



Un milieu en héritage

Our Heritage, Our Home



**SPECIFIC DIRECTIVE
GOVERNING THE USE OF
A LANGUAGE OTHER THAN FRENCH**

Municipality of Bury

2025

1. INTRODUCTION

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

2. CONTEXT

On June 1, 2022, the National Assembly passed the Act respecting the official and common language of Québec, French, thereby amending the Charter of the French Language (hereinafter, the Charter). Exemplary use of the French language by the government is the cornerstone of this extensive reform.

The Regulation respecting the language of the administration and the Regulation respecting exceptions to the duty of exemplary use by the administration 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 Government Language Policy, which outlines the main guidelines for exemplary use. This policy, which came into force on June 1, 2023, also applies to the organization, subject to the specific provisions established by the Commissioner of the French Language. Under this policy, the organization must adopt a directive intended in particular for its staff to indicate the applicable language rules in its activities, like any other parliamentary institution that intends to use a language other than French in some of its communications.

3. APPLICATION SCOPE

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

4. STATEMENT OF THE DIRECTIVE

4.1 Objectives of the directive

This directive aims to clarify 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 (CQLR, chapter C-11 [CLF])
2. Act respecting the official and common language of Québec, French (SQ 2022, chapter 14)
3. Regulation respecting the language of the administration (C-11, r.8.1 [RLA])

4. Regulation Respecting Exceptions to the Duty of Exemplary Conduct of the Administration and Documents Prepared or Used in Research (C-11, r.5.1) [RDR]

5. State Language Policy

4.3 General principles

1. The Municipality of Bury is a recognized organization with bilingual status, pursuant to 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.
3. The Municipality conducts the majority of its communications bilingually, in accordance with sections 23 to 26 of the Charter, and in the situations described below where it may use a language other than French.
4. Before using a language other than French, the institution ensures that it is in one of the situations outlined in this directive.
5. The Municipality does not undertake to translate documents received from external sources.

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

- 5.1 In accordance with Article 8 of the Charter, the Municipality of Bury may draft, adopt, and publish its municipal bylaws in both French and English. In the event of any discrepancy, the French text of such an act shall prevail over the English text.
- 5.2 In accordance with Article 24 of the Charter, the Municipality may post notices in both French and another language, with French being the predominant language.
- 5.3 In accordance with the provisions of Article 26 of the Charter, the Municipality may use both the official language and another language in its documents, services, and technological resources, in its names, internal communications, as well as in notices of meetings, agendas, and minutes of its deliberative assemblies.

The municipality may also use this other language in its oral communications without simultaneously using the official language, provided that it ensures its services to the public are available in the official language. Within the municipality, individuals may use the language of their choice in their written communications with one another. However, a French version must be made available by the municipality upon request to any person who needs to consult it in the performance of their duties. Furthermore, individuals within the municipality may use the language of their choice in oral communications with one another. In the event of any discrepancy, the French text of such an act prevails over the English version.

5.4 Exceptions

5.4.1 Topic 1 - Written and Oral Communications with Legal Entities and Businesses Established in Quebec

5.4.1.1 Legal Entity – Head Office or Establishment Outside Quebec – CLF16 RLA

2(1) An organization may use a language other than the official language when written communication is addressed solely to the head office or an establishment of a legal entity established in Quebec, when that head office or establishment is 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 deals with certain suppliers whose head offices are located outside Quebec (mainly elsewhere in Canada). It also happens that a Quebec supplier is purchased by another whose head office is located outside Quebec.

2. What measures or instructions put in place by the organization must be followed before a language other than French can be used? The Municipality invites staff affected by this exception to ask the supplier outside Quebec if it is possible to communicate with the Municipality in French (verbally and in writing). Should this not be possible, the Municipality will use English to ensure business continuity.

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 an individual operating a sole proprietorship if it has the ability to communicate in another language with that individual when they are not acting in the course of their business.

Note: The ability to communicate in another language with this individual when they are not acting in the course of their business is determined in accordance with the exceptions relating to communications with individuals 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 document may be written in a language other than French when it is submitted by a natural person who operates a sole proprietorship and the organization has the option of using another language, in addition to the official language, in its communications with that person when the latter is not acting in the course of operating their business.

2. What measures or instructions put in place by the organization 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 conducts the majority of its activities bilingually (in French and English). The use of English only would be exceptional and appropriate for a specific case.

5.4.1.3 Certain legal entities providing services in places or to a person referred to in section 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 entity established in Quebec that is formed and administered exclusively for the purpose of providing services in a reserve, in an establishment, or on lands referred to in section 97 of the CLF, 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 the English-speaking Indigenous 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 put in place by the organization must be followed before a language other than French may be used? We ensure that our services to the public are available in the official language. The Municipality conducts the majority of its activities bilingually (in French and English). The use of English only would be exceptional and appropriate for a specific case.

5.4.1.4 School Organizations – Legal Entity Providing Educational Services – CLF 16 RLA 2(7) A school organization recognized under section 29.1 of the CLF may use another language, in addition to the official language, when communicating with a legal entity established in Quebec that provides educational services in English.

Note: This exception applies only to school organizations recognized under section 29.1 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? Pope Memorial School is located within the territory of the Municipality of Bury and is part of the Eastern Township School Board. The Municipality must communicate with the school within its territory, among other things, to organize activities or to reach young people through awareness campaigns.

2. What measures or instructions put in place by the organization 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 users.

5.4.2 Topic 2 - Documents Submitted to the Administration by Legal Entities and Businesses to Obtain a Permit, Authorization, Grant, or Other Form of Financial Assistance

5.4.2.1 Head Office or Establishment Outside Quebec – CLF 21.9 RLA 6(3) A document may be written in a language other than French when it originates from the head office or establishment located outside Quebec of a legal entity 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? A document may be written in a language other than French when it originates from the head office or establishment located outside Quebec of a legal entity or business established in Quebec.

2. What measures or instructions put in place by the organization must be followed before a language other than French may be used? We ensure that our services to the public are available in the official language. The Municipality conducts the majority of its activities bilingually (in French and English). The use of English only would be exceptional and appropriate for a specific case.

5.4.2.2 Sole Proprietorship – CLF 21.9 RLA 6(4) A document may be written in a language other than French when it is submitted by a natural person operating a sole proprietorship and the organization has the option of using another language, in addition to the official language, in its communications with that person when the latter is not acting in the course of operating their 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 document may be written in a language other than French when it is transmitted by a natural person who operates a sole proprietorship and the organization has the option of using another language, in addition to the official language, in its communications with that person when the latter is not acting within the scope of operating their business.

2. What measures or instructions put in place by the organization 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 conducts the majority of its activities bilingually (in French and English). The use of English only would be exceptional and appropriate for a specific case.

5.4.2.3 Third Parties Outside Quebec – CLF 21 RLA 6(2) Documents may be written in a language other than French when transmitted by the legal entity to both the organization and a third party 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? Documents may be written in a language other than French when transmitted by the legal entity to both the organization and a third party outside Quebec.

2. What measures or instructions put in place by the organization 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 conducts the majority of its activities bilingually (in French and English). The use of English only would be exceptional and appropriate for 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 – 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 must communicate (verbally or in writing) with its citizens on matters related to public safety (emergency measures, state of emergency monitoring, recovery, etc.). It does so bilingually (in its written communications) in French and English, but it could be in English only (verbal discussion).

2. What measures or instructions put in place by the organization 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 conducts most of its activities bilingually (in French and English). The use of English only would be exceptional and appropriate for a specific case.

5.4.3.2 When Health Requires – 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 must communicate (verbally or in writing) with its citizens regarding matters related to public health (drinking water distribution network, epidemic, etc.), it does so bilingually (in its written communications) in French and English, but it could be in English only (verbal discussion).

2. What measures or instructions put in place by the organization 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 conducts most of its activities bilingually (in French and English). The use of English only would be exceptional and appropriate for a specific case.

5.4.3.3 When Natural Justice Requires – CLF 22.3 The organization may use another language, in addition to the official language, in its communications when natural justice 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? The Municipality may use another language, in addition to the official language, in its communications with citizens when natural justice requires it. This includes the main interactions between representatives of the Municipality and citizens on matters that directly affect them, particularly to ensure a clear understanding of regulations, rules, administrative procedures, notices of violation, financial obligations such as taxes, etc.

2. What measures or instructions put in place by the organization must be followed before a language other than French can be used? The Municipality encourages staff affected by this exception to ask if it is possible to communicate with the Municipality in French (verbally and in writing). Should this not be possible, the Municipality will use English in the interest of fairness.

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.

5.4.3.5 Dissemination of Financial Information – RDR 1(3) The organization may use a language other than the official language when communicating to disseminate any financial information it deems necessary for the management of the consolidated public revenue and debt fund and 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 a language other than the official language when communicating to disseminate any financial information when it deems it necessary.

2. What measures or instructions put in place by the organization 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 carries out this activity bilingually (in French and English).

5.4.3.6 Budget Speeches and Similar Documents – RDR 1(5) The organization may use a language other than the official language to disseminate public accounts, the pre-election report, the report on any special mandate produced pursuant to section 51 of the Public Administration Act, and any other document describing 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 a language other than the official language to disseminate public accounts, budget forecasts, and its financial statements.

2. What measures or instructions put in place by the organization 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 carries out this activity bilingually (in French and English).

5.4.3.7 News outlets broadcasting in another language – CLF 22.5 The organization has the right to use a language other than French in communications intended for news 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 Bury could advertise in an English-language media outlet, whether print or digital, in the form of an advertisement, an infomercial, or through communications with an English-speaking journalist. A media outlet (television 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 view, is taken into account in the exercise of this right? Many English-speaking journalists working in Quebec are proficient in French. Most interactions with these journalists are therefore conducted in the official language. However, on-camera or radio interviews should be conducted in English as much as possible to reach this audience.

5.4.4 Theme 4 – Signage

5.4.4.1 Health and Safety – CLF 22 The organization may post signs in French and in another language when public health or 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? The Municipality also uses English in its communications to citizens in the case of emergency measures or any situation that may pose a risk to the health and safety of the population (boil water advisory, contamination, evacuation notice, fire, extreme weather event, etc.)

2. What measures or instructions put in place by the organization 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 carries out this activity bilingually (in French and English).

5.4.4.2 Cultural or Historical Value – CLF 22.1 To designate a thoroughfare within 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 significant 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 or park names reflect an Anglophone culture established in Bury for many generations.

2. What measures or instructions put in place by the organization must be followed before a language other than French can be used? The Municipality will work on developing a toponymic naming policy that will include criteria related to the predominant use of French, but will allow for exceptions based on usage, or cultural or historical value.

5.4.4.3 Tourism Environment – RLA 9 An organization may display signs in French and another language for a museum, botanical or zoological garden, cultural or scientific exhibition, tourist information or reception 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 by the by-law that specifies the scope of this expression for the application of the CLF (Canadian Language Act).

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 frequent some of our facilities. 2. What measures or instructions put in place by the organization must be respected before a language other than French can be used? In its tourist signage, the Municipality predominantly uses French.

5.4.5 Topic 5 - Contracts and Agreements

5.4.5.1 Public Contract – CLF 21 RLA 4(1) An organization may include a version in a language other than French with a contract and related documents when it is necessary to solicit the interest of legal persons or businesses without an establishment in Quebec in 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 persons or businesses without an establishment in Quebec in a process for awarding or granting a public contract.

2. What measures or instructions put in place by the organization must be followed before a language other than French can be used? The Municipality publishes its public calls for tenders on SEAO, the Quebec government's electronic tendering system. The documentation is therefore primarily in French. The use of English would be exceptional.

5.4.5.2 Head Office or Establishment Outside Quebec – CLF 21 RLA 4(6) An organization may attach a version in a language other than French to a contract and related documents 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 include a version in a language other than French with a contract and related documents when it contracts in Quebec with a legal entity established in Quebec, and when 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 implemented by the organization 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 appropriate for a specific contract.

5.4.5.3 Membership Agreement – Head Office Outside Quebec – CLF 21 RLA 4(7)

An organization may attach a version in a language other than French to a contract and related documents when it accedes to a contract submitted by the head office or parent company located outside Quebec of a legal entity established in Quebec, or by the entity located outside Quebec that controls a legal entity 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 related documents when it accedes to a contract submitted by the head office or parent company located outside Quebec of a legal entity established in Quebec, or by the entity located outside Quebec that controls a legal entity established in Quebec.

2. What measures or instructions put in place by the organization 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 appropriate for 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 documents when contracting 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 include a version in a language other than French of a contract

and related documents when contracting for information technology services related to licenses that do not exist in French.

2. What measures or instructions put in place by the organization must be followed before a language other than French can be used? The Municipality must first attempt to communicate in French with its technology suppliers. Should this prove impossible, the Municipality will use English for the sake of contractual and operational efficiency.

5.4.5.5 Individual Not Resides in Quebec – CLF 21.4(1)(a) The organization may include a version in a language other than French of a contract and related documents when contracting in Quebec with an individual 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 an individual who does not reside in Quebec.

2. What measures or instructions put in place by the organization 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.

5.4.5.6 Contracts Outside Quebec – CLF 21.5 The contract to which the organization is a signatory and related documents may be written only in a language other than French 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 all related documents may be written solely in another language when the Administration contracts outside Quebec.

2. What measures or instructions implemented by the organization 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 appropriate for a specific contract.

5.4.6 Theme 6 - Research

5.4.6.1 Information Submitted by a Participant – CLF 22.5 RDR 2(2) Information submitted by a research participant or by a person contributing 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 submitted by a research participant, survey, or public consultation participant, or by a person contributing to a research project, survey, or public consultation, 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 view, is taken into account in the exercise of this right? We ensure that our services to the public are available in the official language. The Municipality conducts the majority of its activities bilingually (in French and English). Responses in English will also be translated into French.

5.4.6.2 Survey or Statistical Survey – CLF 22.5 RDR 2(3) The organization may use a language other than French in the materials used for a survey or statistical survey, 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 materials used for a survey or statistical survey, including a questionnaire or interview form.

2. What efforts can the organization make to ensure that the duty to set an example, in its view, is taken into account in the exercise of this right? We ensure that our services to the public are available in the official language. The Municipality conducts the majority of its activities bilingually (in French and English). Questions and answers 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 An organization may use a language other than French when communicating in writing 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 could use a language other than French when communicating in writing to provide services and maintain relations outside Quebec. It should be noted that the majority of its services and relations remain in Quebec.

2. What measures or instructions put in place by the organization must be followed before a language other than French can be used? The Municipality wishes to include this exception in the event that it has to provide services and maintain relationships outside of Quebec..

6. ROLES AND RESPONSIBILITIES

6.1 Municipal Council

The Municipal Council is responsible for:

- Adopting the specific directive regarding the use of a language other than French before submitting it to the Ministry of the French Language.

6.2 General Management

The General Management is responsible for:

- To produce the specific directive regarding the use of languages other than French.
- To 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 forward this directive to the Ministry of the French Language.
- To ensure that its staff complies with this directive.
- To ensure that complaints regarding violations of the provisions of the Charter of the French Language are addressed.
- To ensure the accountability required by the Charter, particularly to the Commissioner of the French Language.

6.3 Staff Members

Municipal staff are responsible for:

- Complying with this directive.

7 ADOPTION AND REVIEW

7.1 Adoption

The directive regarding the use of a language other than French comes into effect on December 1, 2025.

7.2 Review

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

7.3 Effective Date

This directive comes into effect on December 1, 2025. It supersedes all previous directives.