

Annotated draft *Regulation respecting the language of commerce and business*

The impacts of Bill 96¹

Last update: January 17, 2024.

This document is for information purposes and holds no official value.

Legend of the coming into force of changes to the *Regulation respecting the language of commerce and business* (following the [draft](#) published on January 10, 2024):

15th day following its publication in the Gazette

June 1, 2025

Modified provisions:

2, 3, 10, 11, 12, 13, 14, 27.1, 27.5, 27.6

Modified provisions:

7, 19, 25, 25.1, 25.2, 25.3, 25.4, 25.5, 27.2, 27.3, 27.4, 27.7, 27.8, 27.9, 27.10

Regulation respecting the language of commerce and business

Charter of the French language

(chapter C-11, ss. 54.1, 58 and 67).

DIVISION I

EXCEPTIONS TO SECTION 51 OF THE CHARTER OF THE FRENCH LANGUAGE

1. For the purposes of this Division and unless the context indicates otherwise, any provision applicable to an inscription on a product also applies, with the necessary modifications, to an inscription on its container or wrapping or on a leaflet, brochure or card supplied with it, including the directions for use and the warranty certificates.

O.C. 1756-93, s. 1.

2. An inscription on a cultural or educational product such as a book, magazine, publication, **album or film disk, film or tape**, or on a non-promotional greeting card, appointment book or calendar, may be exclusively in a language other than French if the content is in a language other than French or if the cultural or educational product, greeting card, appointment book or calendar has no language content.

O.C. 1756-93, s. 2.

3. An inscription on a product may be exclusively in a language other than French in the following cases:

(1) the product is intended **only** for a market outside Québec;

¹ *An Act respecting French, the official and common language of Québec*, SQ 2022, c 14, assented on June 1, 2022.

(2) the inscription appears on a container used in interprovincial or international transportation of merchandise;

(3) the product is from outside Québec, has not yet been marketed in Québec and is being exhibited at a convention, conference, fair or exhibition;

(4) the product is from outside Québec, is intended for incorporation into a finished product or for use in a manufacturing, processing or repair operation and is not offered in Québec for retail sale;

(5) the product is from outside Québec and is in limited use in Québec and no equivalent substitute presented in French is available in Québec; or

(6) the product is from outside Québec and the inscription, **except if it concerns safety or is necessary for the use of the product**, is engraved, baked or inlaid in the product itself, riveted or welded to it or embossed on it, in a permanent manner. ~~However, inscriptions concerning safety must be written in French and appear on the product or accompany it in a permanent manner.~~

O.C. 1756-93, s. 3.

4. An inscription embossed on a tire may be exclusively in a language other than French.

O.C. 1756-93, s. 4.

5. An inscription on the original wrapping of perishable food from outside Québec may be exclusively in a language other than French provided that the food is not offered for retail sale in that wrapping.

O.C. 1756-93, s. 5.

6. An inscription on a product from outside Québec to be used for medical, pharmaceutical or scientific purposes or an inscription on the container of such a product may be exclusively in a language other than French provided that the French version of the inscription appears on the wrapping of the product or on a document supplied with the product and either of the following conditions is met:

(1) the product is not offered in Québec for retail sale and no equivalent substitute presented in French is available in Québec; or

(2) the product weighs 100 g or less or its container has a capacity of 10 cm³ or less or 10 ml or less.

O.C. 1756-93, s. 6.

7. The following inscriptions on a product may be exclusively in a language other than French:

(1) the name of a firm established exclusively outside Québec;

(2) a name of origin, the denomination of an exotic product or foreign specialty, a heraldic motto or any other non-commercial motto;

(3) a place name designating a place situated outside Québec or a place name in such other language as officialized by the Commission de toponymie du Québec, a family name, a given name or the name of a personality or character or a distinctive name of a cultural nature; and

~~(4) a recognized trade mark within the meaning of the Trade Marks Act (R.S.C. 1985, c. T-13), unless a French version has been registered.~~

O.C. 1756-93, s. 7.

8. A toy or game the operation of which requires the use of a non-French vocabulary may bear an inscription that is exclusively in a language other than French provided that a French version of the toy or game is available on no less favourable terms on the Québec market.

O.C. 1756-93, s. 8.

8.1. A list of the ingredients of a cosmetic may be written according to the conditions prescribed by the Cosmetic Regulations (C.R.C., c. 869).

D. 770-2006, s. 1.

9. Nothing in this Division precludes the inscription on a product of any artificial combination of letters, syllables or figures or of pictographs, figures or initials.

O.C. 1756-93, s. 9.

DIVISION II

EXCEPTIONS TO SECTION 52 OF THE CHARTER OF THE FRENCH LANGUAGE

10. The documents referred to in section 52 of the Charter of the French language (chapter C-11) may be in two separate versions, one exclusively in French, the other exclusively in another language, if the French version is accessible under no less favourable conditions.

~~Catalogues, brochures, folders, commercial directories and any similar publications may be in 2 separate versions, one exclusively in French, the other exclusively in another language, provided that the material presentation of the French version is available under no less favourable conditions of accessibility and quality than the version in the other language.~~

However, the version exclusively in another language may be inserted in a news publication published exclusively in that language; it may also be sent to any natural person having made a written request to receive such documents in that other language.

In addition, ~~documents catalogues, brochures, folders, commercial directories and any similar publications~~ intended for persons belonging to the same ethnical group may be written only in the language of such group.

O.C. 1756-93, s. 10.

11. Documents referred to in section 52 of the Charter of the French language (chapter C-11) ~~Catalogues, brochures, folders, commercial directories and any similar publications~~ concerning a cultural or educational product within the meaning of section 2, concerning a cultural or educational activity such as a show, recital, speech, lecture, course, seminar or radio or television program or promoting a news medium may be exclusively in a language other than French provided that the content of the cultural or educational product is in that other language, the activity is held in that other language or the news medium publishes or broadcasts in that other language, as the case may be.

O.C. 1756-93, s. 11.

12. Documents referred to in section 52 of the Charter of the French language (chapter C-11) ~~Catalogues, brochures, folders, commercial directories and any similar publications~~ relating to a convention, conference, fair or exhibition, intended solely for a specialized or limited public, may be exclusively in a language other than French.

O.C. 1756-93, s. 12.

13. In documents referred to in section 52 of the Charter of the French language (chapter C-11) ~~catalogues, brochures, folders, commercial directories and any similar publications~~, the following may appear exclusively in a language other than French:

- (1) the name of a firm established exclusively outside Québec;
- (2) a name of origin, the denomination of an exotic product or foreign specialty, a heraldic motto or any other non-commercial motto;

(3) a place name designating a place situated outside Québec or a place name in such other language as officialized by the Commission de toponymie du Québec, a family name, a given name or the name of a personality or character or a distinctive name of a cultural nature; and

(4) a recognized trade mark within the meaning of the Trade Marks Act (R.S.C. 1985, c. T-13), unless a French version has been registered.

O.C. 1756-93, s. 13.

14. Nothing in this Division precludes the use of any artificial combination of letters, syllables or figures or the use of pictographs, figures or initials in documents referred to in section 52 of the Charter of the French language (chapter C-11) ~~catalogues, brochures, folders, commercial directories and any similar publications.~~

O.C. 1756-93, s. 14.

DIVISION III

PUBLIC SIGNS AND POSTERS AND COMMERCIAL ADVERTISING

15. A firm's commercial advertising, displayed on billboards, on signs or posters or on any other medium having an area of 16 m² or more and visible from any public highway within the meaning of section 4 of the Highway Safety Code (chapter C-24.2), must be exclusively in French unless the advertising is displayed on the very premises of an establishment of the firm.

O.C. 1756-93, s. 15.

16. A firm's commercial advertising on or in any public means of transportation and on or in the accesses thereto, including bus shelters, must be exclusively in French.

O.C. 1756-93, s. 16.

17. Public signs and posters displayed on or in a vehicle regularly used to transport passengers or merchandise, both in Québec and outside Québec, may be both in French and in another language provided that French appears at least as prominently.

O.C. 1756-93, s. 17.

18. Public signs and posters concerning health or public safety may be both in French and in another language provided that French appears at least as prominently.

O.C. 1756-93, s. 18.

~~**19.** Public signs and posters of a museum, botanical garden, zoo or cultural or scientific exhibition may, on the premises thereof, be both in French and in another language provided that French appears at least as prominently.~~

O.C. 1756-93, s. 19.

20. Public signs and posters and commercial advertising concerning an event intended for an international public or an event in which the majority of participants come from outside Québec, where directly related to the nature and recognized purpose of the event, may be both in French and in another language provided that French appears at least as prominently.

O.C. 1756-93, s. 20.

21. A public sign or poster bearing directions for the use of a device permanently installed in a public place may be both in French and in another language provided that French appears at least as prominently.

O.C. 1756-93, s. 21.

22. Unless the vehicle used is a news medium which publishes or broadcasts in French, public signs and posters and commercial advertising concerning a cultural or educational product within the meaning of section 2, a cultural or educational activity within the meaning of section 11 or a news medium may be exclusively in a language other than French provided that the content of the cultural or educational product is in that other language, the activity is held in that other language or the news medium publishes or broadcasts in that other language, as the case may be.

O.C. 1756-93, s. 22.

23. Public signs and posters displayed by a natural person for non-professional and non-commercial purposes may be in the language of the person's choice.

O.C. 1756-93, s. 23.

24. Public signs and posters and commercial advertising concerning a convention, conference, fair or exhibition intended solely for a specialized or limited public may, during the event, be exclusively in a language other than French.

O.C. 1756-93, s. 24.

25. On public signs and posters and in commercial advertising, the following may appear exclusively in a language other than French:

- (1) the firm name of a firm established exclusively outside Québec;
- (2) a name of origin, the denomination of an exotic product or foreign specialty, a heraldic motto or any other non-commercial motto;
- (3) a place name designating a place situated outside Québec or a place name in such other language as officialized by the Commission de toponymie du Québec, a family name, a given name or the name of a personality or character or a distinctive name of a cultural nature; and

~~(4) a recognized trade mark within the meaning of the Trade Marks Act (R.S.C. 1985, c. T-13), unless a French version has been registered.~~

O.C. 1756-93, s. 25.

~~**25.1.** Where a trade mark is displayed outside an immovable only in a language other than French under paragraph 4 of section 25, a sufficient presence of French must also be ensured on the site, in accordance with this Regulation.~~

~~For the purposes of the first paragraph, the presence of French refers to a sign or poster with~~

- ~~(1) a generic term or a description of the products or services concerned;~~
- ~~(2) a slogan;~~
- ~~(3) any other term or indication, favouring the display of information pertaining to the products or services to the benefit of consumers or persons frequenting the site.~~

D. 887-2016, a. 1.

~~**25.2.** For the purposes of sections 25.1 to 25.5,~~

- ~~(1) trade mark signs or posters outside an immovable means the signs or posters related or attached to an immovable, including its roof, regardless of the materials or method of attachment used; the signs or posters include, in particular, projecting or perpendicular signs, and signs or posters on a bollard or other independent structure.~~

The following signs and posters are considered to be outside an immovable:

~~(a) signs or posters outside premises situated in an immovable or a larger property complex. Signs or posters outside premises situated in a mall or a shopping centre, underground or not, are included;~~

~~(b) signs or posters inside an immovable or premises, if their installation or characteristics are intended to be seen from the outside.~~

~~Trade mark signs or posters appearing on a bollard or other independent structure, including a totem type structure, near an immovable or premises are concerned only if there is no other outside sign or poster on which the trade mark appears.~~

~~In the case of a totem type structure, signs or posters on the structure are also excluded if more than 2 trade marks appear on the structure;~~

~~(2) "immovable" : means a building and any structure intended to receive at least 1 person for the carrying on of activities, regardless of the materials used, excluding a temporary or seasonal facility;~~

~~(3) "premises" : means a space, closed or not, devoted to an activity, in particular a stand or counter intended for the sale of products in a mall, excluding a temporary or seasonal facility.~~

~~D. 887-2016, a. 1.~~

~~**25.3.** Within the meaning of section 25.1, the sufficient presence of French means signs or posters whose qualities~~

~~(1) give French permanent visibility, similar to that of the trade mark displayed; and~~

~~(2) ensure its legibility in the same visual field as that mainly covered by the trade mark signs or posters.~~

~~Signs or posters in French that, in relation to the trade mark signs or posters, are designed, lighted and situated so as to make them easy to read, both at the same time, at all times when the trade mark is legible, without the signs or posters being necessarily present in the same place, in the same number, in the same materials or in the same size are considered to meet those requirements.~~

~~D. 887-2016, a. 1.~~

~~**25.4.** Despite subparagraph 2 of the first paragraph of section 25.3, legibility of a sign or poster in French must be evaluated,~~

~~(1) in the case of a sign or poster outside an immovable situated on a street bordered by a sidewalk, from the sidewalk along the façade on which the trade mark sign or poster appears;~~

~~(2) in the case of a sign or poster outside premises situated in an immovable or a larger property complex such as a mall, from the centre of the corridor or space facing the premises;~~

~~(3) in the case of a trade mark sign or poster visible from a highway, from the highway.~~

~~D. 887-2016, a. 1.~~

~~**25.5.** For the purposes of sections 25.1 to 25.4,~~

~~(1) the following signs or posters in French are not taken into account:~~

~~(a) business hours, telephone numbers and addresses;~~

~~(b) numbers and percentages;~~

~~(c) definite, indefinite and partitive articles;~~

~~(d) a term requiring for its legibility to be within a radius of less than 1 metre, except if the legibility of the trade mark also requires it;~~

~~(2) signs or posters that are of a precarious nature—through their materials or the manner in which the sign or poster is attached—, in particular signs or posters in French likely to be easily removed or tore off, are not considered to ensure permanent visibility of French, unless the display system is the subject of measures for guaranteeing the presence or replacement of the sign or poster, the proof of which lies with the person who wishes to claim the benefit of the sign or poster.~~

~~D-887-2016, a. 1.~~

26. Nothing in this Division precludes the use of any artificial combination of letters, syllables or figures or the use of pictographs, figures or initials on public signs and posters and in commercial advertising.

O.C. 1756-93, s. 26.

DIVISION IV

EXPRESSION THAT MAY SPECIFY FIRM NAME

27. An expression taken from a language other than French may appear in a firm name to specify it provided that the expression is used with a generic term in the French language.

O.C. 1756-93, s. 27.

DIVISION IV.1

PROVISIONS TO FACILITATE THE IMPLEMENTATION OF CHAPTER VII OF THE CHARTER OF THE FRENCH LANGUAGE

§1. Inscription concerning a product and documents related to the product

27.1. For the purposes of section 51 of the Charter of the French language (chapter C-11) and of this Regulation, an inscription on a product includes the inscription displayed for the user using an integrated software.

27.2. For the purposes of section 51.1 of the Charter of the French language (chapter C-11), as made by section 43 of the Act respecting French, the official and common language of Québec (2022, chapter 14),

- (1) a product includes its container or wrapping and any document or object supplied with it;
- (2) no generic term or description of a product included in a trademark in another language may be given greater prominence than that in French or be available on more favourable terms.

27.3. For the purposes of section 51.1 of the Charter of the French language (chapter C-11), as made by section 43 of the Act respecting French, the official and common language of Québec (2022, chapter 14),

- (1) a description refers to one or more words describing the characteristics of a product;
- (2) a generic term refers to one or more words describing the nature of a product.

27.4. For the purposes of section 51.1 of the Charter of the French language (chapter C-11), as made by section 43 of the Act respecting French, the official and common language of Québec (2022, chapter 14), a registered trademark includes a trademark in respect of which an application for registration is pending, as of the filing date of the application with the Registrar of Trademarks instituted under the Trademarks Act (R.S.C., 1985, c. T-13).

27.5. For the purposes of section 52 of the Charter of the French language (chapter C-11) and of this Regulation, the documents referred to in that section include the information published on websites or posted on social media.

§II. Contracts of adhesion

27.6. For the purposes of section 55 of the Charter of the French language (chapter C-11),

- (1) a document related to a contract of adhesion includes a document
 - (a) attesting to the existence of the contract, such as an insurance certificate;
 - (b) whose attachment to the contract is required by law, such as a resiliation or resolution form;
 - (c) that otherwise constitutes an ancillary document;
- (2) the requirement to issue a French version of a contract of adhesion that is entered into by telephone is met if the adhering party has stated the express wish to enter into the contract in a language other than French, provided that
 - (a) the adhering party had an opportunity to consult the applicable standard clauses in French using a technological means; or
 - (b) the contract is to take effect immediately and the adhering party does not have the technological means to access the applicable standard clauses in the contract;
- (3) the requirement to issue a French version of a contract of adhesion entered into using a technological means is met by giving the adhering party the applicable standard clauses in French.

§III. Public signs and posters

27.7. On public signs and posters that are both in French and in another language, French is markedly predominant where the text in French has a much greater visual impact than the text in the other language.

In assessing the marked predominance of French, the text in French for the business hours, telephone numbers, addresses, numbers, percentages or definite, indefinite or partitive articles is not considered.

In assessing the visual impact, the following are not considered where their presence is specifically allowed under an exception provided for in the Charter of the French language (chapter C-11) or in a regulation made for the application of the Charter:

- (1) a family name or a place name;
- (2) a trademark, except the trademark that appears on public signs and posters visible from outside premises and written, even partially, only in a language other than French;
- (3) other terms in a language other than French.

27.8. For the purposes of the second paragraph of section 58.1 and section 68.1 of the Charter of the French language (chapter C-11), as made by sections 48 and 49 respectively of the Act respecting French, the official and common language of Québec (2022, chapter 14), and subparagraph 2 of the third paragraph of section 27.7, public signs and posters are visible from outside premises where they may be seen

- (1) from outside a space, closed or not, including on an immovable, a group of immovables or inside a shopping centre;
- (2) on a bollard or other independent structure, including a pylon sign except, in the latter case, where more than two trademarks or enterprise names appear on the public signs and posters.

27.9. For the purposes of section 27.7, French text has a much greater visual impact where, within the same visual field, the following conditions are met:

- (1) the French text is at least twice as large as the text in another language;
- (2) the French text's legibility and permanent visibility are equivalent to those of the text in another language.

Public signs and posters whose components in French are permanent and that, in relation to those in another language, are designed, lighted and situated so as to make them easy to read, both at the same time, at all times are considered to meet the requirements for legibility and visibility.

A "same visual field" refers to an overall view where all the components of the public signs and posters are visible and legible at the same time without having to move.

For the purposes of the first paragraph, public signs and posters that are of a precarious nature through their materials or the manner in which the public signs and posters are attached, in particular public signs and posters likely to be easily removed or torn off, are not considered to ensure permanent visibility, unless the display system is the subject of measures for guaranteeing the presence or replacement of the public signs and posters.

27.10. For the purposes of the second paragraph of section 58.1 and section 68.1 of the Charter of the French language (chapter C-11), as made by sections 48 and 49 respectively of the Act respecting French, the official and common language of Québec (2022, chapter 14), to ensure that French is markedly predominant, public signs and posters of a trademark or an enterprise's name visible from outside premises must be accompanied at least by terms in French, such as a generic term, a description of the products or services concerned, or a slogan.

For the purposes of the first paragraph, "generic term" and "description" have the meaning assigned by section 27.3 with regard to both products and services."

DIVISION V

FINAL PROVISIONS

28. *(Omitted).*

O.C. 1756-93, s. 28.

29. *(Omitted).*

O.C. 1756-93, s. 29.

TRANSITIONAL

2024

(2024) SECTION 10. Until 1 June 2027, products that are non-compliant with section 51.1 of the Charter of the French language (chapter C-11) as made by section 43 of the Act respecting French, the official and common language of Québec (2022, chapter 14), may be distributed, retailed, leased, offered

for sale or lease, or otherwise offered on the market, by gratuitous or onerous title, provided they were both

(1) manufactured before 1 June 2025; and

(2) no French-language version of the product's recognized trademark within the meaning of the Trademarks Act (R.S.C., 1985, c. T-13) was registered as of (insert the date of publication of this Regulation in the Gazette officielle du Québec).

SECTION 11. The Regulation defining the scope of the expression "markedly predominant" for the purposes of the Charter of the French language (chapter C-11, r. 11) is revoked.

SECTION 12. This Regulation comes into force on 1 June 2025, except the provisions of sections 1, 2, 4 and 5 as well as those of section 9, insofar as they enact sections 27.1 and 27.5 and subdivision II of Division IV.1, which come into force on the fifteenth day following the date of the Regulation's publication in the Gazette officielle du Québec.