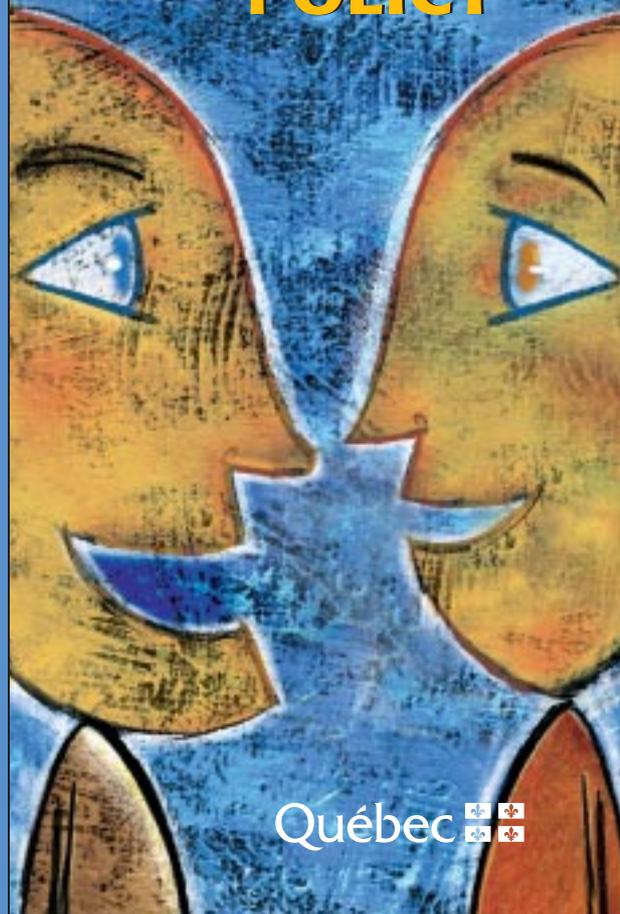


*Questions  
and answers*

ABOUT QUÉBEC'S  
**LANGUAGE**  
**POLICY**



Secrétariat  
à la politique  
linguistique

Québec 

Québec 

*Questions  
and answers*

ABOUT QUÉBEC'S  
**LANGUAGE  
POLICY**



Québec 

# TABLE OF CONTENTS

***Respect for Human Rights  
and Freedoms*** **4**

***Services in English  
and Anglophone Rights*** **6**

***Education*** **10**

***Public Signs and  
Commercial Advertising*** **14**

***Language of Work*** **16**

***Compliance with the Charter  
of the French language*** **23**

Many countries, States, territories, and regions around the world have language policies, that is, sets of administrative or legal measures intended to promote one or more languages in a given territory. Throughout its history, Québec has adopted various legislative measures dealing with the status and use of French. However, only with the adoption of the *Charter of the French language* in 1977 did Québec witness the emergence of a full-fledged language policy.

The *Charter* is a law designed to make French the common language of Quebecers in all spheres of public life. With close to 200 sections, it provides a framework to govern the language of communication for the civil administration and semipublic agencies, and establishes guidelines in the areas of education, work, legislation, justice, trade and commerce.

Québec's language policy is not always clearly understood, both in Québec and elsewhere. *Questions and Answers about Québec's Language Policy* seeks to provide concise answers to the main questions concerning its application.

# RESPECT FOR HUMAN RIGHTS AND FREEDOMS

***Do the measures taken by Québec to promote the language of the majority, in particular, the Charter of the French language, respect the fundamental rights of citizens, as recognized by the Québec Charter of Human Rights and Freedoms and the Canadian Charter of Rights and Freedoms?***

Yes. Québec is a constitutional State concerned with respecting human rights and freedoms. When legislation is drafted, special attention is given to the human rights and freedoms enshrined in Québec's *Charter of Human Rights and Freedoms* and the *Canadian Charter of Rights and Freedoms*. Moreover, at any time, the courts may be asked to rule on the constitutionality of any law.

Major amendments have been made over the years to the *Charter of the French language* to harmonize some of its provisions governing the language of legislation, justice, education, trade and commerce with decisions handed down by the Supreme Court of Canada. The *Charter of the French language* is fully in line with the provisions of the Canadian constitution and the Québec and Canadian charters of rights and freedoms, as they are applied today.

# SERVICES IN ENGLISH AND ANGLOPHONE RIGHTS

## ***Do Anglophones have the same rights as Francophones?***

In Québec, all citizens enjoy the same rights that have been recognized under the Québec *Charter of Human Rights and Freedoms* and the *Canadian Charter of Rights and Freedoms*. All citizens are equal before the law. The Québec *Charter* in particular protects freedom of expression and prohibits discrimination based on language. It also protects the right of members of ethnic minorities to maintain and develop their own cultural life with other members of their group.

In the particular case of Québec's English-speaking community, the well-being of its members and respect for its institutions are ensured by a variety of rights recognized under Québec statutes.

With regard to legislation and justice, for example, laws and regulations are passed in French and English, with both versions having the same official status. Furthermore, all persons may address the courts in English or French and obtain a translation of the judgment in their language if it has been handed down in the other language.

Québec maintains, along with the French-language public school system, a complete public system for English-language instruction, from kindergarten to university.

Anglophones are also entitled to receive health-care services in English.

A number of municipalities and boroughs having a majority of English-speaking residents have been granted the status of “recognized bodies”, which allows them to use, in addition to French, English in cases where, normally, only French should be used. It should be noted, however, that the delivery of municipal services in English is not based on this recognition.

Lastly, the English community has its own network of cultural institutions (print and electronic media, libraries, cinemas, theatres, associations, and clubs) to foster its growth and vitality. Where applicable, these institutions are eligible for the same government grants for which their French-language counterparts are eligible.

***Do Anglophones and their families have easy access to health care in English in Montréal and elsewhere in Québec?***

According to the *Act respecting health services and social services*, every Québec Anglophone is entitled to receive health-care services and social services in English, to the extent allowed by the human, material and financial resources of the establishments providing such services. In practice, Anglophones have access to health and social services in English throughout Québec.

***Do public agencies, such as municipalities, need authorization from the Office québécois de la langue française to offer services in English when asked to do so by their citizens?***

No. The decision of whether or not to offer services in English or in other languages lies solely with the bodies in question and does not require any recognition from the Office, much less its prior authorization.

The status of “recognized body”, as stipulated in the *Charter of the French language* does not exist with this goal in mind, since the possibility of offering services in English is left up to all agencies, whether they are recognized or not. The purpose of this status is instead to allow the agencies in question to use both French and another language in cases where they should otherwise only use French. Examples here include administrative signs, official names, and internal communications. All official documents must be in French, but local administrations may also offer English versions to their citizens.

# EDUCATION

## ***Can people who take up permanent residency in Québec enrol their children in an English-language primary or secondary school?***

As a rule, people who take up permanent residency in Québec must, under the *Charter of the French language*, enrol their children in a French-language school if they want them to attend a public school or a government-subsidized private school. Québec's population is over 80% French-speaking. It is thus understandable that most children would receive their schooling in French.

Québec has, in addition to its French-language public school system, a complete public system with English-language instruction from kindergarten to university. Québec provides English-language instruction at the pre-school, primary and secondary levels throughout its territory,

regardless of the number of students, even though, under the Canadian constitution, it could have offered such services only where warranted by the number of students.

However, there are private French-language and English-language schools that are not subsidized and are not subject to the legislative provisions governing the choice of language of instruction.

The *Charter of the French language* takes various situations into account when determining a student's eligibility to attend an English-speaking public or subsidized private school.

Following are the main rules used to determine whether a student may receive instruction in English:

- The student's father or mother is a Canadian citizen who received most of his or her primary education in English in Canada;
- The student's father or mother is a Canadian citizen and the student has received most of his or her primary or secondary education in English in Canada;
- The student's father and mother are not Canadian citizens but one of them received most of his or her primary education in English in Québec.

Whenever a child is authorized to receive instruction in English, the child's brothers and sisters are given similar authorization. It should be noted that, when determining the eligibility of a child to receive instruction in English, no consideration is given to the English-language instruction that the child or any of his or her brothers and sisters received in a non-subsidized private school. No consideration is given, either, to English-language instruction received in a school of this kind in Québec after October 1, 2002 by the child's father or mother.

After they have completed high school, students may choose a French-language or English-language college or university to continue their studies.

***Does the Charter of the French language allow temporary residents in Québec to enrol their children in English-language public schools?***

Temporary residents of Québec may enrol their children in an English-language public or subsidized private school for the entire duration of their stay, as authorized by the immigration document they have been issued. This authorization can be renewed. Thus, no limit is imposed on the attendance of English school by the children of temporary residents in Québec, provided that their stay has been authorized by the Ministère des Relations avec les citoyens et de l'Immigration.

Temporary residents in Québec may also choose to send their children to a French-language public or subsidized private school.

# PUBLIC SIGNS AND COMMERCIAL ADVERTISING

## *What are the language requirements for public signs and commercial advertising, such as labelling?*

Public signs and commercial advertising must be in French. They may be in French and another language provided that French is markedly predominant.

There are cases in which public signs and commercial advertising used to promote certain products or events do not have to be in French or do not have to meet the requirement that French be predominant. For example, public signs and commercial advertising used to promote cultural or educational products (books, magazines, films, etc.) and cultural or educational events (plays, concerts, conferences, radio or television broadcasts, etc.) may be presented solely in the

language of origin of the product or event, provided that they are not being presented by a French-language media organization. In addition, advertising carried by media organizations that broadcast or publish in a language other than French is not subject to any language requirements, nor are messages of a religious, political, ideological or humanitarian nature that do not have profit as their motive.

A similar rule applies to the presentation of products (labelling, packaging, instructions, etc.). The use of French here is mandatory. Another language may be used, provided that it is not given greater prominence. Once again, there are various exceptions for educational or cultural products.

Moreover, Canada's *Consumer Packaging and Labelling Act* requires that the information on the labels of pre-packaged products be given in French and English.

# LANGUAGE OF WORK

## *Do enterprises in Québec have to use French to communicate with their employees?*

Every employee has the right to work in French. Accordingly, employers are required to communicate with their employees in French. Furthermore, employers are prohibited from including in their hiring policies the requirement that prospective employees know, fully or to a certain level, a language other than French, unless, of course, the job in question requires knowledge of that language. It should also be pointed out that enterprises having 50 or more employees must register with the Office québécois de la langue française and must produce an assessment of their linguistic situation. If French is not used at all hierarchical levels, the enterprise must implement a francization program to make French the language for its operations and internal communication.

## *Why claim the right to work in French, given the North American context in which Québec businesses have to operate?*

In order that French be seen as important and valuable to learn, it must not be confined to private life or to low-level jobs within the hierarchies of Québec enterprises. In other words, knowledge of French must lead to well-paying jobs, including those in senior positions. If French cannot show that it is an indispensable tool in the workplaces of Québec, its ability to show its usefulness will decline rapidly to the benefit of English, particularly so among people who take up permanent residency in Québec.

The use of French as the language of work does not rule out the use of English or other languages whenever doing so is necessary for certain jobs. For example, proficiency in English, Spanish, or Portuguese may be required for trade or business dealings with enterprises in the United States and Latin America.

***Do senior managers of Québec enterprises have to know French? Do they have to communicate in French with their colleagues and employees?***

Senior managers of enterprises must know and use French, given the right of Québec employees to work in French. The Office québécois de la langue française uses francization programs to make sure Québec enterprises take measures required to increase the knowledge of French at all organizational levels. We may say in general that the more strategic a position is, the more the knowledge of French should be considered a normal hiring requirement. Francization programs must also promote French as the common language for employees belonging to different linguistic groups.

***Does the Charter of the French language permit the use of English in business communications between enterprises located in Québec and those located outside Québec?***

Yes. There are no restrictions governing the language used by Québec enterprises to communicate with enterprises outside Québec. Exports are extremely important for Québec's economy. English and other languages are thus very often the languages of communication used with enterprises and customers located outside Québec. Indeed, Québec has the highest rate of bilingual and multilingual workers in North America.

However, because Québec workers have the right to carry out their activities in French, the *Charter of the French language* stipulates that businesses in Québec must normally use French. In particular, they must use French as the language for communication with their personnel, for their operations, and for labour relations.

***Are the head offices and research centres of enterprises in Québec allowed to use English or another language instead of French as their language of operations?***

Yes, provided that they have a special agreement with the Office québécois de la langue française. Such agreements are based on a regulation that sets out the requirements that must be met. For a head office that has such an agreement, the Office québécois de la langue française will make sure that its dealings with enterprises outside Québec are substantial enough to warrant using English or another language instead of French as the language of its operations. However, if the same enterprise has manufacturing, assembly, or production facilities in Québec, the activities carried out at these locations remain subject to the francization program, and communications between the head office and those divisions must be in French.

***Montréal is a world-renowned centre for research, particularly in the pharmaceutical industry. Do pharmaceutical research centres have a special status that takes into account the importance of English in this high-tech sector?***

All research centres – not just those in the pharmaceutical industry – may take advantage of special agreements permitting the use of English or another language instead of French as the language of their operations. The aim of special agreements is not to recognize the pre-eminence of English in any particular scientific sector, but rather to give enterprises leeway when recruiting and selecting high-calibre researchers from other countries, whatever their field, and to give these researchers the opportunity to pursue their scientific careers in Québec.

***Is the Charter of the French language applied the same way throughout Québec?***

The *Charter of the French language* is not applied on the basis of geography. It must apply exactly the same way everywhere in Québec. However, it is important to keep in mind that the *Charter* and the francization programs established under it are not aimed at doing away with the use of English but instead at enabling French to be used on a normal, customary basis. This includes its use by employees who belong to different linguistic communities. And just 25 years after Québec's language policy came into effect, we note an important rate of bilingualism (over 50%) in Montréal's workforce. This bilingual situation has grown out of a balance between the use of French and English which, in the North American context, can be maintained only by giving French its rightful and legitimate place.

# COMPLIANCE

## WITH THE *CHARTER OF THE FRENCH LANGUAGE*

***What means are available to Québec for ensuring compliance with the Charter of the French language?***

Much like legislation enacted in France (*Loi relative à l'emploi de la langue française*, commonly known as the "Toubon Act"), the *Québec Charter of the French language* provides measures to ensure compliance with its provisions. We note here that a number of American states (Arizona, California, Colorado, etc.) have also adopted language legislation having similar measures aimed at compliance.

The Office québécois de la langue française is the agency mandated to receive and handle complaints from citizens. Whenever a complaint is filed, the Office first determines whether there is any basis for receiving it. If the Office judges the complaint to be unfounded, it notifies the complainant accordingly and sets out the reasons for its decision. If, on the other hand, the Office deems the complaint to be founded, it contacts the offender or even his or her suppliers to ask them to rectify the situation.

In 2001-2002, 88% of the complaints received were settled by mutual agreement. Very few, then, have led to legal proceedings.

Website: <http://www.spl.gouv.qc.ca>

The content of this brochure was prepared by the  
Secrétariat à la politique linguistique

Brochure design: Graphidée

Legal deposit: 2003  
Bibliothèque nationale du Québec  
National Library of Canada  
© Gouvernement du Québec, 2003  
ISBN 2-550-40804-7

Printed in April 2003