

2. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

6027

Gouvernement du Québec

O.C. 1201-2003, 19 November 2003

An Act respecting the Office Franco-Québécois pour la Jeunesse
(R.S.Q., c. O-5)

**Office franco-québécois pour la jeunesse
— Protocol between the Government of Québec
and the Government of the French Republic**

Protocol between the Government of Québec and the Government of the French Republic respecting the Office franco-québécois pour la jeunesse, signed at Québec on 23 May 2003

WHEREAS the Government of Québec and the Government of the French Republic signed at Paris, on 9 February 1968, the Protocol concerning exchanges between Québec and France in matters of physical education, sports and popular education made pursuant to the Franco-Québec agreement of the 27th February 1965 on a program of exchange and cooperation in the field of education;

WHEREAS the Protocol was amended by the Amendments dated 17 April 1969, 20 February 1986 and 11 August 2000;

WHEREAS the Protocol constituted the Office franco-québécois pour la jeunesse whose object is to develop relations between the youth of Québec and the youth of France;

WHEREAS, under section 2 of the Act respecting the Office Franco-Québécois pour la Jeunesse (R.S.Q., c. O-5), the Office is governed, in particular, by the provisions of the said protocol, of the amendments thereto and of the Act, and such provisions shall prevail over any inconsistent provision of any other law applicable to the Office;

WHEREAS the Government of Québec and the Government of the French Republic signed at Québec, on 23 May 2003, a protocol concerning the Office franco-québécois pour la jeunesse, which replaces the Protocol of 9 February 1968 and its amendments;

WHEREAS the Protocol of 23 May 2003 is an international agreement within the meaning of section 19 of the Act respecting the Ministère des Relations internationales (R.S.Q., c. M-25.1.1);

WHEREAS, under section 20 of that Act, international agreements must be signed by the Minister of International Relations and endorsed by the Government in order to be valid;

IT IS ORDERED, therefore, on the recommendation of the Minister of International Relations and Minister responsible for La Francophonie:

THAT the Protocol between the Government of Québec and the Government of the French République concerning the Office franco-québécois pour la jeunesse, signed at Québec on 23 May 2003, the text of which is attached to this Order in Council, be endorsed;

THAT the Protocol replace the Protocol attached as a schedule to the Act respecting the Office Franco-Québécois pour la Jeunesse.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

PROTOCOL

BETWEEN

THE GOVERNMENT OF QUÉBEC

AND

THE GOVERNMENT OF THE FRENCH REPUBLIC

CONCERNING

THE OFFICE FRANCO-QUÉBÉCOIS POUR LA JEUNESSE

TITLE I
DENOMINATION AND OBJECT

ARTICLE 1

The Office franco-québécois pour la jeunesse, constituted under the Protocol concerning exchanges between Québec and France in matters of physical education, sports and popular education made pursuant to the Franco-Québec agreement of the 27th February 1965 on a program of exchange and cooperation in the field of education, signed on 9 February 1968, is governed by this Protocol.

The action of the Office is part of Franco-Québec cooperation. The mission of the Office is to develop relations between the youth of Québec and the youth of France, and for such purpose, to bring about, encourage and promote meetings and exchanges between groups of young people. It may also initiate Franco-Québec cooperative activities involving other countries and international organizations.

The Office shall have juridical personality and shall enjoy autonomy in its management and administration in Québec and in France.

TITLE II **MEANS OF ACTION**

ARTICLE 2

The Office shall be composed of two sections, a Québec section and a French section, each with a separate fund. Each section shall receive government subsidies determined by each of the governments to finance the activities approved by the board of directors. Subject to the budgetary rules applicable and according to the terms and conditions determined by both governments, the appropriations necessary for the activities of the Office shall be paid into those funds each year. The Office is empowered to receive any other funds and in particular payments that may be made by beneficiaries of the activities organized by it.

ARTICLE 3

The participation of the Office shall usually take the form of cash grants — and, exceptionally, grants in kind — to legal persons established for a public or private interest. It may also grant bursaries within the framework of programs established by it. It may also itself carry on cooperative and exchange activities and, in exceptional cases, establish and maintain installations for such purpose.

It may play an advisory and supportive role with individuals and groups.

Lastly, it provides the services necessary for the proper conduct of activities.

TITLE III **BOARD OF DIRECTORS**

ARTICLE 4

The Office shall be administered by a board of directors composed of 8 Québec members and 8 French members designated respectively by the Government of Québec and the Government of the French Republic.

Each of the parties shall appoint 4 members representing the government departments or bodies concerned and 4 other members from among qualified persons.

Each of the parties shall also designate 4 deputy members. Where a member is unable to attend a sitting of the board of directors, a deputy member may replace the absent member and in such case the deputy member is deemed to be a member of the board.

The term of office of the members shall be 4 years. They may be removed for serious cause, on the advice of the board of directors, by the government which appointed them. The members of the board of directors shall serve gratuitously; they shall be indemnified for their travelling and mission-related expenses.

ARTICLE 5

The board of directors shall hold its sittings in the presence of the minister designated by the Government of Québec and the minister designated by the Government of the French Republic, or their representatives.

The board of directors shall sit alternately in Québec, under the chairship of the minister designated by the Government du Québec or his or her representative, and in France, under the chairship of the French minister or his or her representative.

ARTICLE 6

The board of directors shall meet at least once each year, and also whenever the minister designated by the Government of Québec and the minister designated by the Government of the French Republic are both of the opinion that a meeting is necessary.

ARTICLE 7

The board of directors is vested with the powers necessary for the carrying out of the Office's mission as defined in Article 1 of this Protocol.

The board of directors shall:

— define the general orientations of the Office, as well as the resulting annual program and activities, and shall ensure, within that framework, that a significant number of actions involving both sections are taken;

— take all necessary measures for the proper functioning of the Office;

— approve the budget of the Office;

— prepare the financial regulations and ensure that they are complied with;

— approve the annual management report of both secretaries general, the activity report and any report it has requested;

— appoint, with the agreement of each government, a public auditor from Québec and a French auditor to examine together each year, according to the rules of the Office, the use made of the appropriations and to report thereon to the board of directors;

— after hearing the Québec public auditor and the French auditor and any subsequent observations of the secretaries general, discharge the secretaries general of liability respecting their management during the fiscal year in question;

— submit to both governments the budgetary estimates of the Office and a plan of activities for the period it considers appropriate;

— propose to both governments any amendment to this Protocol it considers appropriate.

ARTICLE 8

The quorum required for the validity of deliberations of the board of directors shall be 2/3 of the members. Failing such quorum, the co-chairs shall call another meeting of the board within 30 days; the board shall then deliberate whether or not there is a quorum.

Decisions shall be made by a majority of 3/4 of the members present.

ARTICLE 9

The secretaries general, one a Québécois and the other French, shall jointly constitute the executive arm of the board of directors of the Office. They shall be appointed for a term of 4 years with the agreement of each government.

ARTICLE 10

The secretaries general shall represent the Office. They shall prepare the meetings of the board of directors and submit to it all reports referred to in section 7, the draft budget, the annual program of the activities selected within the scope of the orientations defined for the Office and an estimate of the number of participants per

program. The Québec secretary general and the French secretary general shall direct, supervise and coordinate the activities of their respective section, one being located in Québec, the other in France. The secretaries general are responsible for the functioning of their section.

TITLE IV SPECIAL PROVISIONS

ARTICLE 11

Each section of the Office is responsible for the rules applicable to its personnel in compliance with the laws in force in the territory of each party.

ARTICLE 12

An internal by-law made by the board of directors shall determine, so far as necessary, the terms and conditions for implementing this Protocol.

ARTICLE 13

The two governments may make any amendment to this Protocol, on their own initiative or as proposed by the board of directors.

ARTICLE 14

This Protocol comes into force upon its signing.

ARTICLE 15

This Protocol replaces the protocol signed on 9 February 1968 and the amendments made to it on 17 April 1969, 20 February 1986 and 21 January 2000.

Given at Québec, this 23rd day of May 2003, in duplicate.

For the Government of
Québec:

For the Government of the
French Republic:

MONIQUE GAGNON-TREMBLAY,
*Deputy Premier and Minister
of International Relations and
La Francophonie*

PIERRE-ANDRÉ WILTZER,
*Minister for Cooperation
and La Francophonie*

6028