with, and to receive available services from, any head or central office of an institution of the Parliament or government of Canada in either official language, and has the same right with respect to any other office of any such institution where it is determined, in such manner as may be prescribed or authorized by Parliament, that there is a significant demand for communications with and services from that office in both official languages.

(Source: Memo from E.I. MacDonald to Deputy Minister [with Proposed Amendments] (14 November 1980). Click HERE.)

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November 17, 1980: Draft, Memorandum to Ministers re: Possible Amendments to proposed Resolution on Constitution of Canada:

> 20. Any member of the public in Canada has the right to communicate with, and to receive available services from, any head or central office of an institution of the Parliament or government of Canada in English or French, and has the same right with respect to any other office of any such institution where it is determined, in such manner as may be prescribed or authorized by Parliament, that there is a significant demand for communications with and services from that office in both English and French.

(Source: Memorandum to Ministers re: Possible Amendments to proposed Resolution on Constitution of Canada (17 November 1980). Click HERE.)

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November 20, 1980: Annex [No Title] Draft:

> 20. Any member of the public in Canada has the right to communicate with, and to receive available services from, any head or central office of an institution of the Parliament or government of Canada in English or French, and has the same right with respect to any other office of any such institution where it is determined, in such manner as may be prescribed or authorized by Parliament, that there is a significant demand for communications with and services from that office in both English and French.

(Source: [Department of Justice?], Annex [Drafts] (20 November 1980). Click HERE.)

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November 21, 1980: Appendices: Some French Text and Corrections to Follow Draft

> 20. Any member of the public in Canada has the right to communicate with, and to receive available services from, any head or central office of an institution of the Parliament or government of Canada in English or French, and has the same right with respect to any other office of any such institution where it is determined, in such manner as may be prescribed or authorized by Parliament, that there is a significant demand for communications with and services from that office in both English and French.

(Source: [Department of Justice?], Appendices: Some French Text and Corrections to Follow Draft (21 November 1980). Click HERE.)

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November 24, 1980: Annexes to Memorandum to Cabinet from Minister of Justice Dated November 24, 1980 Respecting Possible Amendments to Proposed Resolution on Constitution of Canada

> 20. Any member of the public in Canada has the right to communicate with, and to receive available services from, any head or central office of an institution of the Parliament or government of Canada in English or French, and has the same right with respect to any other office of any such institution where it is determined, in such manner as may be prescribed or authorized by Parliament, that there is a significant demand for communications with and services from that office in both English and French.

(Source: Annexes du Mémoire au Cabinet du Ministre de la Justice daté du 24 novembre 1980 concernant la possibilité d'apporter des modifications au Projet de résolution concernant la Constitution du Canada (24 novembre 1980). Click HERE.)

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November 25, 1980: Annexes to Memorandum to Ministers from Minister of Justice dated November 25, 1980 respecting Possible Amendments to Proposed Resolution on Constitution of Canada

> 20. Any member of the public in Canada has the right to communicate with, and to receive available services from, any head or central office of an institution of the Parliament or government of Canada in English or French, and has the same right with respect to any other office of any such institution where it is determined, in such manner as may be prescribed or authorized by Parliament, that there is a significant demand for communications with and services from that office in both English and French.

(Source: Annexes to Memorandum to Ministers from Minister of Justice dated November 25, 1980 respecting Possible Amendments to Proposed Resolution on Constitution of Canada (25 November 1980). Click HERE.)

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December 5, 1980: Addendum to Ministers dated November 25, 1980 from the Minister of Justice re: Possible Amendments to Proposed Resolution on Constitution of Canada:

> 20. (1) Any member of the public in Canada has the right to communicate with, and to receive available services from, any head or central office of an institution of the Parliament or government of Canada in English or French, and has the same right with respect to any other office of any such institution where it is determined, in such manner as may be prescribed or authorized by Parliament, that there is a significant demand for communications with and services from that office in both English and French.
>
> (2) Any member of the public in New Brunswick has the right to communicate with, and to receive available services from, any office of an institution of the legislature or government of New Brunswick in English or French

(Source: Memo from E.I. MacDonald, Addendum to Ministers dated November 25, 1980 from the Minister of Justice re: Possible Amendments to Proposed Resolution on Constitution of Canada (5 December 1980). Click HERE.)

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December 8, 1980: Addendum to Memorandum to Ministers Dated November 25, 1980 from the Minister of Justice re: Possible Amendments to Proposed Resolution on Constitution of Canada:

> 20. (1) Any member of the public in Canada has the right to communicate with, and to receive available services from, any head or central office of an institution of the Parliament or government of Canada in English or French, and has the same right with respect to any other office of any such institution where it is determined, in such manner as may be prescribed or authorized by Parliament, that there is a significant demand for communications with and services from that office in both English and French.
>
> (2) Any member of the public in New Brunswick has the right to communicate with, and to receive available services from, any office of an institution of the legislature or government of New Brunswick in English or French

(Source: Memo from E.I. MacDonald, Addendum to Ministers dated November 25, 1980 from the Minister of Justice re: Possible Amendments to Proposed Resolution on Constitution of Canada (5 December 1980). Click HERE.)

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December 12, 1980: Annexes to Memorandum to Ministers from Minister of Justice dated December 12, 1980 respecting Possible Amendments to Proposed Resolution on Constitution of Canada [Version 1]

> 20. Any member of the public in Canada has the right to communicate with, and to receive available services from, any head or central office of an institution of the Parliament or government of Canada in English or French, and has the same right with respect to any other office of any such institution where there is a significant demand for, or it is reasonable to require that there be, communications with and services from that office in both English and French.

(Source: Annexes to Memorandum to Ministers from Minister of Justice dated December 12, 1980 respecting Possible Amendments to Proposed Resolution on Constitution of Canada [Version 1] (12 December 1980). Click HERE.)

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December 12, 1980: Annexes to Memorandum to Ministers from Minister of Justice dated December 12, 1980 respecting Possible Amendments to Proposed Resolution on Constitution of Canada [Version 2]:

> 20. Any member of the public in Canada has the right to communicate with, and to receive available services from, any head or central office of an institution of the Parliament or government of Canada in English or French, and has the same right with respect to any other office or facility of any such institution where there is a reasonable requirement for communications with and services from that office or facility in both English and French or the office or facility serves members of the travelling public.

(Source: Annexes to Memorandum to Cabinet from Minister of Justice Dated December 12, 1980 Respecting Possible Amendments to Proposed Resolution on Constitution of Canada [Version 2] (12 December 1980). Click HERE.)

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December 12, 1980: Draft [No Title]

> 20. Any member of the public in Canada has the right to communicate with, and to receive available services from, any head or central office of an institution of the Parliament or government of Canada in English or French, and has the same right with respect to any other office of any such institution where there is a significant demand for, or it is reasonable to require that there be, communications with and services from that office in both English and French.

(Source: [Department of Justice?], [DRAFT], Constitution Act, 1980. Click HERE.)

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December 19, 1980: Consolidation of Proposed Amendments to the Proposed Resolution Respecting the Constitution of Canada

> 20. (1) Any member of the public in Canada has the right to communicate with, and to receive available services from, any head or central office of an institution of the Parliament or government of Canada in English or French, and has the same right with respect to any other office of any such institution where
>
> (a) there is significant demand for communications with and services from that office in both English and French; or
> (b) due to the nature of the office, it is reasonable that communications with and services from that office be available in both English and French.
>
> (2) Any member of the public in New Brunswick has the right to communicate with, and to receive available services from, any office of an institution of the legislature or government of New Brunswick in English or French.

(Source: Consolidation of Proposed Amendments to the Proposed Resolution Respecting the Constitution of Canada (19 December 1980). Click HERE.)

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January 9-12, 1981: Briefing Book for Clause by Clause Consideration of the Resolution:

> 20. (1) Any member of the public in Canada has the right to communicate with, and to receive available services from, any head or central office of an institution of the Parliament or government of Canada in English or French, and has the same right with respect to any other office of any such institution where
>
> (a) there is a significant demand for communications with and services from that office in such language; or
> (b) due to the nature of the office, it is reasonable that communications with and services from that office be available in both English and French.
>
> (2) Any member of the public in New Brunswick has the right to communicate with, and, to receive available services from any office of an institution of the legislature or government of New Brunswick in English or French

(Source: Canada, *Briefing Book for Clause by Clause Consideration of the Resolution* (January 1981). Click HERE.)

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January 12, 1981: Version formally presented to Special Joint Committee by Jean Chretien[1]

> **20**. (1) Any member of the public in Canada has the right to communicate with, and to receive available services from, any head or central office of an institution of the Parliament or government of Canada in English or French, and has the same right with respect to any other office of any such institution where
>
> (a) there is a significant demand for communications with and services from that office in such language; or
> (b) due to the nature of the office, it is reasonable that communications with and services from that office be available in both English and French.
>
> (2) Any member of the public in New Brunswick has the right to communicate with, and, to receive available services from any office of an institution of the legislature or government of New Brunswick in English or French.

(Source: Canada, Parliament, *Minutes of Proceedings and Evidence of the Special Joint Committee of the Senate and of the House of Commons on the Constitution of Canada*, 32nd Parl, 1st Sess, No 36 (12 January 1981). Click HERE.)

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[1] See also January 9-12, 1981: Briefing Book for Clause by Clause Consideration of the Resolution.

French:

July 4, 1980: Comité Permanent des Ministres sur la Constitution, Droits et Libertés à l'Interieur de la Fédération Canadienne, Document de Travail

> 14. (1) Toute personne au Canada a, en tant que membre du public, le droit de communiquer en français ou en anglais avec le siège de toute institution du gouvernement du Canada et de recevoir de lui des services en français ou en anglais; elle a le même droit à l'égard de tout bureau principal de ces institutions situe dans une région où il est reconnu, conformément aux modalités prévues ou autorisées par le Parlement, qu'un nombre important de personnes dans la population emploie cette langue.
>
> (2) Toute personne a, dans une province, en tant que membre du public, le droit de communiquer en français ou en anglais avec le siège ou un bureau principal de toute institution du gouvernement de la province et de recevoir d'eux des services en français ou en anglais, dans la mesure où et dans les régions de la province où, conformément aux modalités prévues ou autorisées par le corps législatif provincial, il est détermine que ce droit doit être accorde pour le motif qu'il est possible et nécessaire de services.

(Source: Comité Permanent des Ministres sur la Constitution, *Droits et Libertés à l'Interieur de la Fédération Canadienne, Document de Travail*, Doc: 830-81/027 (Montréal: 8-11 juillet 1980). Click HERE.)

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September 3, 1980 : Conference Fédérale-Provinciale des Premiers Ministres, Document de Travail, Charte Canadienne des Droits et Libertés

> 20. (1) Toute personne au canada a, en tant que membre du public, le droit de communiquer en français ou en anglais avec le siège des institutions du Parlement ou du gouvernement du Canada et de recevoir en français ou en anglais les services qu'il offre; elle a le même droit à l'égard de toute autre bureau de ces institutions situé dans une région où il est reconnu, conformément aux modalités prévues ou autorisées par le Parlement, qu'une partie importante de la population emploie cette langue.
>
> (2) Toute personne a, dans toute province, en tant que membre du public, le droit de communiquer en français ou en anglais avec le siège ou un bureau principal de toute institution de la législature ou du gouvernement de la province et de recevoir en français ou en anglais, les services qu'il offre, dans toute la mesure du possible, conformément à ce qui est prévu par la législature.

(Source: Conference Fédérale-Provinciale des Premiers Ministres, *Document de Travail, Charte Canadienne des Droits et Libertés* (3 septembre 1980). Click HERE.)

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September 24, 1980: Resolution for joint address to Her Majesty the Queen respecting the constitution of Canada

> 20. Chacun a, au Canada, a titre prive, droit à l'emploi de la langue officielle de son choix pour communiquer avec le siège ou l'administration centrale des institutions du Parlement ou du gouvernement du Canada ou pour en recevoir les services; il a le même droit à l'égard de tout autre bureau de ces institutions situe dans une région du Canada ou il est reconnue, conformément aux modalités prévues ou autorisées par le Parlement, qu'une partie importante de la population emploie la langue qu'il a choisie.

(Source: Canada, Parliament, DRAFT, "Resolution for joint address to Her Majesty the Queen respecting the constitution of Canada" (24 September 1980). Click HERE.)

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October 2, 1980: Proposed Resolution for a Joint Address to Her Majesty the Queen respecting the Constitution of Canada with Handwritten Notes [Draft, Version1]

> 20. Chacun a, au Canada, a titre prive, droit à l'emploi de la langue officielle de son choix pour communiquer avec le siège ou l'administration centrale des institutions du Parlement ou du gouvernement du Canada ou pour en recevoir les services; il a le même droit à l'égard de tout autre bureau de ces institutions situe dans une région du Canada ou il est reconnue, conformément aux modalités prévues ou autorisées par le Parlement, qu'une partie importante de la population emploie la langue qu'il a choisie.

(Source: Canada, Parliament, DRAFT, Proposed Resolution for Joint Address to Her Majesty the Queen Respecting the Constitution of Canada, Version 1 (2 October 1980). Click HERE.)

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October 2, 1980: Proposed Resolution for a Joint Address to Her Majesty the Queen respecting the Constitution of Canada with Handwritten Notes [Draft, Version 2]

> 20. Chacun a, au Canada, a titre prive, droit à l'emploi de la langue officielle de son choix pour communiquer avec le siège ou l'administration centrale des institutions du Parlement ou du gouvernement du Canada ou pour en recevoir les services; il a le même droit à l'égard de tout autre bureau de ces institutions situe dans une région du Canada ou il est reconnue, conformément aux modalités prévues ou autorisées par le Parlement, qu'une partie importante de la population emploie la langue qu'il a choisie.

(Source: Canada, Parliament, DRAFT, Proposed Resolution for Joint Address to Her Majesty the Queen Respecting the Constitution of Canada, Version 2 with Handwritten Notes (2 October 1980). Click HERE.)

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October 2, 1980: Proposed Resolution for a Joint Address to Her Majesty the Queen respecting the Constitution of Canada

> 20. Chacun a, au Canada, a titre prive, droit à l'emploi de la langue officielle de son choix pour communiquer avec le siège ou l'administration centrale des institutions du Parlement ou du gouvernement du Canada ou pour en recevoir les services; il a le même droit à l'égard de tout autre bureau de ces institutions situe dans une région du Canada ou il est reconnue, conformément aux modalités prévues ou autorisées par le Parlement, qu'une partie importante de la population emploie la langue qu'il a choisie.

(Source: Canada, Parliament, "Proposed Resolution for a Joint Address to Her Majesty the Queen respecting the Constitution of Canada" in *Sessional Papers* (1980). Click HERE.)

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November 20, 1980: Annex [No Title] Draft:

> 20. Le public a, au Canada, droit à l'emploi de l'une ou l'autre langue officielle pour communiquer avec le siège ou l'administration centrale des institutions du Parlement ou du gouvernement du Canada ou pour en recevoir les services; il a le même droit à l'égard de tout bureau de ces institutions dans le cas où il est reconnu, conformément aux modalités prévues ou autorisées par le Parlement, que l'emploi des deux langues officielles pour communiquer avec ce bureau ou pour en recevoir les services fait l'objet d'une demande importante.

(Source: [Department of Justice?], Annex [Drafts] (20 November 1980). Click HERE.)

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November 21, 1980: Appendices: Some French Text and Corrections to Follow Draft

> 20. Le public a, au Canada, droit à l'emploi de l'une ou l'autre langue officielle pour communiquer avec le siège ou l'administration centrale des institutions du Parlement ou du gouvernement du Canada ou pour en recevoir les services; il a le même droit à l'égard de tout bureau de ces institutions dans le cas où il est reconnu, conformément aux modalités prévues ou autorisées par le Parlement, que l'emploi des deux langues officielles pour communiquer avec ce bureau ou pour en recevoir les services fait l'objet d'une demande importante.

(Source: [Department of Justice?], Appendices: Some French Text and Corrections to Follow Draft (21 November 1980). Click HERE.)

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November 24, 1980: Annexes to Memorandum to Cabinet from Minister of Justice Dated November 24, 1980 Respecting Possible Amendments to Proposed Resolution on Constitution of Canada

> 20. Le public a, au Canada, droit à l'emploi du français ou de l'anglais pour communiquer avec le siège ou l'administration centrale des institutions du Parlement ou du gouvernement du Canada ou pour en recevoir les services; il a le même droit à l'égard de tout bureau de ces institutions dans le cas où il est reconnu, conformément aux modalités prévues ou autorisées par le Parlement, que l'emploi tant du français que de l'anglais pour communiquer avec ce bureau ou pour en recevoir les services fait l'objet d'une demande importante.

(Source: Annexes du Mémoire au Cabinet du Ministre de la Justice daté du 24 novembre 1980 concernant la possibilité d'apporter des modifications au Projet de résolution concernant la Constitution du Canada (24 novembre 1980). Click HERE.)

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November 25, 1980: Annexes to Memorandum to Ministers from Minister of Justice dated November 25, 1980 respecting Possible Amendments to Proposed Resolution on Constitution of Canada

> 20. Le public a, au Canada, droit à l'emploi du français ou de l'anglais pour communiquer avec le siège ou l'administration centrale des institutions du Parlement ou du gouvernement du Canada ou pour en recevoir les services; il a le même droit à l'égard de tout bureau de ces institutions dans le cas où il est reconnu, conformément aux modalités prévues ou autorisées par le Parlement, que l'emploi tant du français que de l'anglais pour communiquer avec ce bureau ou pour en recevoir les services fait l'objet d'une demande importante.

(Source: Annexes to Memorandum to Ministers from Minister of Justice dated November 25, 1980 respecting Possible Amendments to Proposed Resolution on Constitution of Canada (25 November 1980). Click HERE.)

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December 8, 1980: Addendum to Memorandum to Ministers Dated November 25, 1980 from the Minister of Justice re: Possible Amendments to Proposed Resolution on Constitution of Canada:

> 20. Le public a, au Canada, droit à l'emploi du français ou de l'anglais pour communiquer avec le siège ou l'administration centrale des institutions du Parlement ou du gouvernement du Canada ou pour en recevoir les services; il a le même droit à l'égard de tout bureau de ces institutions dans le cas où il est reconnu, conformément aux modalités prévues ou autorisées par le Parlement, que l'emploi tant du français que de l'anglais pour communiquer avec ce bureau ou pour en recevoir les services fait l'objet d'une demande importante.
>
> (2) Chacun a droit au Nouveau-Brunswick à l'emploi du français ou de l'anglais pour communiquer avec l'administration des institutions de la Législature ou du gouvernement du Nouveau-Brunswick ou pour en recevoir les services.

(Source: Memo from E.I. MacDonald, Addendum to Ministers dated November 25, 1980 from the Minister of Justice re: Possible Amendments to Proposed Resolution on Constitution of Canada (5 December 1980). Click HERE.)

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December 12, 1980: Annexes to Memorandum to Ministers from Minister of Justice dated December 12, 1980 respecting Possible Amendments to Proposed Resolution on Constitution of Canada [Version 1]

> 20. Le public a, au Canada, droit à l'emploi du français ou de l'anglais pour communiquer avec le siège ou l'administration centrale des institutions du Parlement ou du gouvernement du Canada ou pour en recevoir les services; il a le même droit à l'égard de tout autre bureau de ces institutions là où l'emploi tant du français que de l'anglais pour communiquer avec ce bureau ou pour en recevoir les services fait l'objet d'une demande importante ou justifiable.

(Source: Annexes to Memorandum to Ministers from Minister of Justice dated December 12, 1980 respecting Possible Amendments to Proposed Resolution on Constitution of Canada [Version 1] (12 December 1980). Click HERE.)

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December 12, 1980: Annexes to Memorandum to Ministers from Minister of Justice dated December 12, 1980 respecting Possible Amendments to Pro-posed Resolution on Constitution of Canada [Version 2]:

> 20. Le public a, au Canada, droit à l'emploi du français ou de l'anglais pour communique avec le siège ou l'administration centrale des institutions du Parlement ou du gouvernement du Canada ou pour en recevoir les services; il a le même droit à l'égard de tout autre bureau de ces institutions là où l'emploi tant du français que de l'anglais pour communiquer avec ce bureau ou pour en recevoir les services fait l'objet d'une demande importante.

(Source: Annexes to Memorandum to Cabinet from Minister of Justice Dated December 12, 1980 Respecting Possible Amendments to Proposed Resolution on Constitution of Canada [Version 2] (12 December 1980). Click HERE.)

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December 30, 1980: Regroupement des Modifications Éventuelles à Apporter au Projet de Résolution concernant la Constitution du Canada, Version Provisoire

> 20. (1) Le public a, au Canada, droit à l'emploi du français ou de l'anglais pour communiquer avec le siège ou l'administration centrale des institutions du Parlement ou du gouvernement du

> Canada ou pour en recevoir les services; il a le même droit à l'égard de tout autre bureau de ces institutions là où l'emploi tant du français que de l'anglais pour communiquer avec ce bureau ou pour en recevoir les services:
>
> a) fait l'objet d'une demande importante;
> b) se justifie par la vocation du bureau.
>
> (2) Chacun a droit au Nouveau-Brunswick à l'emploi du français ou de l'anglais pour communiquer avec l'administration des institutions de la Législature ou du gouvernement du Nouveau-Brunswick ou pour en recevoir les services.

(Source: Regroupement des Modifications Éventuelles à Apporter au Projet de Résolution concernant la Constitution du Canada, Version Provisioire (30 décembre 1980). Click HERE.)

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January 9-12, 1981: Briefing Book for Clause by Clause Consideration of the Resolution:

> **20 (1)** Le public a, au Canada, droit à l'emploi du français ou de l'anglais pour communiquer avec le siège ou l'administration centrale des institutions du Parlement ou du gouvernement du Canada ou pour en recevoir les services; il a le même droit à l'égard de tout autre bureau de ces institutions là où, selon le cas :
>
> **a)** l'emploi du français ou de l'anglais fait l'objet d'une demande importante;
> **b)** l'emploi du français et de l'anglais se justifie par la vocation du bureau.
>
> **(2)** Le public a, au Nouveau-Brunswick, droit à l'emploi du français ou de l'anglais pour communiquer avec tout bureau des institutions de la législature ou du gouvernement ou pour en recevoir les services.

(Source: Canada, *Briefing Book for Clause by Clause Consideration of the Resolution* (January 1981). Click HERE.)

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January 12, 1981: Version formally presented to Special Joint Committee by Jean Chretien:

> **20 (1)** Le public a, au Canada, droit à l'emploi du français ou de l'anglais pour communiquer avec le siège ou l'administration centrale des institutions du Parlement ou du gouvernement du Canada ou pour en recevoir les services; il a le même droit à l'égard de tout autre bureau de ces institutions là où, selon le cas :
>
> **a)** l'emploi du français ou de l'anglais fait l'objet d'une demande importante;
> **b)** l'emploi du français et de l'anglais se justifie par la vocation du bureau.

> **(2)** Le public a, au Nouveau-Brunswick, droit à l'emploi du français ou de l'anglais pour communiquer avec tout bureau des institutions de la législature ou du gouvernement ou pour en recevoir les services.

(Source: Canada, Parlement, *Procès-verbaux et témoignages du Comité mixte spécial du Sénat et de la Chambre des communes sur la Constitution du Canada*, 32e parl, 1re sess, nº 36 (12 janvier 1981). Click HERE.)

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Statutes and International Agreements

June 20, 1978: Bill C-60: An Act to amend the Constitution of Canada

> 19. (1) Any member of the public in Canada has the right to use English or French, as he or she may choose, in Communicating with the head or central office of any department or agency of the executive government of and over Canada. or of any judicial, quasi-judicial or administrative body or Crown corporation established by or pursuant to a law of Canada, wherever that office is located, or in communicating with any other principal office of any such institution where that office is located within an area of Canada in which it is determined, in such manner as may be prescribed or authorized by the Parliament of Canada, that a substantial number of persons within the population use that language.
>
> (2) Any member of the public in any province has the right to use English or French, as he or she may choose, in communicating with any principal office of a department or agency of the executive government of that province, or of a judicial, quasi-judicial or administrative body or Crown corporation established by or pursuant to a law of that province, where that office is located within an area of that province in which it is determined, in such manner as may be prescribed or authorized by the legislature of that province, that a substantial number of persons within the population use that language.

(**Source:** Bill C-60, *An Act to amend the Constitution of Canada with respect to matters coming within the legislative authority of the Parliament of Canada, and to approve and authorize the taking of measures necessary for the amendment of the Constitution with respect to certain other matters*, 3rd Sess, 30th Parl, SC, 1978 (June 20, 1978). Click HERE)

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