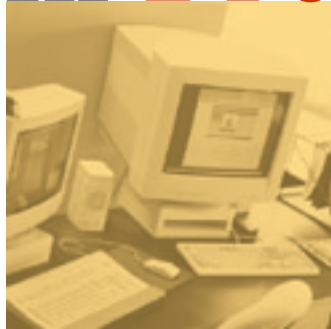




# Guide

to Obtain Products  
in **French**



*Office de la langue  
française*

Québec 

# Guide to Obtain Products in French

## PREAMBLE

The *Charter of the French Language* entrenches five fundamental rights, two of which, in particular, affect companies: the right of workers to carry out their activities in French (Section 4) and the right of consumers of goods and services to be served in French (Section 5). Any business established in Quebec must uphold these rights in its role as employer, consumer, and supplier of goods and services. Under Section 141,5 of the Charter, any Quebec business with fifty or more employees must take steps to ensure that the documentation, working tools, and computer software and hardware are provided in French. It must also inform all out-of-province suppliers of these obligations through a letter or a language clause incorporated into all purchase orders.

In response to the massive influx of new products from abroad, businesses must be constantly on guard to maintain francization gains at the lowest possible cost. In order to help them prevent or resolve francization issues, which can have significant administrative and financial impacts, the Office de la Langue Française has developed this *Guide to Obtain Products in French*.

Businesses may use this guide in developing their own policies and regulations, or adopt it without change as their purchasing policy to obtain products in French. Businesses with ISO or HACCP<sup>1</sup> certification are requested to apply this purchasing policy as part of their HACCP or ISO standard procedures, or as a component of their total quality procedures. By officially adopting a policy or regulations promoting the acquisition of goods and services in French, or in French and in other languages, businesses and their employees demonstrate their commitment to implementing preventive and on-going measures to ensure long-term compliance with the Charter.

1. Hazard Analysis Critical Control Point system

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# Guide to Obtain Products in French



## GENERAL CONSIDERATIONS

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### A. BASIC PRINCIPLE

All employees of a business operating in Québec have the **right to work in French**. While such businesses have the **obligation** to serve their customers in French, they also have the **right** to receive information from and be served by their suppliers in Québec in French. These fundamental language rights are provided for in Sections 4 and 5 of the *Charter of the French Language*.

### B. OBJECTIVE

Provide businesses with a purchasing policy to obtain products in French with suppliers both within Québec and elsewhere so as to **provide their employees working in Québec and their Québec customers a francized environment promoting the widespread use of the official language**. This involves acquiring goods and services in French as well as purchasing and installing French-language software.

### C. DESIGN

In cooperation with the departments involved, such as purchasing, accounting, information technology (data processing), engineering, and receiving, the Francization Committee (companies with 100 employees or more) or the Francization Advisor (companies with 55 to 99 employees) may use this guide as a model in drafting a policy suited to the business's needs. The guide can also be used « as is » as the firm's policy for obtaining goods and services in French.

### D. APPROVAL

The Francization Committee or the Francization Advisor shall submit a policy that has been tailored to the business's needs or the guide itself « as is » for approval by the firm's senior management or appropriate authorities.

The policy decided on shall be signed by every member of the Francization Committee or the Francization Advisor, as the case may be, **and** by the firm's senior managers or other appropriate authorities. The company shall apply this policy just as it would its purchasing, HACCP, ISO, and total-quality procedures. Once the policy has been adopted, a copy of it and the form *Approval of the Purchasing Policy or Regulations to Obtain Products in French* must be sent to the *Office de la Langue Française*.

# Guide to Obtain Products in French

## E. DISTRIBUTION

The adopted policy and regulations are intended for all of the firm's employees working in Québec, in particular, the **purchasing, engineering, accounting, information technology, and receiving departments**, even if they are located outside of Québec, **as well as the personnel responsible for selecting suppliers.**

The business's appropriate authorities or senior management shall ensure that the purchasing policy and regulations are distributed both within and outside Québec, by posting them at strategic locations or using other means, such as instructions, meetings, briefing sessions, and the company's intranet.

Each business is responsible for informing its suppliers about its policy and regulations to obtain goods and services in French.

Four departments play a leading role in developing and, in particular, implementing policy and regulations to obtain goods and services in French : the purchasing, information technology, receiving, and accounting departments. Their respective responsibilities are detailed in the following sections.

# Guide to Obtain Products in French



## PURCHASING DEPARTMENT RESPONSIBILITIES

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### A. NOTICE TO SUPPLIERS

Send a letter to all suppliers of goods and services, whether in Québec or elsewhere, **who provide products and services in a language other than French**, stating that the firm has adopted a policy or regulations to obtain goods and services in French. Two such letters are provided in appendix : *Sample Letter for Suppliers in Québec* and *Sample Letter for Outside Québec Suppliers*. Purchasers are responsible for following up the issue with suppliers.

### B. PRINTED AND ELECTRONIC PURCHASE ORDERS

According to Section 57 of the *Charter of the French Language*, all purchase orders sent to suppliers in Québec must be printed and completed in French, but according to Section 89, this purchase order could be printed and completed both in French and in another language. Businesses are required to communicate in French with all suppliers in Québec (Section 141.5° of the *Charter of the French Language*), including when placing orders using EDI (Electronic Data Interchange) and the Internet (Web sites and the like).

Purchase orders shall remind suppliers of goods and services, whether established in Québec or elsewhere, of the **language requirements** provided for under the mandatory sections of the *Charter of the French Language* governing **packaging and labelling, product inscriptions, operating and maintenance instructions, safety precautions, warranty certificates, WHMIS sheets** (Workplace Hazardous Material Information System Sheets), **specifications, catalogues, advertising material, and training equipment**. Orders placed over the Internet must comply with the same requirements.

# Guide to Obtain Products in French

On each purchase order, the linguistic clauses may be preprinted on the form itself, applied as a sticker, or stamped on.

## Samples :

### Number 1 French Version

Rappel : Tout texte figurant sur un produit ou sur son emballage et toute documentation relative aux produits ou services doivent au moins avoir une version française.

### Number 1 English Version

*Reminder: All texts appearing on products and packaging, as well as all product or service related literature, must contain a French version.*

### Number 2 French Version

Rappel : Le matériel de bureau, le matériel industriel, informatique ou autre, les services après-vente, l'étiquetage et l'emballage des produits, ainsi que tous les documents ayant trait aux produits et aux services nous sont fournis au moins en français.

### Number 2 English Version

*Reminder: All office equipment and supplies and industrial equipment (whether computer based or not), after-sales services, product labels and packaging, and all related documents must at least be provided in French.*

## C. GOODS AND SERVICES CONTRACTS

### Before purchasing :

Draft the request for proposal (RFP) and related documents for suppliers within Québec in French.

**Require suppliers within Québec to provide** catalogues in French, or in French and in another language. Obtain, whenever possible, catalogues in French, or in French and in another language from outside Québec suppliers, in order to develop a list of terms specific to the company's line of business.

When dealing with **outside Québec suppliers** having a small market in Québec, offer to bring their products into compliance, at their expense, by providing them, for example, with the nomenclature of their line of business or a list of terms specific to it.

**Require suppliers within Québec** to include, in the contract, all French-language information pertaining to the product or service. **Negotiate with outside Québec suppliers** to include such information in the contract.

# Guide to Obtain Products in French

## 1. Request for proposal (RFP), tenders, and contracts shall provide the following language requirements :

### a) Retail Product Packages

Retailers must serve their **customers from Québec in French** as specified under Section 5 of the *Charter of the French Language*. Consequently, **all text** on a product, its container, or packaging as well as accompanying documents or items, including instructions and warranty certificates, **must be in French**, as specified by the Section 51 of the *Charter*. While the French text may be accompanied by one or more translations, **no text in any language may be more prominent than the French text**. Should the supplier and distributor be located outside of Québec, **retailers in the province are responsible for the Francization of the products they sell** and must bring them into compliance with Section 51 of the Charter.

### b) General and Industrial Appliances, Instruments and Tools

Inscriptions on control buttons and consoles, instructions, **safety precautions**, as well as other inscriptions or labels on general and industrial appliances, instruments and tools, **must be in French or appear as pictographs**. Other languages may be used as long as French is presented in at least an equivalent manner (Section 141,3° of the *Charter of the French Language*).

### c) Documentation

All documents related to a product, general or industrial appliance, instrument, or service, such as operating instructions, maintenance guides, user guides, **safety precautions**, warranty certificates, data sheets, **Workplace Hazardous Material Information System sheets (WHMIS)**, catalogues, advertising, and training manuals **must be in French** (Sections 51, 52, 141,3, and 141,4° of the *Charter of the French Language*). Other languages may be used as long as French is presented in at least an equivalent manner.

### d) Training

Training courses pertaining to products, instruments, general and industrial appliances shall be given in French in Québec.

### e) Customer Service

Customer service and technical support, and all reference materials, shall be provided in French (Section 141,4) in Québec. All reference materials shall be in French, but other languages may be used as long as French is presented in at least an equivalent manner.

# Guide to Obtain Products in French

## **2. Various agreements may be negotiated with a supplier outside of Québec who does not comply with the language requirements, as suggested below :**

- Share the translation costs with the supplier.
- Translate the inscriptions on the product, container, or wrapping, or accompanying documents and items (including operating instructions and warranty certificates) in return for financial or other considerations from the supplier.
- Translate English literature used frequently in return for financial or other considerations from the supplier.
- Translate inscriptions, safety precautions, labels, and parts list in return for financial or other considerations from the supplier.
- Francize, at the supplier's expense, the list of terms frequently used in his English-language catalogue.
- Provide simultaneous interpretation at the outside Québec supplier's expense, when training is given in Québec.
- Have the outside Québec supplier seek out French-language documentation in the other countries he serves.

# Guide to Obtain Products in French



## PURCHASING AND INFORMATION TECHNOLOGY DEPARTMENTS RESPONSIBILITIES

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### INFORMATION TECHNOLOGY CONTRACTS

(Section 141,9° of the Charter of the French Language)

#### Before purchasing :

Check with suppliers to determine if a French-language version of the software exists. If it does, this version must **be purchased and installed on employee workstations** to allow personnel to work in French.

Search for a French-language product comparable to English-language software with no French-language version. Call on the Office de la Langue Française Advisor who, if necessary, can take the steps required with the Office's department specialized in Francization related to information technologies.

Ensure that Québec suppliers comply with the language requirements mentioned below and negotiate compliance with out-of-province suppliers. Include such requirements in the contract.

#### 1. RFPs, tenders, and contracts shall provide for the following language requirements :

##### a) Hardware

(keyboards, printers, fax machines, and other peripherals)

- All inscriptions, control buttons, keyboard keys, and safety precautions must be in French or represented as pictographs.
- Liquid crystal display messages shall be in French.
- Computer hardware must be designed to reproduce all French diacritical marks (accents, cedilla, and diaeresis).

NOTE : Terminal and microcomputer keyboards certified to be compliant with Canadian standard CAN/CSA Z243.200-92 incorporate the requirements for **French and other languages**.

# Guide to Obtain Products in French

## **b) Software**

(packages, educational software, customized applications, operating systems, development tools, network management systems, Internet programs, and others)

- Menus, commands, and messages shall be displayed on the screen in French and will **include all French diacritical marks (accents, cedilla, diaeresis)**.
- Character entry, reading, writing and printing will provide for all French features (diacritical marks, decimal comma instead of a period, date format, etc.).
- Sort and search functions shall correctly process French diacritical marks (accents, cedilla, diaeresis).

## **c) Documentation**

(related to hardware and software)

- Data sheets, warranty certificates, certificates of authenticity, and all other similar documents shall be written in French. Other languages may be used as long as French is presented in at least an equivalent manner.
- User and installation guides must be in French, whether provided in print or on CD-ROM. Other languages may be used as long as French is presented in at least an equivalent manner.
- Training manuals and teaching aids must be in French, whether provided in print or on CD-ROM. Other languages may be used as long as French is presented in at least an equivalent manner.

## **d) Customer Service**

- Maintenance of computer hardware and technical support shall be provided in French.

## **2. Various agreements may be negotiated with information technology (data processing) suppliers, as suggested below.**

### **a) Hardware**

- Translate safety precautions, inscriptions, and labels sent in a language other than French by outside Québec suppliers in return for financial or other considerations.
- The supplier can provide French-language stickers at his own expense.
- The supplier can immediately replace English-language hardware with French-language hardware at his own expense.

### **Training**

Provide simultaneous interpretation at the outside Québec supplier's expense, whenever training on hardware use is given in Québec.

# Guide to Obtain Products in French

## b) Software

- Negotiate sharing the translation costs for software and associated documentation with the supplier. **Negotiate distribution of the software to other users in Québec.**
- Negotiate the acquisition of the supplier's source code in order to translate the software into French.
- Negotiate client-company translation of one or all of the modules most frequently used by its various departments in return for financial or other considerations from the supplier.
- Negotiate client-company translation of one or all of the modules most frequently used by all employees of one department in return for financial or other considerations from the supplier.
- Add a clause to the purchase contract stipulating that the supplier, whether in Québec or elsewhere, **shall undertake to replace, at no cost, the English version of software with the French version**, as soon as it is available on the market.

It is important to obtain the date on which the French version will be ready.

- Whether the supplier is in Québec or elsewhere, **negotiate terms for replacing the English version with the French version, once it is available on the Québec market.**

## Training

Provide simultaneous interpretation at the outside Québec supplier's expense, whenever training on software use is given in Québec.

## c) Documentation

- Negotiate sharing translation costs with the supplier.
- Translate frequently used English documentation in return for financial or other considerations from the supplier.

# Guide to Obtain Products in French



## RECEIVING, PURCHASING AND ACCOUNTING DEPARTMENTS RESPONSIBILITIES

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Appoint at least one individual in the receiving department to check that received goods **comply with the language requirements stated in the purchase order, RFP, associated documents, and contract**. These persons shall ensure that the accompanying documentation is at least written in French.

The company may also resort to other means to ensure compliance with language requirements, including:

- Incorporating language-related inspections into its total-quality procedures.
- Adding language-related inspections to inspections already provided for in ISO or HACCP standard procedures.
- Adding the language-requirement inspection to periodic inventory management inspections.
- Implementing product sampling.
- Inspecting new working tools on a regular basis.
- **Distributing copies of Section 51 of the *Charter of the French Language in English and French* to buyers so that they may give them to their suppliers in Québec and elsewhere upon signature of purchasing contracts or when sending orders.**

If the goods fail to comply with language requirements, the head of the receiving department shall complete the ***Non-compliance Report*** (sample given below) and forward it to the purchasing department.

Upon receipt of the ***Non-compliance Report***, the purchasing department shall notify the supplier of non-compliance with respect to the language requirements by immediately sending him the report by mail, fax, or e-mail.

The purchasing department will then take one of the following actions :

- Return the non-conforming goods at the supplier's expense.
- Return the non-conforming documents.
- Defer payment until the non-compliance has been corrected.
- Defer partial payment until the non-compliance has been corrected.

The **purchasing department** will return the report to the receiving department after checking off the selected measure in **G section** of the ***Non-compliance Report***. Finally, the purchasing department shall notify the accounting department if the payment has to be deferred in whole or in part.

# Guide to Obtain Products in French

## NON-COMPLIANCE REPORT

**Order No. :** \_\_\_\_\_

**Contract No. :** \_\_\_\_\_

**Date**

Year : \_\_\_\_\_ Month : \_\_\_\_\_ Day : \_\_\_\_\_

**Supplier's Information**

Company's Name : \_\_\_\_\_

Address : \_\_\_\_\_

\_\_\_\_\_

**Company's Information**

Company's Name : \_\_\_\_\_

Address : \_\_\_\_\_

\_\_\_\_\_

**Addresse's Name :** \_\_\_\_\_

Phone : \_\_\_\_\_ Fax : \_\_\_\_\_

E-mail : \_\_\_\_\_

**Sender's Name :** \_\_\_\_\_

Phone : \_\_\_\_\_ Fax : \_\_\_\_\_

E-Mail : \_\_\_\_\_

**Non-compliance with the order**

**Non-compliance with the contract**

# Guide to Obtain Products in French



## Section 51 of the *Charter of the French Language*

51. Every inscription on a product, on its container or on its wrapping, or on a document or object supplied with it, including the directions for use and warranty certificates must be drafted in French. [...] The French inscription may be accompanied with a translation or translations, but no inscription in another language may be given greater prominence than that in French.

### (Suppliers in Québec and Elsewhere)

#### Are not in French :

- Inscriptions on the product
- Inscriptions on the packaging or container
- Directions for use
- Warranty certificate
- Documents or items supplied with the product



## Section 52 of the *Charter of the French Language*

52. Catalogues, brochures, folders, commercial directories and any similar publications must be drawn up in French.

#### Are not in French :

- Catalogues
- Brochures
- Pamphlets
- Other similar publications

# Guide to Obtain Products in French



## Section 57 of the *Charter of the French Language*

57. Application forms for employment, order forms, invoices, receipts, and quittances must be drawn up in French.

### (Suppliers in Québec Only)

#### Are not in French :

- Purchase orders
- Invoices
- Receipts or quittances



## Section 141,3° of the *Charter of the French Language*

141. The francization programme is intended to generalize the use of French at all levels of the firm through :

[...]

3° the use of French as the language of work and as the language of internal communication.

### (Suppliers in Québec and Elsewhere)

#### The following are not in French on general or industrial appliances, instruments, and tools :

- Inscriptions on control buttons
- Inscriptions on consols
- Directions for use
- Safety precautions
- Olther incriptions or labels

# Guide to Obtain Products in French



## Section 141,4° of the *Charter of the French Language*

141. The francization programme is intended to generalize the use of French at all levels of the firm through :  
[...]

4° the use of French in the working documents of the firm, especially in manuals and catalogues.

**The following documents related to general and industrial appliances, instruments, and tools other than computers are not in French :**

- Maintenance manuals
- Operating manuals
- Warranty certificate
- Data sheets
- WHIMS sheets
- Training manual
- After-sales documents

**The following documents related to hardware and software are not in French :**

- Data sheets
- Operating or installation guides
- CD-ROM operating or installation guide
- Training manuals
- Educational programs
- CD-ROM educational programs
- Customer service

# Guide to Obtain Products in French



## Section 141,9<sup>o</sup> of the *Charter of the French Language*

141. The francization programme is intended to generalize the use of French at all levels of the firm through :

[...]

9<sup>o</sup> the use of French in information technologies.

### The following is not in French on the hardware :

- Inscriptions
- Control buttons
- Keyboard keys
- Safety precautions
- Liquid crystal display messages (electronic messages)
- French diacritical marks (accents, cedilla, diaeresis)

### The following is not in French in the software :

- Menus
- Commands
- Messages displayed on screen
- French diacritical marks (accents, cedilla, diaeresis)



## Therefore, our firm is :

- returning the goods at the supplier's expense.
  - returning the non-conforming documents.
  - deferring payment until the non-compliance has been corrected.
  - deferring part of the payment until the non-compliance has been corrected.
  - taking other measures.
- 
-

# Guide to Obtain Products in French



## APPROVAL OF THE PURCHASING POLICY OR REGULATIONS TO OBTAIN PRODUCTS IN FRENCH

**Firm :**

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**Québec Business Number (QBN) :**

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**Signatures of the Francization Responsible** (in block letters)

Name	First name	Signature
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**or**

**Signatures of the Francization Committee Members** (in block letters)

Name	First name	Signature
Name	First name	Signature
Name	First name	Signature
Name	First name	Signature
Name	First name	Signature
Name	First name	Signature

**and**

(following page)

# Guide to Obtain Products in French

## Signatures of Senior Management (in block letters)

### President

_____	_____	_____
Name	First name	Signature

### Purchasing Vice-president or Manager

_____	_____	_____
Name	First name	Signature

### Information Technology Vice-president or Manager

_____	_____	_____
Name	First name	Signature

**Date :**

Year

Month

Day

# **Guide** to Obtain Products **in French**

## **APPENDICES**

- **Sample Letter for Suppliers in Québec**
  - English version
  - Official text in French
- **Sample Letter for Outside Québec Suppliers**
  - English version
  - Text in French

# Guide to Obtain Products in French

## Sample Letter for Suppliers in Québec

English Version

**For information only**

Dear Madam or Sir :

Our firm has developed and adopted language requirements for suppliers serving our establishments and employees in Québec. This purchasing policy confirms our determination to ensure that French is the normal, customary language of work used by our Québec employees as well as the normal language for communicating with our customers and suppliers in Québec.

We request that you provide our Québec personnel with complete French-language documentation, including the invoices, correspondence, equipment labels, and instruction leaflets that accompany your products and services. These documents should be written with the proper French terminology.

This request is a component of our quality standards and is intended to improve our productivity.

For more details, please contact (e.g. : **our purchasing department**) for advice on applying this policy.

We appreciate your cooperation.

Sincerely yours,

(Original signed by)

# Guide to Obtain Products in French

Sample Letter for Suppliers in Québec

French Version

**Only the French letter must be sent to Québec suppliers.**

Madame,  
Monsieur,

Notre entreprise a élaboré et adopté des exigences linguistiques à l'intention de ses fournisseurs pour ses établissements et son personnel du Québec. Cette politique d'achat affirme notre volonté de faire du français la langue normale et habituelle de travail de nos employés québécois, ainsi que la langue habituelle de communication avec nos clients et fournisseurs établis au Québec.

Nous vous prions de bien vouloir expédier à notre personnel du Québec tous vos documents en langue française, notamment les factures, la correspondance, les inscriptions sur le matériel et les notices qui accompagnent vos produits et services. Il est également souhaitable que vous rédigez ces documents en utilisant une terminologie française appropriée.

Cette demande s'intègre à nos normes de qualité et vise à l'amélioration de notre productivité.

Pour de plus amples renseignements, veuillez communiquer avec (ex. : **notre service des achats**) qui vous guidera dans l'application de notre politique.

En vous remerciant de votre bienveillante collaboration, nous vous prions d'agréer, Madame, Monsieur, l'expression de nos sentiments distingués.

Signature

# Guide to Obtain Products in French

Sample Letter for Outside Québec Suppliers

English Version

**This letter should be sent to the outside Québec suppliers only.**

Dear Madam or Sir :

Our firm intends to support Québec consumers and workers in their wish to preserve the use of French as the normal, customary language of work, trade, and business.

We believe that we can increase the productivity of our Québec employees, and thereby improve customer service, if they have tools and documents in the French language.

For these reasons, we have developed and adopted language requirements for suppliers serving our establishments and employees in Québec. The following policy applies to all our outside Québec suppliers.

We would like you to ensure that your equipment labels, catalogues, user guides, warranties, and all written material furnished with your goods and services are either in French only or bilingual or multilingual with a French version. These documents should be written with the proper French terminology.

For more details, please contact (for example, our purchasing department) for advice about applying this policy and, if you deem it useful, advice about the use of French terminology.

Yours sincerely,

*(Original signed by)*

# Guide to Obtain Products in French

Sample Letter for Suppliers in Québec

French Version

**Only the French letter must be sent to Québec suppliers.**

Madame,  
Monsieur,

Notre entreprise entend appuyer les consommateurs et travailleurs québécois dans leur volonté d'assurer la permanence de l'utilisation du français comme langue normale et habituelle de travail, du commerce et des affaires.

Nous croyons pouvoir accroître la productivité de notre personnel du Québec, et ainsi mieux servir nos clients, en mettant à leur disposition des outils de travail et des documents en français.

C'est pourquoi nous avons élaboré et adopté des exigences linguistiques à l'intention des fournisseurs, pour nos établissements et notre personnel québécois. La politique suivante s'applique à tous nos fournisseurs de l'extérieur du Québec.

Nous vous prions de bien vouloir nous envoyer en français (version française, bilingue ou multilingue) les inscriptions sur le matériel, les catalogues, les modes d'emploi, les certificats de garantie et l'ensemble de la documentation qui accompagne vos produits et services. Il est également souhaitable que vous rédigez ces documents en utilisant une terminologie française appropriée.

Pour de plus amples renseignements, veuillez communiquer avec (ex. : *notre service des achats*) qui vous guidera dans l'application de cette politique et, si vous le jugez utile, vous conseillera dans l'utilisation de la terminologie française.

Nous vous prions d'agréer, Madame, Monsieur, l'expression de nos sentiments distingués.

Signature