

ARTICLE 1

The Parties renounce to the reimbursement of the benefits in kind provided under Articles 23 and 24, paragraph 2 of Article 25 and Article 26 of the Agreement.

ARTICLE 2

This Supplemental Administrative Arrangement, which comes into force on the same date as the Agreement, is concluded for a term of one year.

It shall be renewed automatically from year to year, unless notice of termination is given 12 months before the expiry of each term.

Done at Québec on 18 September 2008, in two copies, in French and in Dutch.

For the competent
authority of Québec

For the competent
authority of Belgium

ALAIN CLOUTIER

GODELIEVE VAN DEN BERGH

9497

Notice

An Act respecting industrial accidents and occupational diseases
(R.S.Q., c. A-3.001)

**Retrospective adjustment of the assessment
— Amendments**

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting retrospective adjustment of the assessment, appearing below, may be made by the Commission de la santé et de la sécurité du travail on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to allow an employer subject to retrospective adjustment of its assessment for an assessment year to apply for exemption from retrospective adjustment in order to make an agreement to be part of a prevention mutual group for that year.

Study of the matter has revealed that the Regulation, because of its optional nature, has no significant impact on the enterprises directly concerned.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to André Beauchemin, Vice-President for Finance, Commission de la santé et de la sécurité du travail, 524, rue Bourdages, Québec (Québec) G1K 7E2.

LUC MEUNIER,
*Chairman of the board and
Chief executive officer
of the Commission de la santé
et de la sécurité du travail*

**Regulation to amend the Regulation
respecting retrospective adjustment
of the assessment***

An Act respecting industrial accidents and occupational diseases
(R.S.Q., c. A-3.001, s. 454, 1st par., subpar.9)

1. The Regulation respecting retrospective adjustment of the assessment is amended by adding the following after section 6:

“**6.1.** Where an employer subject to retrospective adjustment of its assessment for an assessment year intends to make an agreement with the Commission in accordance with section 284.2 of the Act on the application of personalized rates and procedures for calculating such rates, the employer may, if it satisfies the following conditions, apply for exemption from retrospective adjustment for that assessment year:

(1) the employer was a party to such an agreement during each of the three years preceding the assessment year; and

(2) the product obtained by multiplying the insurable wages earned by the employer’s workers during the year prior to the year preceding the assessment year with respect to the unit in which the employer is classified for the prior year, by that unit’s rate according to risk for the prior year, is less than twice the threshold determined in accordance with section 8 for the year prior to the year preceding the assessment year.

* The Regulation respecting retrospective adjustment of the assessment, adopted by the Commission de la santé et de la sécurité du travail by resolution A-85-98 dated 17 September 1998 (1998, G.O. 2, 4156), was last amended by the Regulation to amend the Regulation respecting personalized rates, the Regulation respecting retrospective adjustment of the assessment and the Regulation respecting the use of employer experience adopted by the Commission by resolution A-48-07 dated 20 September 2007. For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.

That employer will not be subject to retrospective adjustment of its assessment for that assessment year if the employer is a party to such an agreement throughout the assessment year.

6.2. An employer may not avail itself of the provisions of section 6.1 for more than 3 consecutive years.”.

2. The following paragraph is inserted at the end of section 7:

“An application made by an employer under section 6.1 must reach the Commission before 1 October of the year preceding the assessment year; the application is irrevocable for that assessment year from that date forward.”.

3. For the 2010 assessment year, an application made by an employer under section 6.1 must reach the Commission before the 45th day following the day of coming into force of this Regulation and is irrevocable for that assessment year from that date forward.

4. This Regulation has effect from the 2010 assessment year.