

3. In the case of termination, any right acquired by a person under the provisions of the Agreement will be maintained and negotiations will be undertaken to decide on the rights in the process of being acquired under the Agreement.

Made at Québec this 29th day of October 1987, in duplicate, in French and in Norwegian, both texts being equally authentic.

For the Gouvernement

du Québec

GIL RÉMILLARD

For the Government of

the Kingdom of Norway

PER MARTIN OLBERG

O.C. 1743-87, Sch. I.

SCHEDULE II

(s. 2)

ADMINISTRATIVE ARRANGEMENT TO THE AGREEMENT ON SOCIAL SECURITY BETWEEN QUÉBEC AND NORWAY

In accordance with Article 31 of the Agreement on Social Security between Québec and Norway, signed on 29 October 1987, the authorities designated by each Party:

For Norway, the Ministry of Health and Social Affairs

For Québec,

Have agreed to the following provisions:

TITLE I

DEFINITIONS AND GENERAL PROVISIONS

Article 1

Definitions

1. For the purposes of the Administrative Arrangement, «Agreement» means the Agreement on social Security between Québec and Norway, signed on 29 October 1987.
2. Any other term has the meaning assigned to it in the Agreement.

Article 2

Liaison Agencies

In accordance with the provisions of Paragraph 2 of Article 31 of the Agreement, the following are designated liaison agencies:

(a) for Norway, the National Insurance Administration (Rikstrygdeverket);

(b) for Québec, Secrétariat de l'administration des Ententes de sécurité sociale, or any other agency the competent Québec authority may subsequently designate.

TITLE II

PROVISIONS RESPECTING APPLICABLE LEGISLATION

Article 3

Workers on Assignment

1. In the case of an assignment under Article 7 of the Agreement, the institution of the Party whose legislation applies and that is referred to in Paragraph 2 or 3 issues, at the request of the employer or the employee, a certificate for a specified period of time attesting, in respect of the employment in question, that the employee is subject to that legislation. The certificate shall be issued in the approved form.

2. Where Norwegian legislation applies, the certificate referred to in Paragraph 1 is issued by the Office of National Insurance for Social Insurance Abroad (folketrygdkontoret for utenlandssaker) and forwarded to the Québec liaison agency.

3. Where Québec legislation applies, the certificate referred to in Paragraph 1 is issued by the Québec liaison agency and forwarded to the local insurance office (det lokale trygdekontor) in the manner described on the certificate.

4. A copy of the certificate is sent to the employee and the employer in question.

Article 4

Government Employment

1. Where a person is employed in the territory of Norway and chooses to be subject to Norwegian legislation in accordance with Article 9 of the Agreement, the employer so informs the Oslo Insurance Office (Oslo trygdekontor).

2. Where a person is employed in the territory of Québec and chooses to be subject to Québec legislation in accordance with Article 9 of the Agreement, the employer so informs the Québec liaison agency.

TITLE III

PROVISIONS RESPECTING BENEFITS

Article 5

Definition of Institution

For the purposes of this Title, «institution» means, in respect of Norway, the Office of National Insurance for Social Insurance Abroad (Folketrygdkontoret for utenlandssaker) and in respect of Québec, the competent institution.

Article 6

Processing Application for Retirement Benefits, Disability Benefits and Survivor's Benefits

1. An application for benefits covered by Chapter 1 of Title III of the Agreement may be submitted to the liaison agency or the institution of either Party.

2. The liaison agency or institution of the Party that receives an application for benefits payable by the

other Party immediately forwards that application together with supporting documents to the institution of the other Party and indicates the date the application was received.

3. Any information relating to civil status entered on the application form referred to in the preceding Paragraph is certified by the liaison agency or the institution forwarding the application, which exempts it from having to forward supporting documents.

4. In addition to the application, the agency or institution of the first Party forwards to the institution of the other Party a liaison form that indicates, in particular, the insurance periods completed under the legislation of the first Party.

5. On receipt of the liaison form, the institution of one Party, where required by the institution of the other Party, indicates the insurance periods completed under the legislation it administers and returns the liaison form to the institution of the latter Party.

6. As soon as it has made a decision under the legislation it is applying, an institution so advises the person applying and informs him of the means and time limits for appeal prescribed by that legislation; it in addition so advises the liaison agency or the other Party by using the liaison form.

Article 7

Benefits of the Institution of One Party Paid in the Territory of the Other Party Following an Industrial Accident or Occupational Disease

1. A person referred to in Article 22 of the Agreement who, after having become eligible to receive benefits under the legislation of one Party, stays or transfers his residence to the territory of the other Party, is bound to submit to the institution of the place of stay or residence an attestation certifying that he is authorized to maintain entitlement to his benefits in kind.

2. The attestation referred to in the preceding Paragraph is issued by the institution and indicates in particular, as the case may be, the maximum period of time during which benefits in kind may still be provided, in accordance with the provisions of the legislation applicable by the institution. Where it could not be issued before departure, the attestation may be issued thereafter and at the request of the person in question or the institution of the place of stay or residence.

3. Where a benefit becomes payable under the legislation of one Party on behalf of a person referred to in Article 22 of the Agreement who stays or resides in the territory of the other Party, the institution of the latter Party institutes administrative review as soon as possible and, if required, medical verification as if it were dealing with its own insured person. The report establishing the result of the administrative review and, as the case may be, the report of the verifying physician, which indicates in particular the probable duration of work disability, is forwarded immediately by the institution of the place of stay or residence to the institution for decision.

4. Pending the decision of the institution referred to in the preceding Paragraph, the institution of the place of stay or residence may provide benefits in kind, to be borne by the institution, if it is of the opinion that the application for benefits appears well founded.

5. The institution of the place of stay or residence advises the institution beforehand, by a means of rapid communication and through the liaison agency, of any decision relating to the providing of benefits in kind of great importance or of an unusual nature. The institution has 30 days, as the case may be, to notify its objection with reasons; the institution of the place of stay or residence shall provide that benefit in kind if it has not received an objection at the expiry of that period. If such benefits in kind must be provided urgently, the institution of the place of stay or residence so advises the institution immediately.

6. The person is bound to inform the institution of the place of stay or residence of any change in his situation likely to alter entitlement to benefits in kind, in particular, any transfer of residence or change in place of stay. The institution shall in addition inform the institution of the place of stay or residence of the cessation of affiliation or the termination of entitlement of the person in question to benefits in kind. The institution of the place of stay or residence may at any time request that the institution provide any information relating to the affiliation or entitlement of any person to benefits in kind.

Article 8

Health or Maternity Benefits in the Territory of Québec

1. To receive health or maternity benefits in the territory of Québec, a person referred to in Articles 26 to 29 of the Agreement must, together with each of his accompanying dependants, register with the Régie de l'assurance maladie du Québec using the registration form provided for that purpose.

2. When submitting his registration and that of each accompanying dependant, a person must also submit:

(a) an attestation issued by the Norwegian institution certifying his entitlement to benefits and a certificate of acceptance for work issued by the Ministère des Communautés culturelles et de l'Immigration du Québec, if he is a person on a temporary stay referred to in Article 27;

(b) a certificate of coverage issued by the Norwegian institution and a certificate of acceptance for work issued by the Ministère des Communautés culturelles et de l'Immigration du Québec, if he is a person on assignment referred to in Article 28;

(c) an attestation issued by the Norwegian institution or agency responsible for financing studies certifying his entitlement to benefits, a certificate of acceptance for study issued by the Ministère des Communautés culturelles et de l'Immigration du Québec, and an attestation of his registration as a full-time student at a collegiate or university educational institution recognized by the department responsible for higher education in Québec, if he is a student referred to in Article 29.

Article 9

Health or Maternity Benefits in Kind in the Territory of Norway

To receive health or maternity benefits in the territory of Norway, a person referred to in Articles 26 to 29 must submit:

(a) an attestation issued by the Régie de l'assurance maladie du Québec certifying his eligibility for benefits, in the case of a person on a temporary stay referred to in Article 27;

(b) a certificate of coverage issued by the Québec liaison agency, in the case of a person on assignment referred to in Article 28;

(c) an attestation issued by the Régie de l'assurance maladie du Québec certifying his eligibility for benefits and a student identification card issued by the Norwegian institution of higher education at which he is registered, in the case of a student referred to in Article 29.

TITLE IV

ADMINISTRATIVE AND MISCELLANEOUS PROVISIONS

Article 10

Procedures and Forms

The Norwegian liaison agency and the Québec liaison agency and competent institution will agree on the procedures and forms required to implement the Agreement and its Administrative Arrangement.

Article 11

Statistics

The liaison agencies of the Parties exchange statistics respecting payments made under the Agreement, on an annual basis and in the form agreed to.

Article 12

Reimbursement between Institutions

For the purposes of Article 40 of the Agreement, at the end of each calendar year, where the competent institution of one Party has paid benefits or had expert appraisals made on behalf of or chargeable to the competent institution of the other Party, the liaison agency of the first Party forwards to the liaison agency of the other Party a statement of the benefits provided or fees related to the expert appraisals made during the fiscal period in question, indicating the amount owing. The statement is accompanied by supporting documents.

Article 13

Coming into Force

The Administrative Arrangement comes into force on the same date as the Agreement and for the same duration.

Made at Québec, in French and in Norwegian, both texts being equally authentic.

For Québec

GIL RÉMILLARD

For Norway

PER MARTIN OLBERG

O.C. 1743-87, Sch. II.

REFERENCES

O.C. 1743-87, 1987 G.O. 2, 4087

O.C. 2024-87, 1988 G.O. 2, 54

S.Q. 2010, c. 31, s. 91