

For the DVA:

Driver Licensing Policy and Legislation Section
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Either authority may change the address to which documents will be sent by informing the other authority in writing.

3.7 This agreement shall come into force on the date to be decided upon in an exchange of letters between the Parties.

3.8 Either Party may terminate this agreement by informing the other Party in writing. The agreement shall terminate ninety days following the date that such notice is sent out.

Signed in duplicate, in English and French, both versions being equally valid.

Signed in Québec, on 8 July 2011 Signed in Coleraine, on 29 July 2011

FOR THE SOCIÉTÉ DE
L'ASSURANCE AUTOMOBILE
DU QUÉBEC

FOR THE DRIVER AND
VEHICLE AGENCY

NATHALIE TREMBLAY,
PRESIDENT AND CHIEF
Executive Officer

COLIN CAMPBELL,
DIRECTOR
Driver Licensing

2167

Gouvernement du Québec

O.C. 630-2012, 13 June 2012

Highway Safety Code
(R.S.Q., c. C-24.2)

Driver's Licence Exchange Agreement between the Société de l'assurance automobile du Québec and the Isle of Man, Department of Infrastructure, Driver and Vehicle Licensing Office

Regulation giving effect to the Driver's Licence Exchange Agreement between the Société de l'assurance automobile du Québec and the Isle of Man, Department of Infrastructure, Driver and Vehicle Licensing Office

WHEREAS the Driver's Licence Exchange Agreement between the Société de l'assurance automobile du Québec and the Isle of Man, Department of Infrastructure, Driver and Vehicle Licensing Office was entered into on 9 August 2011;

WHEREAS the purpose of the Agreement is to ensure the reciprocal recognition of certain classes of driver's licences issued by Québec and Isle of Man authorities and to establish the terms and conditions for the exchange of the said driver's licences;

WHEREAS, under section 65 of the Highway Safety Code (R.S.Q., c. C-24.2), no person may drive a road vehicle unless the person holds a driver's licence of the class appropriate to the driving of that vehicle;

WHEREAS, under section 629 of the Code, the Société de l'assurance automobile du Québec may, according to law, enter into an agreement with any government, department, or body respecting any matter referred to in the Code;

WHEREAS, under section 24 of the Act respecting the Ministère des Relations internationales (R.S.Q., c. M-25.1.1.), no public agency may, without the prior written authorization of the Minister of International Relations, conclude any agreement with a foreign government or any of its departments, with an international organization or with any agency of such a government or organization;

WHEREAS the Minister of International Relations authorized, by Minister's Order AE-73 dated 28 April 2011, the Société de l'assurance automobile du Québec to enter into an agreement with the Isle of Man, Department of Infrastructure, Driver and Vehicle Licensing Office;

WHEREAS, under section 631 of the Code, the Government may, by regulation, adopt the necessary measures to give effect to an agreement under section 629 of the Code and the publication requirement set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1) does not apply to such a regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Transport:

THAT the Regulation giving effect to the Driver's Licence Exchange Agreement between the Société de l'assurance automobile du Québec and the Isle of Man, Department of Infrastructure, Driver and Vehicle Licensing Office, attached to this Order in Council, be made.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation giving effect to the Driver's Licence Exchange Agreement between the Société de l'assurance automobile du Québec and the Isle of Man, Department of Infrastructure, Driver and Vehicle Licensing Office

Highway Safety Code
(R.S.Q., c. C-24.2, s. 631)

- 1.** The Highway Safety Code (R.S.Q., c. C-24.2) and the regulations made under the Code apply to the holder of a driver's licence issued by the Isle of Man, Department of Infrastructure, Driver and Vehicle Licensing Office.
- 2.** The provisions of the Code and its regulations apply in the manner described in the Driver's Licence Exchange Agreement between the Société de l'assurance automobile du Québec and the Isle of Man, Department of Infrastructure, Driver and Vehicle Licensing Office, attached as a schedule.
- 3.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

SCHEDULE

DRIVER'S LICENCE EXCHANGE AGREEMENT

BETWEEN

THE SOCIÉTÉ DE L'ASSURANCE AUTOMOBILE
DU QUÉBEC

AND

THE ISLE OF MAN DEPARTMENT OF
INFRASTRUCTURE DRIVER AND VEHICLE
LICENSING OFFICE

THE SOCIÉTÉ DE L'ASSURANCE AUTOMOBILE
DU QUÉBEC

represented by its President and Chief Executive Officer,
Ms. Nathalie Tremblay, duly authorized by law,

hereinafter referred to as "the SAAQ"

AND

THE ISLE OF MAN DEPARTMENT OF
INFRASTRUCTURE DRIVER AND VEHICLE
LICENSING OFFICE

represented by its Director, Richard D. Pearson, duly
authorized,

hereinafter referred to as the "DLO",

DESIRING to facilitate licence exchange for the holder of a valid driver's licence they have issued and who is moving from one jurisdiction to the other;

AGREE to guarantee the recognition and facilitate the exchange of drivers' licences according to the following provisions:

ARTICLE 1
DEFINITIONS

Under this agreement,

1.1 "Jurisdiction" refers to Québec or the Isle of Man, whereas "jurisdictions" refers simultaneously to both Québec and the Isle of Man.

"Authority" signatory party to this agreement, refers to the administrative entity that issues drivers' licences, i.e., in Québec, the Société de l'assurance automobile du Québec (SAAQ), and for the Isle of Man, the Driver Licensing Office (DLO) of the Department of Infrastructure, whereas "authorities" refers simultaneously to the SAAQ and the DLO.

“Driver’s licence” or “driving licence” refers to a permit issued by either of the above authorities authorizing the holder to drive a motor vehicle, subject to the terms and conditions specific to the licence class or category and any other related conditions, and subject to the laws and regulations in effect in the jurisdiction in question.

“Valid” indicates that at the time the driver’s licence issued by one authority is submitted for exchange for a driver’s licence issued by the other authority, the original driver’s licence has not expired, been revoked, suspended or cancelled by the issuing authority and is not subject to any other restrictions that prevent the holder from using it for the intended purpose.

1.2 Specific to Québec:

A class 5 licence issued by the SAAQ authorizes the holder to drive a two-axle motor vehicle with a net weight of under 4,500 kg (cars, minivans, and light trucks), a motor vehicle permanently converted into a dwelling (motor home), a tool vehicle, or a service vehicle (service truck or tow truck), and includes classes 6D (moped) and 8 (farm tractor).

When an applicant has less than 24 months of driving experience, a class 5 probationary licence is mandatory before a full class 5 driver’s licence is issued.

1.3 Specific to the Isle of Man:

Category B licences issued by the DLO authorize the holders to drive:

— Motor vehicles with a maximum authorized weight of 3,500 kg, with no more than eight passenger seats in addition to the driver’s seat, and to which a trailer of no more than 750 kg maximum authorized weight may be hitched.

— Combinations of vehicles consisting of a category B tractor and a trailer having a combined maximum authorized weight not exceeding 3,500 kg, and with the towed unit not exceeding the net weight of the towing vehicle.

In addition, categories B1 (comprised within category B), F (agricultural, forestry and horticultural tractor), K (pedestrian controlled vehicle), L (electric vehicle), S (site-engineering vehicle or steam vehicle, up to 3,500 kg maximum authorised mass) W (works truck, up to 3,500 kg maximum authorised mass) are also granted with category B licences. Category P (moped) will be granted but limited to a tricycle only unless category A or A1 (motor bicycle) licence is held.

Note: Category A (motor bicycle licence), category A1 (light motor bicycle comprised within category A), and category P (moped– including bicycle moped) licence

will each be granted in the Isle of Man if the corresponding respective entitlement for a motor bicycle is held on the Québec licence.

ARTICLE 2 RECOGNITION AND EXCHANGE OF LICENCES

2.1 The holder of a class 5 Québec driver’s licence or probationary licence may, within 12 months of taking up residence in the Isle of Man, exchange this licence for a category B licence, together with categories B1, F, K, L, S, and W without undergoing a proficiency test, a knowledge test or an eye test.

However, if an applicant wishes to be authorized to drive a vehicle with a manual (standard) transmission, he or she will have to take a driving road test for that purpose.

The applicant will be issued a DLO driver’s licence in exchange for his or her Québec licence upon presentation of the identification required by the Isle of Man authority and payment of the fees prescribed by regulations.

2.2 The holder of a valid DLO category B driver’s licence may, within 12 months after settling in Québec, exchange the licence for a class 5 licence, including class 6D and class 8 privileges, without undergoing a proficiency test, a knowledge test or an eye test.

The applicant may exchange his or her licence upon presentation of the identification required by the Québec authority and payment of the fees prescribed by regulations and the personal injury accident insurance premiums.

However, an applicant with less than 24 months of driving experience will be issued a class 5 probationary licence.

2.3 Any restrictions on the original driver’s licence are carried over to the licence issued in exchange, with equivalent codes.

2.4 Drivers’ licences with photo submitted for exchange will match the licence specimens provided, as per the terms of this agreement.

2.5 The authority making the exchange will verify the applicant’s identity and the validity of the original licence, if necessary by contacting the issuing authority.

2.6 The driving experience recorded on the applicant’s licence or in the applicant’s file by the issuing authority will be recognized by the other authority.

2.7 When an authority recovers an original driver’s licence as the result of an exchange, it shall return it to the issuing authority.

ARTICLE 3 FINAL PROVISIONS

3.1 Samples or copies of the various drivers' licences currently admissible for exchange and certified to be true copies by each issuing authority are appended to this agreement.

Any change by one or the other of the authorities to the sample drivers' licences in use at the time of the agreement will be communicated to the other authority.

3.2 This understanding does not invalidate the provisions of any law or regulation applicable in Québec or in the Isle of Man with respect to the right to use a foreign driver's licence.

3.3 The authorities will notify each other at the earliest opportunity of the nature of legislative changes made in Québec and in the Isle of Man that may impact this agreement, and of the date of coming into force, and will change the agreement accordingly.

3.4 The designated authorities are responsible for enforcing this agreement. To this effect, they undertake to set up all necessary mechanisms, including those to exchange information and to formally validate the licences submitted to the other authority under this agreement.

3.5 The authorities will assist each other in applying this agreement and, when necessary, will share information on licences submitted for exchange. A contact point is established in order to directly validate submitted licences.

Both Québec and the Isle of Man will conform to any statutory provisions applicable to the access of records held by government institutions and to the protection of personal information. Personal information with respect to licence holders received by either licensing authority will be used only for purposes which are consistent with the uses for which it is held by the licensing authority.

The authority exchanging a licence may verify its validity with the issuing authority through the use of information technology, as per terms to be determined by said authorities.

Enquiries pursuant under this article should be sent to the following addresses:

For Québec:

Société de l'assurance automobile du Québec
Service de la diffusion et de la liaison avec les
corps policiers
333, boulevard Jean-Lesage, C-3-44
Québec (Québec) G1K 8J6
Canada
Fax: 418 644-7167
service.operations.diffusion@saaq.gouv.qc.ca

For The Isle of Man:

The Driver Licensing Office
Department of Infrastructure
Sea Terminal Buildings
Douglas
Isle of Man
IM1 2RF
Fax: +44 1624 686920
enquiries@highways.dot.gov.im

Either authority may change the address to which enquiries will be sent by informing the other authority in writing.

3.6 Any communication regarding this agreement must be in writing and will be deemed to have been duly provided or forwarded at the time it is handed in person, delivered by courier or postage-paid registered mail, or sent by fax or email to the following addresses:

For Québec:

Société de l'assurance automobile du Québec
Vice-présidence à la sécurité routière
333, boulevard Jean-Lesage, C-4-1
Québec (Québec) G1K 8J6
Canada
Fax: 418 646-6811
sylvie.boulangier@saaq.gouv.qc.ca

For The Isle of Man:

The Director of Highways
Department of Infrastructure
Sea Terminal Buildings
Douglas
Isle of Man
IM1 2RF
Fax: +44 1624 686920
Richard.Pearson@gov.im

Either authority may change the address to which documents will be sent by informing the other authority in writing.

3.7 This agreement will come into operation after completion by both authorities of the internal formalities required. The date of coming into operation will be established in an exchange of letters.

3.8 This agreement expires on the 90th day following the date of a notice in writing to this effect in accordance with relevant legislation in effect in both jurisdictions.

In Québec, on 28 June 2011

In Isle of Man, on 9 August 2011

THE SOCIÉTÉ DE
L'ASSURANCE AUTOMOBILE
DU QUÉBEC

DRIVER AND VEHICLE
LICENSING OFFICE

MS. NATHALIE TREMBLAY,
*President and
Chief Executive Officer*

MR. RICHARD D. PEARSON,
Director

2168

Gouvernement du Québec

O.C. 631-2012, 13 June 2012

Highway Safety Code
(R.S.Q., c. C-24.2)

Driver's Licence Exchange Agreement between the Société de l'assurance automobile du Québec and the Ministry of Infrastructure and the Environment of the Kingdom of the Netherlands

Regulation giving effect to the Driver's Licence Exchange Agreement between the Société de l'assurance automobile du Québec and the Ministry of Infrastructure and the Environment of the Kingdom of the Netherlands

WHEREAS the Driver's Licence Exchange Agreement between the Société de l'assurance automobile du Québec and the Ministry of Infrastructure and the Environment of the Kingdom of the Netherlands was entered into on 15 March 2011;

WHEREAS the purpose of the Agreement is to ensure the reciprocal recognition of certain classes of driver's licences issued by Québec and Dutch authorities and to establish the terms and conditions for the exchange of the said driver's licences;

WHEREAS, under section 65 of the Highway Safety Code (R.S.Q., c. C-24.2), no person may drive a road vehicle unless the person holds a driver's licence of the class appropriate to the driving of that vehicle;

WHEREAS, under section 629 of the Code, the Société de l'assurance automobile du Québec may, according to law, enter into an agreement with any government, department, or body respecting any matter referred to in the Code;

WHEREAS, under section 24 of the Act respecting the Ministère des Relations internationales (R.S.Q., c. M-25.1.1.), no public agency may, without the prior written authorization of the Minister of International Relations, conclude any agreement with a foreign government or any of its departments, with an international organization or with any agency of such a government or organization;

WHEREAS the Minister of International Relations authorized, by Minister's Order AE-71 dated 14 March 2011, the Société de l'assurance automobile du Québec to enter into an agreement with the Ministry of Infrastructure and the Environment of the Kingdom of the Netherlands;

WHEREAS, under section 631 of the Code, the Government may, by regulation, adopt the necessary measures to give effect to an agreement under section 629 of the Code and the publication requirement set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1) does not apply to such a regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Transport:

THAT the Regulation giving effect to the Driver's Licence Exchange Agreement between the Société de l'assurance automobile du Québec and the Ministry of Infrastructure and the Environment of the Kingdom of the Netherlands, attached to this Order in Council, be made.

GILLES PAQUIN,
Clerk of the Conseil exécutif