

NATIONAL ASSEMBLY
Thirty-third Legislature, second session

1988, chapter 54
**AN ACT TO AMEND THE CHARTER
OF THE FRENCH LANGUAGE**

Bill 178

Introduced by Mr Guy Rivard, Minister for Cultural Affairs

Introduced 19 December 1988

Passage in principle 21 December 1988

Passage 21 December 1988

Assented to 22 December 1988

Coming into force: 22 December 1988

Act amended:

Charter of the French language (R.S.Q., chapter C-11)



Éditeur officiel
Québec



CHAPTER 54

An Act to amend the Charter of the French language

[Assented to 22 December 1988]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

c. C-11,
s. 58,
replaced

1. Section 58 of the Charter of the French language (R.S.Q., chapter C-11) is replaced by the following sections:

Signs and
posters

“58. Public signs and posters and commercial advertising, outside or intended for the public outside, shall be solely in French.

Signs and
posters

Similarly, public signs and posters and commercial advertising shall be solely in French

(1) inside commercial centres and their access ways, except inside the establishments located there;

(2) inside any public means of transport and its access ways;

(3) inside the establishments of business firms contemplated in section 136;

(4) inside the establishments of business firms employing fewer than fifty but more than five persons, where such firms share, with two or more other business firms, the use of a trademark, a firm name or an appellation by which they are known to the public.

French and
another
language

The Government may, however, by regulation, prescribe the terms and conditions according to which public signs and posters and public advertising may be both in French and in another language, under the conditions set forth in the second paragraph of section 58.1, inside the establishments of business firms contemplated in subparagraphs 3 and 4 of the second paragraph.

Terms and
conditions

The Government may, in such regulation, establish categories of business firms, prescribe terms and conditions which vary according

to the category and reinforce the conditions set forth in the second paragraph of section 58.1.

French
mandatory

“58.1 Inside establishments, public signs and posters and commercial advertising shall be in French.

Marked pre-
dominance

They may also be both in French and in another language, provided they are intended only for the public inside the establishments and that French is markedly predominant.

Another
language

“58.2 Public signs and posters and commercial advertising may be both in French and in another language or solely in another language in the cases and under the conditions or circumstances prescribed by regulation of the Office de la langue française.”

c. C-11,
s. 59,
replaced

2. Section 59 of the said Charter is replaced by the following section:

Exceptions

“59. Sections 58 to 58.2 do not apply to advertising carried in news media that publish in a language other than French, or to messages of a religious, political, ideological or humanitarian nature if not for a profit motive.”

c. C-11,
s. 60,
repealed

3. Section 60 of the said Charter is repealed.

c. C-11,
s. 61,
replaced

4. Section 61 of the said Charter is replaced by the following section:

Ethnic
groups

“61. Public signs and posters, outside, respecting the cultural activities of a particular ethnic group in any way may be in both French and the language of that ethnic group.”

c. C-11,
s. 62, am.

5. Section 62 of the said Charter is amended

(1) by replacing the first and second paragraphs by the following paragraph:

Foreign
national
specialities

“62. Outside but on the premises of commercial establishments specializing in foreign national specialities or the specialities of a particular ethnic group, public signs and posters may be both in French and in the relevant foreign national language or the language of that ethnic group.”;

(2) by replacing the word “second” in the first line of the third paragraph by the word “first”.

c. C-11,
s. 68, am.

6. Section 68 of the said Charter is amended

(1) by inserting, at the beginning, the following paragraph:

Firm name “**68.** Except as otherwise provided in this section, only the French version of a firm name may be used in Québec.”;

(2) by adding, at the end, the following paragraph:

Firm name in commercial advertising “On public signs and posters and in commercial advertising,
(1) a firm name may be accompanied with a version in another language, if they are both in French and in another language;

(2) a firm name may appear solely in its version in another language, if they are solely in a language other than French.”

c. C-11,
s. 69,
repealed

7. Section 69 of the said Charter is repealed.

Compliance
with new
provisions

8. Every owner of a public sign or poster, advertisement, illuminated sign, billboard or other advertising material that conforms with the provisions of the Charter of the French language relating to public signs and posters and commercial advertising as they read on 14 December 1988, and every person who has placed any of them or caused any of them to be placed, has until 22 December 1990 to bring it into conformity with the new provisions enacted by this Act respecting public signs and posters and commercial advertising.

Regulatory
provisions

9. The provisions of the Regulation respecting the language of commerce and business (R.R.Q., 1981, C-11, r.9) made pursuant to section 58 of the Charter of the French language, as they read on 14 December 1988, are deemed made pursuant to section 58.2 enacted by section 1 of this Act.

Exception

10. The provisions of section 58 and those of the first paragraph of section 68, enacted by sections 1 and 6, respectively, of this Act, shall operate notwithstanding the provisions of paragraph *b* of section 2 or section 15 of the Constitution Act, 1982 (Schedule B to the Canada Act, chapter 11 in the 1982 volume of the Acts of the Parliament of the United Kingdom) and apply despite sections 3 and 10 of the Charter of human rights and freedoms (R.S.Q., chapter C-12).

Coming into
force

11. The provisions of this Act come into force on 22 December 1988.