

<b>Date</b>	December 2, 2021
<b>Recipient</b>	Stakeholders conducting business in Québec via Binding Authority and/or the Open Market
<b>Subject</b>	<b>Québec – Enactment of Bill 96: An Act respecting French and the Enhanced use of the French Language</b>

<i>Purpose:</i>	Inform stakeholders of the impact of Bill 96: An Act respecting French and the Enhanced use of the French Language, once enacted
<i>Affects:</i>	Stakeholders conducting business in Québec via binding authority and/or the open market
<i>Line of Business:</i>	All
<i>Jurisdiction :</i>	Province of Québec
<i>Effective:</i>	December 1, 2021

## What you need to know

In order to reaffirm the existing law that stipulates French as Québec's official language and to promote its use locally, [Bill 96: An Act respecting French, the official and common language of Québec](#) will be enacted by the province of Québec. This bill will mandate the use of the French language when conducting business in Québec.

## What's changed

The Bill re-introduces the obligation to conduct business in French in the first instance, before English can be utilised. In the context of insurance, this includes the obligation to deliver quotes, confirmation of cover, policies, and endorsements in the French language.

The key requirement for Lloyd's underwriters is that insureds in Québec must first receive French policy documentation, regardless of language preference. Once the French documentation has been delivered, only then can the insured request transaction documentation be drafted in English. The French language requirements are applicable to contracts of insurance (as defined below) placed via binding authority and/or in the open market.

The French language requirements will apply to the following Contracts of Insurance:

- covering property or an interest situated in Québec;
- subscribed in Québec by a person resident in Québec;
- if the policyholder applies for the insurance in Québec;
- the insurer signs or delivers the policy in Québec;

- group schemes where the participant has residence in Québec at the time, they become a participant;
- any sum due under a contract of insurance governed by the law of Québec that is payable in Québec.

### **What this means to Lloyd's Coverholders and Open Market Correspondents**

The Bill is still in consultation phase and therefore, exact implementation timelines are unknown; however, the requirements could come into force during 2022.

Coverholders or Open Market Correspondents who provide Contracts of Insurance in or from Québec or may do in the future, should, in collaboration with their Lloyd's brokers and/or Managing Agent(s), review their internal processes (including French language documentation libraries), and controls to ensure compliance.

**With respect to legal translation of wordings to French, we would like to remind you to liaise with your Lloyd's Broker/Managing Agent as required.**

For further information, please contact [info@lloyds.ca](mailto:info@lloyds.ca).

#### **Marc Lipman**

President, Lloyd's Canada Inc.

Attorney in Fact in Canada for Lloyd's Underwriters

[info@lloyds.ca](mailto:info@lloyds.ca)