French language rules

Things to know

- Québec's *Charter of the French Language* sets out detailed rules that regulate (among other things) the language of:
 - computer software, including game software and operating systems, whether installed or being offered for sale
 - toys and games
 - product packaging
 - contracts
 - public signs, posters and commercial advertising
 - websites
 - catalogues, brochures and similar documents
 - customer service
- All businesses that do business in Québec, namely by selling products or services to clients located in Québec, are subject to the statute's requirements in respect of these sales, irrespective of whether or not one has a physical place of business in Québec.
- Significant changes to the *Charter* were adopted in May 2022, many of which are now in force. <u>Our resource page</u> on these proposed changes summarizes them in greater detail.
- On January 10, 2024, the Government of Québec published the draft *Regulation respecting the language of commerce and business*. <u>Our Update</u> provides further analysis of these proposed changes. While these changes are not yet final, and there is no specific timeline for when they will be finalized and come into effect, the following guide outlines the requirements for compliance assuming those changes are adopted as proposed.
- · Federal laws impose limited bilingual packaging and labelling requirements.



USEFUL RESOURCES

Province of Québec

• Québec's Charter of the French Language

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- Guide to Doing Business in Québec
- Government of Québec proposes stricter <u>French language law</u>
- Québec Court of Appeal confirms application of French language requirements for websites
- Superior Court suspends the upcoming obligation for legal persons to produce French certified translations, introduced by Bill 96, pending final adjudication of a constitutional challenge
- <u>Québec adopts changes to the Charter</u> of the French Language
- <u>Understanding changes</u> to Quebec's French language law
- Québec further tightens language rules for commerce and business: what you need to know

Things to do

- · If a French version of computer software exists, make it available in Québec and offer it on terms that are no less favourable than the non-French version (except price where it reflects higher production or distribution costs) and ensure that it has technical characteristics that are at least equivalent.
- · If software is available exclusively in a language other than French, the software packaging and accompanying documentation must nonetheless be in French or multilingual.
- Ensure the availability of French versions of toys and games which require the use of a non-French vocabulary for their operation in the Québec market on no less favourable terms.
- Ensure that every inscription on a product, including the information displayed on digital interfaces of products, its container or wrapping, or on materials supplied with it, including the directions for use and warranty certificate, is drafted in French if the product is sold in Québec (with the exception of trademarks for which a Canadian registration has been secured or for which an application to obtain a Canadian registration is pending); limited exceptions apply including for some cultural or educational products and for inscriptions that are not merely printed onto product packaging, except for inscriptions pertaining to safety or to information necessary for the use of the product.
- When a non-French trademark appears on a product, its packaging or documentation supplied with a product must include a generic or descriptive term (one or more words describing the nature or characteristics of a product), such terms must appear in French on the product or on a medium permanently attached to the product at least as prominently as the term in a language other than French.
- Ensure that contracts and related documents are drawn up in French; they may be drawn up in another language as well at the express wish of the parties. For non-negotiable contracts, ensure that a French version is systematically provided to Québec clients, irrespective of their language preference.
- Ensure that public signs, posters and commercial advertising in Québec are at least in French (with the exception of trademarks that are registered in Canada) and that the French version is twice as large than the text in the other language.
- Ensure that, on exterior public signs (including signs that are inside common areas of buildings, like shopping malls), trademarks that contain text in a language other than French are accompanied by French text within the same visual field, and that the French text is at least twice as large as the text in another language and that its legibility and permanent visibility is at least equivalent to that text in another language.
- Ensure that the version of your website and any social media accounts directed at the Canadian market has equivalent French and English versions, at least in respect of products marketed in Québec.
- Ensure that any French language version of a catalogue, brochure or similar publication distributed in Québec is available and on no less favourable conditions of accessibility and quality than any non-French versions.
- · Give consumers in Québec customer service in French (e.g., by in-store staff and call centre personnel).

RELATED TOPICS

- Doing business in Québec
- Packaging and labelling
- Selling through resellers, distributors or sales representatives
- Consumer product safety

Need more info?



Osler's French Language Laws team can help. Find out more at osler.com/frenchlanguagelaws