

§2. *Other information:*

(1) where a single shop prepares clothes included and not included in the scope of the Decree respecting men's clothing industry prescribed by regulation, the employer shall keep separate registers containing the information required in Subdivision I, both for included and excluded clothes, unless the employer grants the conditions of employment imposed by regulation to all production workers;

(2) the employer shall send in writing to the Commission the names and addresses of the contractors to whom he entrusted work within 5 days of awarding the contract.

3672

Gouvernement du Québec

O.C. 680-2000, 1 June 2000

An Act respecting labour standards
(R.S.Q., c. N-1.1)

Contribution rates

WHEREAS, under paragraph 7 of section 29 of the Act respecting labour standards (R.S.Q., c. N-1.1), amended by section 1 of chapter 57 of the Statutes of 1999, the Commission des normes du travail may, by regulation, fix contribution rates;

WHEREAS, under section 39.0.2 of the Act respecting labour standards, amended by section 2 of chapter 57 of the Statutes of 1999, every employer of certain sectors of the clothing industry shall pay a supplementary contribution;

WHEREAS the Commission des normes du travail has adopted the Regulation respecting contribution rates;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation respecting contribution rates was published in Part 2 of the *Gazette officielle du Québec* of 5 April 2000 with a notice that it could be approved by the Government upon the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation without amendment;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Labour and Employment and Minister of Labour:

THAT the Regulation respecting contribution rates, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation respecting contribution rates

An Act respecting labour standards
(R.S.Q., c. N-1.1, s. 29, par. 7, s. 39.0.2; 1999, c. 57, s. 1 and 2)

1. The contribution rate provided for in the first paragraph of section 39.0.2 of the Act respecting labour standards (R.S.Q., c. N-1.1) is 0.08 %.

2. The supplementary contribution rate provided for in the second paragraph of section 39.0.2 of that Act, amended by section 2 of chapter 57 of the Statutes of 1999, is 0.12 %.

3. This Regulation replaces the Regulation respecting the levy under the Act respecting labour standards (R.R.Q., 1981, c. N-1.1, r. 4).

4. This Regulation comes into force on 1 July 2000.

3673

Gouvernement du Québec

O.C. 705-2000, 7 June 2000

An Act respecting the ministère de la Santé et des Services sociaux
(R.S.Q., c. M-19.2)

Agreement on Social Security for Students and Participants in Cooperation Programs between the Government of Québec and the Government of the French Republic
— **Implementation of the memorandum**

Regulation respecting the implementation of the Memorandum of Agreement on Social Security for Students and Participants in Cooperation Programs between the Gouvernement du Québec and the Government of the French Republic

WHEREAS Décret 1560-98 dated 16 December 1998 approved the Memorandum of Agreement on Social Security for Students and Participants in Cooperation Programs between the Gouvernement du Québec and the Government of the French Republic and authorized the Minister of International Relations to be the sole signatory to that Agreement;

WHEREAS the Memorandum of Agreement was entered into at Québec on 19 December 1998;

WHEREAS the Memorandum of Agreement replaces the Protocole d'entente entre le gouvernement du Québec et le gouvernement de la République française relatif à la protection sociale des étudiants et des participants à la coopération signed on 2 June 1986 and implemented by the Regulation made by Order in Council 1318-86 dated 27 August 1986;

WHEREAS, under section 10 of the Act respecting the Ministère de la Santé et des Services sociaux (R.S.Q., c. M-19.2), the Minister of Health and Social Services may, according to law, enter into agreements with any government, one of its departments, with an international organization or with an agency of that government or organization for the purposes of allowing, on a basis of reciprocity,

(a) any person not resident in Québec who stays in Québec temporarily to benefit, on the conditions determined therein, from all or part of the health services and social services provided for in the Acts the application of which is entrusted to the Minister;

(b) any person resident in Québec, who stays in a foreign country, to benefit, on the conditions determined therein, from health services and social services determined under the agreements.

WHEREAS, under that provision, the agreements may set out the terms and conditions applicable to the repayment of the costs of the health services and social services;

WHEREAS, under that provision, the Government may adopt such regulations as it may consider necessary for the implementation of such an agreement;

WHEREAS, under section 19 of the Act respecting the Ministère des Relations internationales (R.S.Q., c. M-25.1.1), the Minister of International Relations is responsible for negotiating and implementing international agreements and for administering the programs resulting therefrom;

WHEREAS, under Order in Council 1118-93 dated 11 August 1993, proposed regulations and regulations respecting the implementation of reciprocal agreements in matters of social security entered into by the Gouvernement du Québec are excluded from the application of the Regulations Act (R.S.Q., c. R-18.1);

WHEREAS, to make the provisions of the Memorandum of Agreement relating to industrial accidents and occupational diseases effective, the Commission de la

santé et de la sécurité du travail may, in accordance with section 170 and subparagraph 39 of section 223 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1), make a regulation taking the necessary measures for their implementation;

WHEREAS, under section 224 of that Act, the Regulation must be submitted to the Government for approval;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Health and Social Services and Minister of Health and Social Services and of the Minister of International Relations:

THAT the Regulation respecting the implementation of the Memorandum of Agreement on Social Security for Students and Participants in Cooperation Programs between the Gouvernement du Québec and the Government of the French Republic, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation respecting the implementation of the Memorandum of Agreement on Social Security for Students and Participants in Cooperation Programs between the Gouvernement du Québec and the Government of the French Republic

An Act respecting the Ministère de la Santé et des Services sociaux
(R.S.Q., c. M-19.2, s. 10)

1. The following Acts and the Regulations made thereunder apply to any person referred to in the Memorandum of Agreement on Social Security for Students and Participants in Cooperation Programs signed on 19 December 1998 between the Gouvernement du Québec and the Government of the French Republic and appearing in Schedule I:

- (1) Hospital Insurance Act
(R.S.Q., c. A-28);
- (2) Health Insurance Act
(R.S.Q., c. A-29);
- (3) The Act respecting the Régie de l'assurance-maladie du Québec
(R.S.Q., c. R-5);

(4) The Act respecting health services and social services
(R.S.Q., c. S-4.2); and

(5) The Act respecting health services and social services for Cree Native persons
(R.S.Q., c. S-5).

2. Those Acts and Regulations apply in the manner provided for in the Memorandum of Agreement and in the Administrative Arrangement for the implementation of the Agreement signed on 21 December 1998 and appearing in Schedule II.

3. This Regulation replaces the Regulation respecting implementation of the Protocole d'entente entre le Gouvernement du Québec et le Gouvernement de la République française relatif à la protection sociale des étudiants et des participants à la coopération, made by Order in Council 1318-86 dated 27 August 1986 and the Regulation respecting implementation of the Protocole d'entente entre le Gouvernement du Québec et le Gouvernement de la République française relatif à la protection sociale des étudiants et des participants à la coopération (Amendment), made by Order in Council 1179-87 dated 29 July 1987.

4. This Regulation comes into force on 1 July 2000.

SCHEDULE I

(s. 1)

MEMORANDUM OF AGREEMENT ON SOCIAL SECURITY FOR STUDENTS AND PARTICIPANTS IN COOPERATION PROGRAMS

BETWEEN

THE GOUVERNEMENT DU QUÉBEC

AND

THE GOVERNMENT OF THE FRENCH REPUBLIC

THE GOUVERNEMENT DU QUÉBEC

AND

THE GOVERNMENT OF THE FRENCH REPUBLIC,

CONSIDERING that Québec and France have established a number of cooperation programs resulting in frequent transfers of persons between their territories;

Wishing to facilitate the participation of their respective nationals in those exchange programs,

Resolved to ensure that participants in cooperation programs and students receive certain social security benefits provided for in their respective legislation,

HAVE AGREED AS FOLLOWS:

PART I GENERAL

ARTICLE 1 DEFINITIONS

In this Agreement, unless the context dictates otherwise,

“France” means the European and overseas departments; (*France*)

“French nationals” means persons of French nationality; (*ressortissants français*)

“Québec nationals” means Canadian citizens subject to the legislation referred to in subparagraph 1(a) of Article 2; (*ressortissants québécois*)

“France-Québec cooperation programs” means the exchange programs between France and Québec referred to in the Administrative Arrangement; (*coopération franco-québécoise*)

“competent authority” means the Québec minister or the French minister responsible for applying the legislation referred to in Article 2; (*autorité compétente*)

“competent institution” means the Québec department or agency or the French social security agency responsible for administering legislation referred to in Article 2; (*institution compétente*)

“legislation” means present or future laws, regulations, statutory provisions and any other application measures relating to the social security sectors and plans referred to in Article 2; (*législation*)

“studies” means studies at one of the educational institutions listed in the Administrative Arrangement in accordance with the requirements set out therein; (*études*)

“government employees” means the French government employees or civil servants and the Québec government employees taking part in France-Québec cooperation programs, receiving a salary paid by the sending government and retaining the complete coverage of their own social security plans while carrying out their duties in the territory of the receiving Party; (*fonctionnaires*)

“unpaid training period” means

— where benefits are covered by the French plan under provisions of the Agreement, a training period during which the enterprise or the agency where it is served, or a third party, does not pay any benefits, or pays living and accommodation expenses up to the amount established in the Administrative Arrangement,

— where the benefits are covered by the Québec plan under the Agreement, a training period for which a person does not receive any salary but may receive a bursary or an allowance; (*stage non rémunérée*)

“dependants” means

a spouse or dependants according to Québec legislation; (*personnes à charge*)

and, as the case may be,

persons deriving rights from an insured person according to French legislation; (*ayants droit*)

and any term not defined in the Agreement has the meaning given to it under the applicable legislation.

ARTICLE 2 SCOPE

1. The Agreement applies:

(a) with respect to Québec,

— to legislation relating to health insurance, hospital insurance and other health services and to industrial accidents and occupational diseases; and

— for the purposes of paragraphs 2 and 5 of Article 4, to legislation respecting prescription drug insurance; and

(b) with respect to France, to the various legislation applying to the coverage of health care and maternity risks and industrial accident and occupational disease risks.

2. The Agreement also applies to any Act or Regulation that amends, extends or replaces the legislation referred to in paragraph 1, unless the interested contracting Party notifies the other contracting Party of its objections within three months of the date of the official publication of the said Act or Regulation.

3. The Agreement does not apply to any Act or Regulation covering a new area of social security unless the Agreement is amended to that effect.

ARTICLE 3 EQUAL TREATMENT

Failing a provision to the contrary in this Agreement, the persons referred to in Chapters 1 and 2 of Part II shall be entitled, throughout the actual duration of their studies, required training period or cooperation program activity within the territory of one of the Parties, to receive the benefits in kind provided for under the legislation of that Party, under the same conditions as insured persons residing within that territory or, as the case may be, maintaining a domicile there.

PART II BENEFITS

CHAPTER I HEALTH CARE AND MATERNITY BENEFITS

ARTICLE 4 STUDENTS

1. Québec nationals pursuing their studies in France who are not otherwise in that country or insured by virtue of their professional activity, or dependants of persons covered by social security, shall be entitled, within French territory, together with their accompanying dependants, to health and maternity insurance benefits in kind provided by the French institution on behalf of the competent Québec institution.

2. French nationals pursuing their studies in Québec who are neither residents nor deemed to be residents within the meaning of the Health Insurance Act, nor dependants of such residents, shall be entitled, within Québec, together with their accompanying dependants, to health insurance, hospital insurance, prescription drug insurance and other health care benefits in kind provided by the Québec institution on behalf of the competent French institution.

3. Persons referred to in paragraph 1 or 2 who are serving an unpaid training period required by their studies in a territory outside the territories of the Parties or, with respect to persons referred to in paragraph 2, in French territory, shall be entitled to be reimbursed for expenses relating to care received in the territory where they are serving their training period. The reimbursement shall be made by the institution of the territory where they are pursuing their studies on behalf of the competent institution and under the conditions provided for in the Administrative Arrangement.

4. French or Québec nationals who, while pursuing studies in the territory of the Party to whose legislation they are subject, serve an unpaid training period re-

quired by those studies in the territory of the other Party shall be entitled throughout the training period, together with their dependants accompanying them, to the benefits in kind referred to in paragraph 1 or 2, excluding prescription drug insurance, which shall be provided by the institution of the Party in whose territory the training period is served, on behalf of the affiliated institution, in accordance with the legislation it is applying.

5. French or Québec nationals taking part in an exchange program between institutions of higher learning in France and Québec shall be entitled, in the receiving country, together with their accompanying dependants, to the benefits in kind referred to in paragraph 1 or 2 which shall be provided by the institution in the receiving country, on behalf of the affiliated institution, in accordance with the legislation it is applying.

ARTICLE 5 STUDENTS STAYING TEMPORARILY OUTSIDE QUÉBEC

1. French nationals referred to in paragraphs 2 to 5 of Article 4 who stay temporarily outside Québec during their studies or training period in Québec shall be entitled, together with their accompanying dependants, to be reimbursed for expenses relating to care received during that temporary stay in accordance with the terms and conditions provided for under the Administrative Arrangement.

2. Paragraph 1 also applies to temporary stays outside Québec between two terms of study in Québec.

3. The Québec institution shall make the reimbursement referred to in paragraph 1 on behalf of the French institution.

ARTICLE 6 GOVERNMENT EMPLOYEES

The French and Québec government employees defined in Article 1 shall be entitled throughout their duties in the receiving country, together with their accompanying dependants, to benefits in kind provided by the institution in the receiving country, on behalf of the affiliated institution, in accordance with the legislation it is applying.

ARTICLE 7 SALARIED AND UNSALARIED PARTICIPANTS

1. Salaried and unsalaried participants in France-Québec cooperation programs shall be subject to the Entente entre le Gouvernement du Québec et le Gouvernement de la République française en matière de

sécurité sociale entered into on 12 February 1979, as amended.

2. Participants referred to in paragraph 1 and their accompanying dependants shall be entitled to the benefits in kind provided for under the legislation applicable in the territory where they are temporarily residing, throughout the period of their salaried or unsalaried activity in that territory, regardless of the expected duration of that activity.

ARTICLE 8 UNPAID TRAINEES

Where they are among the categories of trainees defined in the Administrative Arrangement, French or Québec nationals serving unpaid training periods under France-Québec cooperation programs shall be entitled, throughout their training period, to benefits in kind provided by the institution in the receiving country, on behalf of the institution in the sending country, in accordance with the legislation it is applying.

ARTICLE 9 HOLDERS OF A TRAINING BURSARY

Québec nationals holding a bursary received from the French or the Québec Government to serve a training period in France under a France-Québec cooperation program and whose activity does not meet the requirements for entitlement to social security shall be entitled to coverage under the social security system as described in the Administrative Arrangement.

ARTICLE 10 EXTENSION OF RIGHTS

In the event of a pregnancy or where it is determined that moving persons referred to in the Agreement would likely compromise their health or medical treatment and where their condition requires care beyond the time initially specified for their stay in the receiving country, the provisions of this Agreement shall continue to apply to those persons for as long as the health professional in Québec, or the *Caisse* on the opinion of the consulting physician in France, deems it advisable.

CHAPTER 2 INDUSTRIAL ACCIDENT OR OCCUPATIONAL DISEASE BENEFITS

ARTICLE 11 NON-APPLICATION OF RESIDENCE CLAUSES

Provisions in the legislation of one of the Parties respecting industrial accidents and occupational diseases

that restrict the rights of foreign nationals or that disqualify them because of their residence or their domicile shall not be applied against the nationals of the other Party.

ARTICLE 12
STUDENTS WHO SUFFER AN INDUSTRIAL
ACCIDENT OR OCCUPATIONAL DISEASE
DURING A REQUIRED TRAINING PERIOD

1. French or Québec nationals who, while pursuing their studies in the territory of one of the Parties, serve an unpaid training period in an enterprise or an agency located in that territory or outside that territory as part of their study program shall be entitled, in the event of an industrial accident or occupational disease, to the benefits in kind and cash benefits provided for under the legislation applicable to the educational institution.

2. Notwithstanding the provisions of paragraph 1 above, where the training period is served in the territory of the other Party:

(a) benefits in kind shall be provided on behalf of the institution of the first Party by the institution of the second Party in accordance with the legislation the latter Party is applying; and

(b) cash benefits shall be paid by the institution where the educational institution is located.

ARTICLE 13
BENEFITS IN THE EVENT OF A TEMPORARY OR
PERMANENT TRANSFER OF RESIDENCE

1. French or Québec nationals referred to in Article 12 who suffer an industrial accident or occupational disease recognized as such under the legislation of one of the Parties shall continue to be entitled to the benefits provided for under that legislation when they transfer their residence to the territory of the other Party.

2. The institution where the person resides shall provide the benefits in kind on behalf of the competent institution.

CHAPTER 3
COMMON PROVISIONS

ARTICLE 14
RESPONSIBILITY FOR PAYMENT OF BENEFITS

1. The affiliated institution or the competent institution of one Party shall reimburse the institution of the other Party for the benefits in kind that the latter has provided on its behalf.

2. The status of dependants shall be established by the legislation that is applied by the institution responsible for the payment of benefits.

3. The competent authorities of the Parties may, in the Administrative Arrangement, waive in whole or in part the reimbursement provided for in paragraph 1.

PART III
TRANSITIONAL AND FINAL PROVISIONS

ARTICLE 15
TRANSITIONAL PROVISIONS

1. The provisions of Article 8 apply to training periods served from the date of coming into force of this Agreement.

2. Notwithstanding the provisions of paragraph 1, Articles 12 and 13 apply to events posterior to the date of coming into force of this Agreement that occur during a training period started before that date.

3. For persons already in one of the situations described in Articles 4 and 5 when this Agreement comes into force, the provisions of Article 14 relating to responsibility for the payment of benefits apply to benefits provided from the date of coming into force of this Agreement.

ARTICLE 16
COMING INTO FORCE

1. This Agreement revokes and replaces the Protocole d'Entente entre le Gouvernement du Québec et le Gouvernement de la République française relatif à la protection sociale des étudiants et des participants à la coopérations, signed on 2 June 1986.

2. This Agreement shall remain in force for one year from the date of its coming into force. It shall be renewed automatically from year to year unless notice of termination is given at least three months prior to the end of the calendar year underway. The Agreement shall then terminate at the end of the said year.

3. If this Agreement is terminated, the stipulations of this Agreement shall continue to apply to vested rights, notwithstanding any restrictive provisions contained in the legislation in question with respect to an insured person's stays outside the country.

4. The Parties shall notify each other of the completion of its internal procedures required for the coming into force of this Agreement which shall take effect on the first day of the second month following the date the last notification is received.

Done in duplicate at Québec, on 19 December 1998.

For the Gouvernement
du Québec:

MME LOUISE BEAUDOIN,
*Ministre des Relations
internationales*

For the Government of
the French Republic:

M. CHARLES JOSSELIN,
*Ministre délégué à la
Coopération et à la Francophonie*

SCHEDULE II

(s. 2)

ADMINISTRATIVE ARRANGEMENT FOR THE
IMPLEMENTATION OF THE MEMORANDUM OF
AGREEMENT ON SOCIAL SECURITY FOR
STUDENTS AND PARTICIPANTS IN
COOPERATION PROGRAMS SIGNED ON
19 DECEMBER 1998

BETWEEN

THE GOUVERNEMENT DU QUÉBEC

AND

THE GOVERNMENT OF THE FRENCH REPUBLIC

Resolved to implement the Memorandum of Agreement on Social Security for Students and Participants in Cooperation Programs signed on 19 December 1998 between the Gouvernement du Québec and the Government of the French Republic, and thereby facilitate exchanges between Québec and France, the competent authorities represented by

For Québec:

Yves Chagnon, Director, Direction des équivalences et des ententes de sécurité sociale, Ministère des Relations avec les citoyens et de l'Immigration,

For France:

Jean-Louis Rey, head of the Division des affaires européennes et internationales, Direction de la sécurité sociale, Ministère de l'Emploi et de la Solidarité,

Louis Ranvier, responsible for international matters, Direction des exploitations, de la politique sociale et de l'emploi, Ministère de l'Agriculture et de la Pêche,

have agreed to the following provisions:

ARTICLE 1 DEFINITIONS

In this Administrative Arrangement,

(a) the term "Agreement" means the Memorandum of Agreement on Social Security for Students and Participants in Cooperation Programs between the Gouvernement du Québec and the Government of the French Republic, signed at Québec on 19 December 1998; (*Protocole*)

(b) other terms shall have the meaning assigned to them in Article 1 of the Agreement.

ARTICLE 2 STUDIES

For the purposes of Articles 4, 5 and 12 of the Agreement, the following persons are deemed to be pursuing studies:

(a) in France, persons enrolled at institutions of higher learning: universities, *grands établissements*, engineering schools, business schools, *grandes écoles*, preparatory courses for those schools (*classes préparatoires*), special technology college departments (*Sections de techniciens supérieurs*), recognized by the minister or ministers responsible for higher learning, as well as persons enrolled in *première* or *terminale* of secondary school (*lycée*) and private educational institutions under contract which prepare for the general or technological *baccalauréat*;

(b) in Québec, persons enrolled full time in a program leading to a diploma in an educational institution at the college or university level recognized by the department responsible for higher learning;

(c) in Québec and in France, persons enrolled at an abovementioned institution of higher learning, college or university in the territory of one Party and who, under an exchange program between educational institutions, undertake part of their studies for a period less than or equal to an academic year in the territory of the other Party.

ARTICLE 3 HEALTH CARE FOR STUDENTS PURSUING STUDIES IN THE TERRITORY OF THE OTHER PARTY

1. Québec students referred to in paragraph 1 of Article 4 of the Agreement shall, before leaving Québec, apply to the Régie de l'assurance-maladie du Québec (RAMQ) for a form attesting to their entitlement and the

entitlement of their dependants under the Québec social security system. The form shall be renewed yearly.

Upon their arrival in France, they shall submit the form to and register with the Caisse primaire d'assurance maladie (CPAM) of their place of residence.

2. French students referred to in paragraph 2 of Article 4 of the Agreement shall, before leaving France, apply to their Caisse d'assurance maladie for a form attesting to their current status as an insured person or dependant of an insured person and that of any dependant accompanying them.

Upon their arrival in Québec, they shall register with the RAMQ by submitting the said form, together with the certificate of acceptance for study issued by the Ministère des Relations avec les citoyens et de l'Immigration, proof of their French nationality and an attestation that they are enrolled in full-time studies.

The registration covers participation in the prescription drug insurance plan without payment of a premium.

Periodically, and at least once a year, the RAMQ shall ensure that the persons in question are still enrolled as full-time students, have not interrupted their studies, and that the dependants indicated on the initial form are still living with them.

The RAMQ shall notify the French liaison agency of any change relating to dependants, including the arrival of a new dependant.

3. For the purposes of paragraph 3 of Article 4 of the Agreement,

(a) the unpaid training period shall not last longer than six months;

(b) the reimbursement provided for shall be made

— by the Québec institution, according to the rates applicable to Québec residents who reside temporarily outside Québec for their studies,

— by the French institution, according to the tariffs applicable to the payment of costs for care received abroad by persons insured under the French plan.

ARTICLE 4

HEALTH CARE FOR STUDENTS TAKING PART IN EXCHANGES BETWEEN INSTITUTIONS OF HIGHER LEARNING AND FOR STUDENTS SERVING A REQUIRED TRAINING PERIOD AS PART OF THEIR STUDIES

1. For the purposes of paragraph 4 of Article 4 of the Agreement, the students in question shall apply to their own institution for the issuance of a form attesting to their entitlement to benefits which shall be submitted to the RAMQ in Québec or to the CPAM in France in order to obtain health care coverage.

If the form cannot be submitted, the institution that is to provide the benefits, or the student in question, shall apply to the competent institution of the other Party for the issuance of the form.

The name and address of the agency insuring the student or trainee against industrial accidents and occupational diseases must appear on the form referred to in the first paragraph.

In the event of such an accident or disease, that agency shall be notified in order to confirm acceptance.

2. For the purposes of paragraph 5 of Article 4 of the Agreement, the students in question shall apply to their own institution for the issuance of a form attesting to their participation in an interuniversity exchange program and their entitlement to benefits which shall be used for registration with the RAMQ or the CPAM, as the case may be, in order to obtain coverage for benefits in kind. French students in Québec shall also submit a certificate of acceptance issued by the Ministère des Relations avec les citoyens et de l'Immigration.

ARTICLE 5

HEALTH CARE FOR STUDENTS DURING TEMPORARY STAYS OUTSIDE QUÉBEC

For the purposes of Article 5 of the Agreement, French nationals returning to Québec shall apply for reimbursement on the form provided for that purpose by the RAMQ, which shall reimburse the cost of health care received outside Québec

(a) where the students stayed in France, at the rates applicable to Québec residents who reside temporarily outside Québec for their studies,

(b) where the students stayed in a territory outside the territories of the Parties, at the rates applicable to residents who holiday outside Québec.

Such reimbursements shall be made only for care received during the period of the authorized temporary residence for studies in Québec.

ARTICLE 6 FRANCE-QUÉBEC COOPERATION PROGRAMS

For the purposes of Articles 6 to 9 of the Agreement, France-Québec cooperation programs refer to the following exchange programs between France and Québec:

- Commission permanente de coopération franco-québécoise;
- Office Franco-Québécois pour la Jeunesse;
- Association Québec-France and Association France-Québec;
- Association pour la coopération technique, industrielle et économique (ACTIM); and
- any other agency authorized for that purpose by both governments.

ARTICLE 7 DEFINITION OF UNPAID TRAINING PERIODS FOR THE FRENCH PARTY

Training periods completed in France by Québec trainees or training periods completed in Québec by French trainees for which compensation of no more than one thousand Canadian dollars or its equivalent is granted for accommodation and living expenses shall be deemed by the French Party to be unpaid training periods and, as such, shall exempt the persons in question from participating in the corresponding social security plan and paying the related contributions and premiums.

ARTICLE 8 TRAINEE CATEGORIES

For the purposes of Article 8 of the Agreement, the following are the trainee categories referred to therein:

- trainees taking part in Office Franco-Québécois pour la Jeunesse (OFQJ) activities undergoing on-the-job training as part of their study program;
- participants in OFQJ activities serving a training period under the training and work program.

ARTICLE 9 HEALTH CARE FOR PARTICIPANTS IN FRANCE- QUÉBEC COOPERATION PROGRAMS

1. For the purposes of Article 6 of the Agreement, government employees shall apply to their own institution for the issuance of a form attesting to their entitlement to benefits. The form shall be submitted to the RAMQ in Québec or to the CPAM in France in order to obtain health care coverage.

The same procedure shall be followed by the unpaid trainees referred to in Article 8 of the Agreement.

If the form cannot be submitted, the institution that is to provide the benefits, or the person in question, shall apply to the competent institution of the other Party for the issuance of the form.

2. For the purposes of Article 9 of the Agreement, the specific social security coverage for the Québec trainees in question shall be provided by the Centre international des étudiants et stagiaires (CIES).

ARTICLE 10 PERIOD OF COVERAGE

Where Article 4 and paragraph 1 of Article 9 of this Arrangement apply, the period during which benefits may be provided shall be the period indicated on the forms referred to in those articles, except where the period has been extended under Article 10 of the Agreement.

Notwithstanding the foregoing, where the person in question was unable, before his return to the territory of the competent Party, to apply to the institution of the other Party for reimbursement of the costs incurred during the period of validity of the said forms, the person may apply to the latter Party for reimbursement.

ARTICLE 11 PROCEDURE FOR AN EXTENSION OF ENTITLEMENT

Persons referred to in Article 10 of the Agreement shall apply to the institution providing the benefits to obtain an extension of benefits beyond the time initially specified. Should the institution providing the benefits not receive an application for extension before the end of the specified term, it may grant the extension retroactively. If it agrees to do so, the institution shall notify the liaison agency for France and the competent institution for Québec.

ARTICLE 12
INDUSTRIAL ACCIDENT OR OCCUPATIONAL
DISEASE VICTIMS

1. For the purposes of Articles 12 and 13 of the Agreement:

(a) with respect to the competent institution,

— the Commission de la santé et de la sécurité du travail (CSST) shall be the Québec institution;

— the Caisse de sécurité sociale to which the educational institution is attached shall be the French institution;

(b) with respect to the institution of the place of residence,

— the Commission de la santé et de la sécurité du travail (CSST) shall be the Québec institution; and

— the Caisse primaire d'assurance maladie where the training period is served shall be the French institution.

2. Persons referred to in Article 13 of the Agreement who transfer their residence shall apply to the competent institution for an attestation of continuance of entitlement to benefits in the territory of their new residence. The institution of the place of residence may also apply to the competent institution for the attestation. Any limit to the period of coverage must be indicated on the attestation.

ARTICLE 13
REIMBURSEMENT BETWEEN INSTITUTIONS

1. Benefits in kind provided by the institution of one Party on behalf of the institution of the other Party, for the purposes of Articles 4, 5, 6, 8, 10, 12, paragraph 2, and 13 of the Agreement, shall be reimbursed on the basis of real costs incurred by the institution of the first Party according to the individual statements of expenses that it submits. Notwithstanding the foregoing, with respect to hospitalization expenses in Québec, reimbursement shall be made on the basis of average costs.

2. Where the French institution provides the benefits, the liaison agency shall consolidate the said individual statements of expenses every six months.

Liaison agencies shall send each other the individual statements of expenses every year, together with a summary report.

3. Each affiliated or competent institution, as the case may be, shall pay the amounts owed to the other

affiliated or competent institution within six months following the date the individual statements of expenses and the summary report are received.

4. The competent authorities of both parties may establish mutually acceptable alternative reimbursement bases to those provided under this Article.

ARTICLE 14
LIAISON AGENCIES

Each Party has designated the following liaison agencies:

(a) in Québec, the Direction des équivalences et des ententes de sécurité sociale of the Ministère des Relations avec les citoyens et de l'Immigration;

(b) in France, the Centre de sécurité sociale des travailleurs migrants.

ARTICLE 15
PROTECTION OF PRIVACY

Any information provided by either Party shall be used solely for the purposes of implementing the provisions of the Agreement.

ARTICLE 16
FORMS

Model forms required to implement the procedures and formalities shall appear as schedules to a supplementary administrative arrangement.

ARTICLE 17
COMING INTO FORCE

1. This Administrative Arrangement comes into force on the same date as the Agreement.

2. This Administrative Arrangement revokes and replaces the Administrative Arrangement respecting the Detailed Application of the Protocol of Agreement Signed June 2, 1986 by the Gouvernement du Québec and the Gouvernement de la République Française regarding Social Security for Student and Cooperation Program Participants, signed at Paris on 4 June 1986.

Done in duplicate at Montréal, on 21 December 1998.

For the Québec Party:

YVES CHAGNON

For the French Party:

JEAN-LOUIS REY

LOUIS RANVIER