



# **SPECIAL INSTRUCTIONS ON THE USE OF A LANGUAGE OTHER THAN FRENCH**

NOVEMBER 2024



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## 1. INTRODUCTION

This directive explains the situations in which the Municipality of the Township of Low may use languages other than French in its oral and written communications, and the rules to be followed in this context.

## 2. CONTEXT

On June 1, 2022, the National Assembly assented to the Act respecting the official and common language of Québec, French, thereby amending the Charter of the French Language (hereinafter, the Charter). The State's exemplary use of the French language is the cornerstone of this vast reform.

The Regulation respecting the language of the civil administration and the Regulations concerning exceptions to the Administration's duty of exemplarity and documents written or used in research were enacted on May 10, 2023 and came into force on June 1, 2023. These regulations apply to the institution.

On February 22, 2023, the government approved the State language policy (available in French only), outlining the broad guidelines for exemplarity. This policy came into force on June 1, 2023, and also applies to the institution, subject to the specific provisions set out by the French Language Commissioner. Under the terms of this policy, the institution must adopt a directive intended in particular for its staff, informing them of the rules applicable to language in its activities, like any other parliamentary institution that intends to use a language other than French in some of its communications.

## 3. SCOPE OF APPLICATION

This directive is issued pursuant to section 29.15 of the Charter. It applies to the Municipality of the Township of Low and its staff.

## 4. DIRECTIVE STATEMENT

### 4.1 Directive Objectives

This directive aims to specify the nature of the situations in which the institution intends to use a language other than French in accordance with the conditions set out in the Charter.

### 4.2 Reference Framework

1. Charter of the French Language (RLRQ, chapter C-11 [CLF])
2. Act respecting the official and common language of Québec, French (LQ 2022, chapter 14)
3. Regulations on the language of administration (C-11, r.8.1 [RLA])
4. Regulations concerning derogations from the Administration's duty of exemplarity and documents written or used in research (C-11, r.5.1) [RDR]
5. State language policy (Available in French only)

### 4.3 General Guidelines

1. The Municipality of the Township of Low is an organization recognized, having bilingual status, under section 29.1 of the Charter of the French Language.
2. The Municipality ensures that its services to the public are available in the official language of the municipality.
3. The Municipality carries out the majority of its communications activities bilingually, in accordance with sections 23 to 26 of the Charter, the situations described below, where it may use a language other than French.
4. Before using a language other than French, the institution must ensure that it is in one of the situations described in this directive.
5. The Municipality does not undertake to translate documents from outside source.

## 5. SITUATIONS IN WHICH THE INSTITUTION MAY EXERCISE ITS RIGHT TO USE A LANGUAGE OTHER THAN FRENCH

- 5.1 In accordance with Section 8 of the Charter, the Municipality of the Township of Low may draft, adopt and publish its municipal by-laws in both French and English. In the event of a discrepancy, the French text of any such by-law shall prevail over the English text.
- 5.2 In accordance with section 24 of the Charter, the Municipality may post signs in both French and another language, with French predominating.
- 5.3 In accordance with the provisions of Section 26 of the Charter, the Municipality may use the official language and another language in its written documents, its services and the use of its technological means, in its names, in its internal communications, as well as in the notices of meetings, agendas and minutes of its deliberative assemblies. It may also use this other language in its oral communications without having to use the official language at the same time, as long as it ensures that its services to the public are available in the official language. Within the Municipality, people may use the language of their choice in written communications between themselves. A French version must, however, be available from the Municipality at the request of any person who needs to know it in the course of his or her duties. In addition, persons within the Municipality may use the language of their choice in oral communications between themselves. In the event of a discrepancy, the French text of any such by-law shall prevail over the English text.

### 5.4 Exceptions

#### 5.4.1 Theme 1 - Written and oral communications with legal persons and companies established in Quebec

##### 5.4.1.1 Legal person - head office or establishment outside Quebec - CLF16 RLA 2(1)

The organization may use another language, in addition to the official language, when the written communication is addressed solely to the head

office or an establishment of a legal person established in Quebec, when this head office or establishment is outside Quebec.

- 1. In what cases, under what circumstances, in what situations and for what purposes does the organization intend to use a language other than French?**

The Municipality deals with certain suppliers whose head offices are outside Quebec (mainly elsewhere in Canada). It also happens that a Quebec supplier is bought by another whose head office is outside Quebec.

- 2. What measures or instructions does the organization have in place that must be followed before a language other than French can be used?**

The Municipality invites the personnel affected by this exception to ask the supplier outside Quebec if it is possible to communicate with the Municipality in French (verbal and written). Should this not be possible, the Municipality will use English to ensure continuity of operations.

#### **5.4.1.2 Individual operating a sole proprietorship - CLF 16 RLA 3**

The organization may use another language, in addition to the official language, when communicating with a natural person who operates a sole proprietorship if it has the ability to communicate in another language with that person when he or she is not acting in the course of operating his or her business.

N. B.: The ability to communicate in another language with this person when not acting in the course of his or her business is determined in accordance with the exceptions relating to communications with natural persons listed under theme 3 of this tool.

- 1. In what cases, under what circumstances, in what situations and for what purposes does the organization intend to use a language other than French?**

The written document may be drafted in a language other than French when it is sent by a natural person carrying on a sole proprietorship and the organization has the option of using another language, in addition to the official language, in its communications with this person when the latter is not acting in the course of carrying on his or her business.

- 2. What measures or instructions does the organization have in place that must be followed before a language other than French can be used?**

We ensure that our services to the public are available in the official language. The majority of the Municipality's activities are bilingual (French and English). The use of English only would be exceptional and adapted to a specific case.

### **5.4.1.3 Certain legal persons offering services on premises or to a person referred to in article 97 - CLF 16 RLA 2(3)**

The organization may use another language, in addition to the official language, when the communication is addressed to an establishment of a legal person established in Quebec that is formed and administered exclusively for the purpose of offering services on a reserve, in an establishment or on lands referred to in section 97 of the CFL or to a person referred to in that section.

- 1. In what cases, under what circumstances, in what situations and for what purposes does the organization intend to use a language other than French?**

Recognizing the culture and language of English-speaking Aboriginal members of the community, the Municipality may use English in its communications to promote inclusion and respect for cultural diversity.

- 2. What measures or instructions does the organization have in place that must be followed before a language other than French can be used?**

We ensure that our services to the public are available in the official language. The majority of the Municipality's activities are bilingual (French and English). The use of English only would be exceptional and adapted to a specific case.

### **5.4.1.4 School Organizations - Legal Person Offering Pedagogical Services - CLF 16 RLA 2(7)**

A school organization recognized under section 29.1 of the CFL may use another language, in addition to the official language, when transmitting a communication to a legal person established in Quebec that offers educational services in English.

N. B.: This exception applies only to educational organizations recognized under article 29.1 of the CFL.

- 1. In what cases, under what circumstances, in what situations and for what purposes does the organization intend to use a language other than French?**

St-Michaels High School is located in the Municipality of the Township of Low and is part of the Western Quebec School Board. The Municipality needs to be in contact with the school on its territory, for example, to organize activities or to reach young people as part of awareness-raising operations.

- 2. What measures or instructions does the organization have in place that must be followed before a language other than French can be used?**

We ensure that our services to the public are available in the official language. The Municipality will use English in its

communications with the school to ensure continuity of operations and effective outreach to its clientele.

## **5.4.2 Theme 2 - Written documents sent to the Administration by legal entities and companies to obtain a permit, authorization, subsidy or other form of financial assistance**

### **5.4.2.1 Head office or establishment outside Quebec - CLF 21.9 RLA 6(3)**

The writing may be drafted in a language other than French when it emanates from the head office or establishment located outside Quebec of a legal person or business established in Quebec.

- 1. In what cases, under what circumstances, in what situations and for what purposes does the organization intend to use a language other than French?**

The writing may be drafted in a language other than French when it emanates from the head office or establishment located outside Quebec of a legal person or business established in Quebec.

- 2. What measures or instructions does the organization have in place that must be followed before a language other than French can be used?**

We ensure that our services to the public are available in the official language. The majority of the Municipality's activities are bilingual (French and English). The use of English only would be exceptional and adapted to a specific case.

### **5.4.2.2 Sole proprietorship - CLF 21.9 RLA 6(4)**

The written document may be drafted in a language other than French when it is sent by a natural person carrying on a sole proprietorship and the organization has the option of using another language, in addition to the official language, in its communications with this person when the latter is not acting in the course of carrying on his or her business.

- 1. In what cases, under what circumstances, in what situations and for what purposes does the organization intend to use a language other than French?**

The written document may be drafted in a language other than French when it is sent by a natural person carrying on a sole proprietorship and the organization has the option of using another language, in addition to the official language, in its communications with this person when the latter is not acting in the course of carrying on his or her business.

- 2. What measures or instructions does the organization have in place that must be followed before a language other than French can be used?**

We ensure that our services to the public are available in the official language. The majority of the Municipality's activities are bilingual (French and English). The use of English only would be exceptional and adapted to a specific case.

### **5.4.2.3 Third parties outside Quebec – CLF 21 RLA 6(2)**

The written document may be drafted in a language other than French when it is sent by the legal entity both to the organization and to a third party outside Québec.

- 1. In what cases, under what circumstances, in what situations and for what purposes does the organization intend to use a language other than French?**

The written document may be drafted in a language other than French when it is sent by the legal entity both to the organization and to a third party outside Québec.

- 2. What measures or instructions does the organization have in place that must be followed before a language other than French can be used?**

We ensure that our services to the public are available in the official language. The majority of the Municipality's activities are bilingual (French and English). The use of English only would be exceptional and adapted to a specific case.

## **5.4.3 Theme 3 - Written and oral communications with individuals and other communications**

### **5.4.3.1 When public safety requires it – CLF 22.3**

The organization may use another language, in addition to the official language, in its communications when public safety requires it.

- 1. In what cases, under what circumstances, in what situations and for what purposes does the organization intend to use a language other than French?**

When the Municipality needs to communicate (verbally or in writing) with its citizens on subjects related to public safety (emergency measures, emergency watch, recovery, etc.). It does so bilingually (in its written documents) in French and English, but it could be in English only (verbal discussion, etc.).

- 2. What measures or instructions does the organization have in place that must be followed before a language other than French can be used?**

We ensure that our services to the public are available in the official language. The majority of the Municipality's activities are bilingual (French and English). The use of English only would be exceptional and adapted to a specific case.

### **5.4.3.2 When health requires it – CLF 22.3**

The organization may use another language, in addition to the official language, in its communications when health requires it.

- 1. In what cases, under what circumstances, in what situations and for what purposes does the organization intend to use a language other than French?**

When the Municipality needs to communicate (verbally or in writing) with its citizens on public health issues (drinking water distribution system, epidemic, etc.), it does so bilingually (in its written documents) in French and English, but it could be in English only (verbal discussion).

- 2. What measures or instructions does the organization have in place that must be followed before a language other than French can be used?**

We ensure that our services to the public are available in the official language. The majority of the Municipality's activities are bilingual (French and English). The use of English only would be exceptional and adapted to a specific case.

### **5.4.3.3 When the principles of natural justice demand it – CLF 22.3**

The organization may use another language, in addition to the official language, in its communications when required by the principles of natural justice.

- 1. In what cases, under what circumstances, in what situations and for what purposes does the organization intend to use a language other than French?**

The Municipality may use another language, in addition to the official language, in its communications with citizens when the principles of natural justice requires it. This includes the main interactions between representatives of the Municipality and citizens on subjects that affect them directly, such as understanding regulations, rules, administrative procedures, statements of offence, financial obligations such as taxes, and so on.

- 2. What measures or instructions does the organization have in place that must be followed before a language other than French can be used?**

The Municipality invites the personnel affected by this exception to ask if it is possible to communicate with the Municipality in French (verbal and written). Should this not be

possible, the Municipality will use English in the interests of natural justice.

#### **5.4.3.4 Tourism – CLF 22.3**

The organization may use another language, in addition to the official language, in its communications to provide tourism services.

- 1. In what cases, under what circumstances, in what situations and for what purposes does the organization intend to use a language other than French?**

Tourists from outside Quebec visit some of our facilities.

- 2. What measures or instructions does the organization have in place that must be followed before a language other than French can be used?**

The Municipality must first try to communicate in French. If this is not possible, the Municipality will use English to communicate effectively with its customers.

#### **5.4.3.5 Financial information distribution – RDR 1(3)**

The organization may use another language, in addition to the official language, when communicating in order to disseminate any financial information it deems necessary for the management of the consolidated revenue fund and the public debt, as well as for the management of the issuance of municipal debt securities.

- 1. In what cases, under what circumstances, in what situations and for what purposes does the organization intend to use a language other than French?**

The organization may use another language, in addition to the official language, when communicating to disseminate any financial information it deems necessary.

- 2. What measures or instructions does the organization have in place that must be followed before a language other than French can be used?**

We ensure that our services to the public are available in the official language. The majority of the Municipality's activities are bilingual (French and English).

#### **5.4.3.6 Budget speeches and similar documents – RDR 1(5)**

The organization may use another language, in addition to the official language, to disseminate the public accounts, the pre-election report, the report on any special mandate produced in accordance with section 51 of the Public Administration Act, as well as any other document reporting on the economic situation of Québec and the government's revenues and expenditures.

- 1. In what cases, under what circumstances, in what situations and for what purposes does the organization intend to use a language other than French?**

The organization may use another language, in addition to the official language, to publish its public accounts, budget estimates and financial statements.

- 2. What measures or instructions does the organization have in place that must be followed before a language other than French can be used?**

We ensure that our services to the public are available in the official language. The majority of the Municipality's activities are bilingual (French and English).

### **5.4.3.7 News outlets broadcasting in other languages – CLF 22.5**

The organization has the option of using a language other than French in communications intended for media outlets broadcasting in a language other than French, and in the advertising they carry.

- 1. In what cases, under what circumstances, in what situations and for what purposes does the organization intend to use a language other than French?**

The Municipality of the Township of Low could be featured in English-language print or digital media, either in an advertising or infomercial format, or through communications with an English-language journalist. A media outlet (TV or radio) may also request an interview with the Municipality or the Mayor. In this case, the interview will be conducted in English.

- 2. What efforts can the organization make to ensure that the duty to set an example, in its own mind, is taken into account when exercising this right?**

Many English-speaking journalists working in Quebec know how to express themselves in French. Most relations with these journalists are therefore conducted in the official language. However, in order to reach this audience, on-camera or radio interviews should be conducted in English as much as possible.

## **5.4.4 Theme 4 – Posting**

### **5.4.4.1 Health & Safety – CLF 22**

The organization may post in French and in another language when required for public health or safety.

- 1. In what cases, under what circumstances, in what situations and for what purposes does the organization intend to use a language other than French?**

The Municipality also uses English in its communications with citizens in the event of emergency measures or any situation that could represent a risk to the health and safety of the population (boil advisory, contamination, evacuation notice, fire, extreme weather event, etc.).

- 2. What measures or instructions does the organization have in place that must be followed before a language other than French can be used?**

We ensure that our services to the public are available in the official language. The majority of the Municipality's activities are bilingual (French and English).

#### **5.4.4.2 Cultural or historical value – CLF 22.1**

To designate a thoroughfare on the territory of a municipality, the organization may use, along with a generic French term, a specific term other than a French term if it is established by usage or if its use is of definite interest due to its cultural or historical value.

- 1. In what cases, under what circumstances, in what situations and for what purposes does the organization intend to use a language other than French?**

Some street and park names reflect an English-speaking culture that has been established in Low for many generations and has become established through usage (Beaverlost, Echo Lane, Farm, etc.).

- 2. What measures or instructions does the organization have in place that must be followed before a language other than French can be used?**

The Municipality will be working on a toponymic naming policy that will include criteria linked to the predominant use of French, but allowing for exceptions based on usage, or cultural or historical value.

#### **5.4.4.3 Touristic environment – RLA 9**

The organization may post signs in French and in another language for a museum, botanical or zoological garden, cultural or scientific exhibition, tourist reception or information area, or any other tourist site related to any activity, on the premises where they are located, provided that French is clearly predominant, as defined in the regulation that specifies the scope of this expression for the application of the CLF.

- 1. In what cases, under what circumstances, in what situations and for what purposes does the organization intend to use a language other than French?**

Tourists from outside Quebec visit some of our facilities.

- 2. What measures or instructions does the organization have in place that must be followed before a language other than French can be used?**

In its tourism signage, the Municipality uses French predominantly.

## **5.4.5 Theme 5 - Contracts and agreements**

### **5.4.5.1 Public contracts – CLF 21 RLA 4(1)**

The organization may attach a version in a language other than French to a contract and to the writings relating to it when there is reason to arouse the interest of legal persons or businesses that do not have an establishment in Québec as part of a process for awarding or granting a public contract.

- 1. In what cases, under what circumstances, in what situations and for what purposes does the organization intend to use a language other than French?**

In a specific case where the Municipality would have to solicit the interest of legal entities or companies not established in Quebec as part of a process aimed at awarding or granting a public contract.

- 2. What measures or instructions does the organization have in place that must be followed before a language other than French can be used?**

The Municipality publishes its calls for public tenders on SEAO, the Quebec government's electronic tendering system. Most of the documentation is therefore in French. The use of English would be exceptional.

### **5.4.5.2 Head office or establishment outside Quebec – CLF 21 RLA 4(6)**

The organization may attach a version in a language other than French to a contract and to writings relating to it when the organization contracts in Quebec with a legal person established in Quebec and the exchanges necessary for the conclusion of the contract take place with the head office or an establishment of the legal person located outside Quebec.

- 1. In what cases, under what circumstances, in what situations and for what purposes does the organization intend to use a language other than French?**

The Municipality may attach a version in a language other than French to a contract and related documents when it

contracts in Quebec with a legal entity established in Quebec and the exchanges necessary for the conclusion of the contract take place with the head office or an establishment of the legal entity located outside Quebec.

- 2. What measures or instructions does the organization have in place that must be followed before a language other than French can be used?**

The Municipality conducts the majority of its procurement activities in French. The use of English would be exceptional and adapted to a specific contract.

### **5.4.5.3 Membership contract - head office outside Quebec – CLF 21 RLA 4(7)**

The organization may attach a version in a language other than French to a contract and to writings relating thereto when it adheres to a contract submitted by the head office or parent company located outside Quebec of a legal person established in Quebec or by the entity located outside Quebec controlling a legal person established in Quebec.

- 1. In what cases, under what circumstances, in what situations and for what purposes does the organization intend to use a language other than French?**

The Municipality may attach a version in a language other than French to a contract and to writings relating thereto when it adheres to a contract submitted by the head office or parent company located outside Quebec of a legal person established in Quebec or by the entity located outside Quebec controlling a legal person established in Quebec.

- 2. What measures or instructions does the organization have in place that must be followed before a language other than French can be used?**

The Municipality conducts the majority of its procurement activities in French. The use of English would be exceptional and adapted to a specific contract.

### **5.4.5.4 Information technology - unavailability – CLF 21 RLA 4(15)**

The organization may attach a version in a language other than French to a contract and related written documents when it contracts for information technology licenses that do not exist in French.

- 1. In what cases, under what circumstances, in what situations and for what purposes does the organization intend to use a language other than French?**

The Municipality may attach a version in a language other than French to a contract and related documents

when it contracts for information technology licenses that do not exist in French.

- 2. What measures or instructions does the organization have in place that must be followed before a language other than French can be used?**

The Municipality must first attempt to communicate with its technology suppliers in French. Should this not be possible, the Municipality will use English in the interests of contractual and operational efficiency.

#### **5.4.5.5 Individuals who do not reside in Québec – CLF 21.4(1)a)**

The organization may attach a version in a language other than French to a contract and related documents when it contracts in Quebec with a natural person who does not reside in Quebec.

- 1. In what cases, under what circumstances, in what situations and for what purposes does the organization intend to use a language other than French?**

The Municipality may attach a version in a language other than French to a contract and related documents when it contracts in Quebec with a natural person who does not reside in Quebec.

- 2. What measures or instructions does the organization have in place that must be followed before a language other than French can be used?**

We ensure that our services are available to the public in the official language.

#### **5.4.5.6 Contract outside Quebec – CLF 21.5**

The contract to which the organization is a signatory and related documents may be drafted only in another language when the Administration contracts outside Quebec.

- 1. In what cases, under what circumstances, in what situations and for what purposes does the organization intend to use a language other than French?**

The contract to which the Municipality is a signatory and the writings related to it may be drafted only in another language when the Administration contracts outside Quebec.

- 2. What measures or instructions does the organization have in place that must be followed before a language other than French can be used?**

The Municipality conducts the majority of its procurement activities in French. The use of English would be exceptional and adapted to a specific contract.

## **5.4.6 Theme 6 - Research**

### **5.4.6.1 Information from a participant – CLF 22.5 RDR 2(2)**

Information transmitted by a research participant or by a person contributing information to a research project may be written in a language other than French.

- 1. In what cases, under what circumstances, in what situations and for what purposes does the organization intend to use a language other than French?**

Information transmitted by a participant in a research study, survey or public consultation, or by a person contributing to it, may be written in a language other than French.

- 2. What efforts can the organization make to ensure that the duty to set an example, in its own mind, is taken into account when exercising this right?**

We ensure that our services to the public are available in the official language. The majority of the Municipality's activities are bilingual (French and English). Responses in English will also be translated into French.

### **5.4.6.2 Survey or statistical inquiry – CLF 22.5 RDR 2(3)**

The organization may use a language other than French in the material used for a survey or statistical inquiry, including a questionnaire or interview form.

- 1. In what cases, under what circumstances, in what situations and for what purposes does the organization intend to use a language other than French?**

The Municipality may use a language other than French in the material used for a survey or statistical inquiry, including a questionnaire or interview form.

- 2. What efforts can the organization make to ensure that the duty to set an example, in its own mind, is taken into account when exercising this right?**

We ensure that our services to the public are available in the official language. The majority of the Municipality's activities are bilingual (French and English). Responses in English will also be translated into French.

## **5.4.7 Theme 7 - Intergovernmental and international affairs, cooperation, consultation and relations outside Quebec**

### **5.4.7.1 Services and relations outside Quebec – CLF 22.3**

The organization may use another language, in addition to the official language, when communicating in writing in order to provide services and maintain relations outside Quebec.

- 1. In what cases, under what circumstances, in what situations and for what purposes does the organization intend to use a language other than French?**

The Municipality may use another language, in addition to the official language, when communicating in writing to provide services and maintain relations outside Quebec. It should be remembered that the majority of its services and relations remain in Quebec.

- 2. What measures or instructions does the organization have in place that must be followed before a language other than French can be used?**

The Municipality wishes to provide for this exception in the event that it needs to provide services and maintain relations outside Quebec.

## **6. ROLES AND RESPONSIBILITIES**

### **6.1 Municipal Council**

The Municipal Council is responsible for:

- ✓ Adopt the specific directive on the use of a language other than French before transmitting it to the Ministère de la Langue française.

### **6.2 Director General**

Director General is responsible for :

- ✓ Produce a special directive on the use of languages other than French.
- ✓ Submit the directive and its updates to the Municipal Council.
- ✓ To ensure that the Municipality complies with its obligations under the Charter of the French Language.
- ✓ To transmit this directive to the Ministère de la Langue française.
- ✓ To ensure that its personnel comply with this directive.
- ✓ Ensure that complaints relating to breaches of the provisions of the Charter of the French Language are dealt with.

- ✓ Ensure the accountability required by the Charter, in particular to the French Language Commissioner.

### 6.3 Municipal Employees

Municipal employees are responsible for:

- ✓ To comply with this directive.

## 7 ADOPTION AND REVISION

### 7.1 Adoption

Directive on the use of languages other than French comes into force on November 19, 2024.

### 7.2 Revision

This directive will be reviewed every five years from the date of adoption.

### 7.3 Coming into force

This directive comes into force on November 19<sup>th</sup>, 2024. It repeals and replaces all previous directives to the contrary.

Director General  
and Clerk-Treasurer,

The Mayor,

Myrian Nadon

Carole Robert