

Gouvernement du Québec

O.C. 741-2006, 16 August 2006

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

**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
— Ratification and implementation of the
Amendment**

Ratification of the Amendment to the Memorandum of Agreement on Social Security for Students and Participants in Cooperation Programs dated 19 December 1998, signed at Paris on 17 December 2003 between the Gouvernement du Québec and the Government of the French Republic, and Regulation respecting the implementation of the Amendment

WHEREAS Décret 1318-2003 dated 10 December 2003 authorized the Minister of International Relations and Minister responsible for La Francophonie to sign alone the Amendment to the Memorandum of Agreement on Social Security for Students and Participants in Cooperation Programs dated 19 December 1998 between the Gouvernement du Québec and the Government of the French Republic;

WHEREAS the Amendment was signed at Paris on 17 December 2003;

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 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 enabling, on a basis of reciprocity, a person to benefit, from the time specified in those agreements and on the conditions determined therein, from all or part of the health services and social services provided for in the Acts administered by the Minister or in the laws of a foreign State to which the agreements apply;

WHEREAS, under the third paragraph of that section, to give effect to such agreements, the Government may, by regulation, determine the manner in which an Act administered by the Minister is to apply in any case covered by the agreements, and adapt the provisions of such an Act;

WHEREAS the Amendment constitutes 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 the Amendment also constitutes an important international commitment within the meaning of subparagraph 1 of the second paragraph of section 22.2 of the Act respecting the Ministère des Relations internationales;

WHEREAS, under the third paragraph of section 20 of the Act respecting the Ministère des Relations internationales, international agreements referred to in section 22.2 of the Act must, to be valid, be signed by the Minister of International Relations, approved by the National Assembly and ratified by the Government;

WHEREAS, under section 22.4 of the Act respecting the Ministère des Relations internationales, the ratification of an international agreement or the making of an order referred to in the third paragraph of section 22.1 of that Act shall not take place, where it concerns an important international commitment, until the commitment is approved by the National Assembly;

WHEREAS the National Assembly approved the Amendment on 20 April 2004;

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

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

THAT the Amendment to the Memorandum of Agreement on Social Security for Students and Participants in Cooperation Programs dated 19 December 1998, signed at Paris on 17 December 2003 between the Gouvernement du Québec and the Government of the French Republic and approved by the National Assembly on 20 April 2004, appearing as a schedule to the implementation regulation mentioned below, be ratified;

THAT the Regulation respecting the implementation of the Amendment to the Memorandum of Agreement on Social Security for Students and Participants in Cooperation Programs dated 19 December 1998 between

the Gouvernement du Québec and the Government of the French Republic, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation respecting the implementation of the Amendment to the Memorandum of Agreement on Social Security for Students and Participants in Cooperation Programs dated 19 December 1998 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 Amendment to the Memorandum of Agreement on Social Security for Students and Participants in Cooperation Programs dated 19 December 1998, signed at Paris on 17 December 2003 between the Gouvernement du Québec and the Government of the French Republic, appearing as a schedule:

- (1) the Hospital Insurance Act (R.S.Q., c. A-28);
- (2) the Health Insurance Act (R.S.Q., c. A-29);
- (3) the Act respecting prescription drug insurance (R.S.Q., c. A-29.01);
- (4) the Act respecting the Régie de l'assurance-maladie du Québec (R.S.Q., c. R-5);
- (5) the Act respecting health services and social services (R.S.Q., c. S-4.2); and
- (6) 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 set out in the Amendment.

3. This Regulation comes into force on 1 November 2006.

AMENDMENT TO THE MEMORANDUM OF AGREEMENT BETWEEN THE GOUVERNEMENT DU QUÉBEC AND THE GOVERNMENT OF THE FRENCH REPUBLIC RELATING TO SOCIAL SECURITY FOR STUDENTS AND PARTICIPANTS IN COOPERATION PROGRAMS DATED 19 DECEMBER 1998

THE GOUVERNEMENT DU QUÉBEC

AND

THE GOVERNMENT OF THE FRENCH REPUBLIC

HAVE AGREED TO THE FOLLOWING PROVISIONS WITH A VIEW TO AMENDING THE MEMORANDUM OF AGREEMENT ENTERED INTO ON 19 DECEMBER 1998

ARTICLE 1

In paragraph 1 of section 7 of the Memorandum of Agreement dated 19 December 1998, the words "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" are replaced by the words "Agreement between the Government of the French Republic and the Gouvernement du Québec on social security dated 17 December 2003".

ARTICLE 2

Each Party shall notify to the other Party the implementation of the internal procedures required as regards the coming into force of this Amendment which will take effect on the first day of the third month following receipt of the last notification.

Signed in duplicate at Paris, this 17th day of December 2003.

For the Gouvernement
du Québec

For the Government
of the French Republic

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

PIERRE-ANDRÉ WILTZER,
*Minister Delegate for
Cooperation and the
Francophonie*