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chapter R-9, r. 39

Regulation respecting the implementation of the Agreement on Social Security between the Gouvernement du Québec and the Government of Sweden

An Act respecting the Québec Pension Plan

(chapter R-9, s. 215)

Tax Administration Act

(chapter A-6.002, s. 96)

An Act respecting the Ministère de l'Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail

(chapter M-15.001, s. 10)

An Act respecting the Ministère de la Santé et des Services sociaux

(chapter M-19.2, s. 10)

1. The following Acts and the Regulations made thereunder apply to any person referred to in the Agreement on Social Security between the Gouvernement du Québec and the Government of Sweden signed on 20 September 1986 and appearing in Schedule I to this Regulation:

- (1) the Hospital Insurance Act (chapter A-28);
- (2) the Health Insurance Act (chapter A-29);
- (3) the Act respecting the Québec Pension Plan (chapter R-9);
- (4) the Act respecting health services and social services (chapter S-5).

O.C. 1745-87, s. 1.

2. Those Acts and Regulations apply in the manner prescribed in the Agreement and the consequential Administrative Arrangement appearing in Schedule II to this Regulation.

O.C. 1745-87, s. 2.

3. *(Omitted).*

O.C. 1745-87, s. 3; O.C. 2024-87, s. 1.

SCHEDULE I

(s. 1)

AGREEMENT ON SOCIAL SECURITY BETWEEN QUÉBEC AND SWEDEN

The Gouvernement du Québec

and

The Government of Sweden

Desirous of cooperating in the social area, have decided to enter into an Agreement on Social Security.

To that end, they have agreed to the following provisions:

TITLE I

GENERAL PROVISIONS

Article 1

1. In the Agreement, unless the context indicates otherwise:

(a) «competent authority» means, for Québec, the Minister responsible for the administration of the legislation identified in Paragraph *a* of Article 2, and for Sweden, the Government or the authority appointed by the Government;

(b) «person on assignment» means a person employed, in the territory of one Party, by an employer he usually reports to, and temporarily assigned to the territory of the other Party by that employer and on his behalf in order to carry on employment therein;

(c) «competent institution» means, for Québec, the department or agency responsible for the administration of the legislation identified in Paragraph *a* of Article 2, and for Sweden, the agency or authority responsible for the implementation of the legislation identified in Paragraph *b* of Article 2;

(d) «benefit or pension» includes any addition, supplement or increase provided by the applicable legislation;

(e) «national» means, for Québec, a Canadian citizen residing in Québec and for Sweden, a Swedish citizen.

2. Any term not defined in Paragraph 1 has the meaning applied to it in the applicable legislation.

Article 2

The Agreement applies to the legislation referred to hereinafter:

(a) for Québec, legislation respecting the Pension Plan, industrial accidents and occupational diseases, health services, health insurance and hospital insurance;

(b) for Sweden, legislation respecting the supplementary pension, industrial accident and occupational disease insurance, and health benefits in kind;

notwithstanding the foregoing, this Agreement does not apply to branches of social security other than those specified in this Article.

Article 3

1. The Agreement applies in addition to any act or regulation amending, completing or replacing the legislation referred to in Article 2.

2. Notwithstanding the foregoing, it applies:

(a) to an act or a regulation covering a new branch of social security only if the Agreement is amended to that end;

(b) to an act or regulation of one Party that extends existing plans to new categories of beneficiaries only if that Party does not serve notice of opposition in that regard on the other Party within three months following the official publication of the said instrument.

Article 4

Unless otherwise provided, the Agreement applies to:

- (a) nationals of each Party;
- (b) any refugee as defined in Article 1 of the Convention Relating to the Status of Refugees of July 28, 1951 and the Protocol thereto of January 31, 1967;
- (c) any stateless person as defined by Article 1 of the Convention Relating to Stateless Persons of September 28, 1954;
- (d) any person who is or has been subject to the legislation of one Party;
- (e) any person in respect of acquired rights attributable to a person referred to in Paragraphs a to d.

Article 5

1. Unless otherwise provided by the Agreement, the persons designated in Article 4 receive, in the application of the legislation of either Party, the same treatment as the nationals of that Party.
2. Unless otherwise provided by the Agreement, no benefit acquired under the legislation of one Party or acquired under the Agreement may be reduced, modified, suspended, discontinued or confiscated by reason only that the beneficiary resides in the territory of the other Party, and that benefit is payable in the territory of the other Party.
3. Any benefit payable under the Agreement by one Party in the territory of the other Party is also payable in the territory of a third party.

Article 6

1. Subject to Articles 7, 8, 9 and 10, a person is subject only to the legislation of the Party on whose territory he works.
2. A person who resides in the territory of one Party and is self-employed in the territory of the other Party or in the territory of both Parties is subject, in respect of that work, to the legislation of the first Party only.

Article 7

1. A person subject to the legislation of one Party and on assignment in the territory of the other Party is subject, in respect of that employment, to the legislation of the first Party only, for twenty-four months after the assignment.
2. Notwithstanding the foregoing, if the duration of the employment to be held extends beyond twenty-four months, the legislation of the first Party remains applicable until the completion of the employment, provided the competent institutions of both Parties are in agreement.

Article 8

A person who would otherwise be subject to the legislation of both Parties in respect of employment as the member of a ship's crew is, in respect of that employment, subject only to Swedish legislation if the ship flies the Swedish flag and only to Québec legislation in any other case.

Article 9

1. Any person holding government employment for one of the Parties and carrying on that employment in the territory of the other Party is subject only to the legislation of the first Party in respect of that employment.

2. A person recruited by one Party in the territory of the other Party to hold government employment therein is subject, in respect of that employment, only to the legislation that applies in that territory.

3. This Agreement does not change the provisions of the Vienna Convention on Diplomatic Relations or the provisions of the Vienna Convention on Consular Relations, in relation to the legislation referred to in Article 2.

Article 10

1. The competent institution of the Party whose legislation is applicable to a person under Article 6, 7, 8 or 9 may derogate from those provisions.

2. To grant the derogation referred to in the first paragraph, the competent institution shall take into consideration the nature and circumstances of the employment and may proceed after having obtained the agreement of the competent institution of the other Party.

TITLE II

PROVISIONS RESPECTING BENEFITS

CHAPTER 1

RETIREMENT BENEFITS, DISABILITY BENEFITS AND SURVIVOR'S BENEFITS

Article 11

1. For Québec, this Chapter applies to all benefits payable under the Act respecting the Québec Pension Plan.

2. For Sweden, this Chapter applies to all benefits payable under the legislation respecting supplementary pensions.

Article 12

1. In this Chapter, «credited period» means:

- (a) for Québec, any year in respect of which contributions have been paid under Québec legislation;
- (b) for Sweden, any year for which pension points have been acquired under Swedish legislation.

2. A person who has been subject to the legislation of either Party, together with his dependants, successors and assigns, receives benefits under a given legislation if he qualifies under that legislation for entitlement to benefits. The competent institution determines the amount of the benefits, in accordance with the provisions of the legislation it is applying, taking into account solely the periods credited under that legislation.

3. If the person is not entitled to benefits solely on the basis of periods credited under the legislation of one of the Parties, the competent institution totalizes the credited periods in accordance with the provisions of Articles 13, 14 and 15.

Article 13

1. Where it is necessary to apply totalization to establish entitlement to benefits payable under Québec legislation, the competent Québec institution proceeds in the following manner:

(a) any year included in periods credited under Swedish legislation, following employment or other remunerated activities during the year in question or a part thereof, is recognized as a contribution year, provided it is included in the contributory period as defined in Québec legislation;

(b) years credited under Paragraph a are added to the years of credited periods under Québec legislation, provided they do not overlap.

2. After such a totalization, the competent Québec institution, in accordance with its own legislation, determines whether the person qualifies for eligibility for benefits.

3. To determine the amount of benefits payable, the competent Québec institution proceeds in the following manner:

(a) the part of the benefit related to earnings is calculated in accordance with the provisions of Québec legislation and is based solely on periods credited under that legislation;

(b) the flat rate of the benefit is adjusted in proportion to the period credited under Québec legislation in relation to the contributory period defined in that legislation.

Article 14

1. Where it is necessary to apply totalization to establish entitlement to benefits payable under Swedish legislation, the competent Swedish institution proceeds in the following manner:

(a) any year included in periods credited under Québec legislation is recognized as a year for which pension points are acquired;

(b) years credited under Paragraph a are added to the years of periods credited under Swedish legislation, provided they do not overlap.

2. After such a totalization, the competent Swedish institution, in accordance with its own legislation, determines whether the person qualifies for eligibility for benefits.

3. To determine the amount of benefits payable, only the period credited under Swedish legislation is taken into consideration.

Article 15

1. If a person is not entitled to benefits after the totalization referred to in Article 13 or Article 14, the periods credited under the legislation of a third party that has entered into a social security agreement with each of the Parties containing provisions relating to the totalization of such periods are taken into consideration in accordance with the procedures set out in this Chapter.

2. Where it is impossible to determine the exact time of the periods credited under the legislation of one Party, they are presumed not to overlap with periods credited under other legislation.

CHAPTER 2

INDUSTRIAL ACCIDENTS AND OCCUPATIONAL DISEASES

Article 16

1. For Québec, this Chapter applies to all benefits covered by legislation respecting industrial accidents and occupational diseases.

2. For Sweden, this Chapter applies to all benefits covered by legislation respecting industrial accident and occupational disease insurance.

Article 17

1. A beneficiary who is entitled to benefits under the legislation of one Party and who resides or stays in the territory of the other Party is entitled to:

(a) benefits in kind provided on behalf of the competent institution by the institution of the place of stay or residence in accordance with the provisions of the legislation the latter is applying;

(b) cash benefits paid by the competent institution in accordance with the provisions of the

legislation it is applying. Notwithstanding the foregoing, after agreement between the competent institution and the institution of the place of stay or residence, those benefits may be paid by the latter institution on behalf of the former, in accordance with the legislation the competent institution is applying.

2. Exceptions and conditions related to the application of the provisions of Paragraph 1 may be set out in the Administrative Arrangement referred to in Article 27.

Article 18

1. Where the victim of an occupational disease carried on under the legislation of both Parties an activity likely to cause the said disease, the benefits the beneficiary may claim are awarded solely under the legislation of the Party in whose territory the activity in issue was last carried on.

2. The cost of benefits is apportioned between the institutions of both Parties. That apportionment is made in proportion to the duration of the periods of activities related to the disease in question, completed under the legislation of each Party, in relation to the total duration of such periods completed under the legislation of both Parties, on the date when the benefits began to run.

Article 19

1. In the case of the recurrence of an occupational disease for which a worker has received or receives compensation under the legislation of one Party, the following provisions are applicable:

(a) if the worker, since receiving benefits, has not, under the legislation of the other Party, held employment likely to cause the disease in question or the recurrence thereof, the competent institution of the first Party is bound to provide benefits related to the recurrence and bear the costs, in accordance with the provisions of the legislation it is applying;

(b) if the worker, since receiving benefits, has held such employment under the legislation of the other Party, the cost of benefits related to the recurrence is apportioned between the institutions of both Parties in proportion to the duration of the periods of holding such employment that have been completed under the legislation of each Party, in relation to the total duration of such periods completed under the legislation of both Parties, on the date when benefits related to the recurrence began to run;

(c) in the case referred to in Paragraph *b*, the benefits related to the recurrence are provided by the competent institution of the Party under whose legislation the employment relating to the recurrence was last held, in accordance with the provisions of the legislation it is applying; notwithstanding the foregoing, if the beneficiary is not entitled to benefits under that legislation, they are provided and the cost is borne by the competent institution of the other Party, in accordance with the legislation it is applying.

2. In the case of the recurrence of an occupational disease that occurred on the application of the provisions of Article 18, the following provisions are applicable:

(a) the competent institution that awarded the benefits under the provisions of Paragraph 1 of Article 18 provides the benefits related to the recurrence, in accordance with the provisions of the legislation it is applying;

(b) the cost of the benefits remains apportioned between the institutions of both Parties in accordance with Paragraph 2 of Article 18; notwithstanding the foregoing, if the worker has *de novo* carried on an activity likely to cause the disease in question or the recurrence thereof, a new apportionment is made in proportion to the duration of the periods of activities previously in question and periods related to the new activity completed under the legislation of each Party, in relation to the total duration of the periods completed under the legislation of both Parties on the date the benefits related to the recurrence began to run.

Article 20

If the legislation of one Party provides explicitly or implicitly that industrial accidents or occupational diseases sustained or ascertained previously are taken into consideration in assessing the degree of disability, the competent institution of that Party also takes into consideration the industrial accidents or occupational diseases sustained or ascertained previously under the legislation of the other Party, as if

they had been sustained or ascertained under the legislation it is applying.

Article 21

The competent institution of one Party whose legislation provides that the amount of cash benefits varies with the number of family members also takes into account the family members of the person in question who reside in the territory of the other Party, as if they resided in its territory.

Article 22

1. An institution is bound to reimburse the amount of benefits that are provided on its behalf by the other institution.
2. The reimbursements referred to in Paragraph 1 are made in accordance with the procedures set out in the Administrative Arrangement referred to in Article 27.

CHAPTER 3

HEALTH SERVICES

Article 23

1. For Québec, this Chapter applies to all benefits related to the health services covered by the Act respecting health services and social services, the Health Insurance Act and the Hospital Insurance Act.
2. For Sweden, this Chapter applies to all benefits in kind covered by legislation respecting health insurance.

Article 24

1. A person residing in the territory of one Party and staying in the territory of the other Party to work temporarily therein, receives, together with his accompanying dependants, the benefits in kind covered by the legislation of the latter Party from the day of arrival in that territory.
2. The period of eligibility for the benefits referred to in Paragraph 1 may not exceed one year. Notwithstanding the foregoing, the competent institution of the place of stay may, on application, extend that period.
3. The provisions of paragraph 1 also apply to a person on assignment and a student registered at an educational institution in the territory of the place of stay.

Article 25

This Chapter does not apply when a person goes from the territory of one Party to the territory of the other Party to receive medical or hospital treatment.

Article 26

The competent institution of the place of stay provides the benefits covered by this Chapter and bears the cost.

TITLE III

MISCELLANEOUS PROVISIONS

Article 27

1. An administrative Arrangement, agreed to by the Parties, sets out the procedures for administering the Agreement.
2. The liaison agencies of the two Parties are designated in the Administrative Arrangement.

Article 28

The competent authorities and institutions:

- (a) communicate to one another any information required for administering the Agreement;
- (b) provide mutual assistance free of charge on any matter related to the administration of the Agreement;
- (c) forward to one another any information on the steps taken to administer the Agreement or concerning changes made in their respective legislation, insofar as such changes affect the administration of the Agreement.
- (d) inform one another of any difficulties encountered in administering the Agreement and undertake to resolve them to the extent possible.

Article 29

1. Unless disclosure is required under the legislation of one Party, any information communicated by an institution of one Party to an institution of the other Party in respect of a person is confidential and may be used solely for the purposes of administering the Agreement and the legislation to which it applies.
2. A person's right to take cognizance of files containing information in his regard is subject to the legislation of the Party in possession of the file.
3. For the purposes of the preceding paragraphs, the word «information» means any information containing the name of a person or from which the identity of a person can easily be established.

Article 30

All cash benefits are payable directly to beneficiaries in the currency of the Party making payment, without deductions for administrative charges, transfer fees or any other expense that may be incurred in the payment of those benefits.

Article 31

1. Any waiving or reduction of charges prescribed by the legislation of one Party respecting the issuing of a certificate or document to be submitted in administering that legislation is extended to certificates and documents to be submitted in administering the legislation of the other Party.
2. Any deed or document submitted for administering the Agreement is exempted from endorsement of authentication or from any similar form of procedure.

Article 32

1. An application for benefits submitted under the legislation of one Party is deemed to be an application for similar benefits under the legislation of the other Party, provided the applicant

- (a) indicates that the application should be considered an application for benefits under the legislation of the other Party, or
- (b) provides information when applying to the effect that a credited period, as defined in Article 12, has been attributed to him under the legislation of the other Party; notwithstanding the foregoing, the applicant may demand that his application for benefits from the other Party be deferred.

2. An application, a statement or an appeal that should, under the legislation of one Party, have been submitted within a fixed period to the authority or institution of that Party but that was submitted within that period to the authority or a competent institution of the other Party is deemed to have been submitted to the authority or institution of the first Party. In that case, the authority or institution of the second Party forwards that application, statement or appeal to the authority or institution of the first as soon as

possible.

3. Appeal from a decision is taken into consideration in accordance with the usual appeal procedure prescribed by the legislation of the Party whose decision is being appealed.

Article 33

1. The medical reports prescribed by the legislation of one Party may be submitted, at the request of the competent institution, in the territory of the other Party by the institution of the place of stay or residence of the beneficiary, under the conditions set out in the Administrative Arrangement referred to in Article 27.

2. The medical reports submitted under the conditions referred to in Paragraph 1 may not be invalidated solely by reason of having been filed in the territory of the other Party.

TITLE IV

TRANSITIONAL AND FINAL PROVISIONS

Article 34

1. The Agreement establishes no entitlement to benefits for a period prior to the date of its coming into force.

2. Any period before the date of coming into force of the Agreement must be taken into consideration for the purposes of determining entitlement to benefits under the Agreement.

3. For the purposes of Chapter 1 of Title II and subject to the provisions of Paragraph 1:

(a) benefits other than death benefits are payable under the Agreement even if they related to an event that occurred prior to the date of its coming into force;

(b) in the case of an application submitted within two years of the date of coming into force of the Agreement, the rights resulting from the Agreement are acquired from that date, or from the date of the event establishing entitlement to the benefits if it occurred later, notwithstanding the provisions of the legislation of both Parties respecting the prescription of rights;

(c) in the case of an application submitted after the expiry of the two-year period referred to in the preceding Paragraph, the rights that are not prescribed are acquired from the date of the application.

4. The twenty-four month period referred to in Article 7 of the Agreement begins on the date of the coming into force of the Agreement for a person on assignment on that date.

5. The Agreement does not change the provisions of Swedish legislation respecting:

(a) the calculation of the supplementary pension for Swedish citizens born before 1924; and

(b) the acquisition of pension points for Swedish citizens in respect of employment where they reside outside Sweden.

Article 35

1. The competent authorities and institutions of both Parties may communicate with one another in their official languages.

2. A decision or notice of a tribunal or an institution may be sent directly to a person residing in the territory of the other Party.

Article 36

1. Each of the Parties to the Agreement shall advise the other when the internal procedures required for the coming into force of the Agreement have been completed.

2. The Agreement is entered into for an indeterminate period from the date of its coming into force, which will be fixed by exchange of letters between the Parties. It may be terminated by one of the Parties by notice to the other Party. The Agreement ends on the 31st of December following the date of notification by at least twelve months.

3. In the event 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 on the twentieth day of September 1986, in duplicate, in French and in Swedish, both texts being equally authentic.

For the Gouvernement du

Québec

GIL RÉMILLARD

For the Government of

Sweden

ANITA GRADIN

O.C. 1745-87, Sch. I.

SCHEDULE II

(s. 2)

ADMINISTRATIVE ARRANGEMENT RESPECTING PROCEDURES FOR ADMINISTERING THE AGREEMENT ON SOCIAL SECURITY BETWEEN QUÉBEC AND SWEDEN

Administrative Arrangement respecting Procedures for Administering the Agreement on Social Security between Québec and Sweden, hereinafter called the Agreement.

Taking into consideration Article 27 of the Agreement, the Parties have agreed as follows:

TITLE I

GENERAL PROVISIONS

Article 1

The terms used in the Administrative Arrangement have the same meaning as assigned to them in the Agreement.

Article 2

In accordance with the provisions of the second paragraph of Article 27 of the Agreement, the liaison agencies designated by each of the Parties are:

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

(b) for Sweden, the National Social Insurance Council (riksförsäkringsverket) or any other agency the competent Swedish authority may subsequently designate.

Article 3

1. In the cases referred to in Article 7 of the Agreement, the employer of a person on assignment has the relevant information forwarded to the agency responsible for issuing the certificate of coverage.

2. The certificate of coverage is issued

(a) by the liaison agency or, with authorization, by a regional public insurance office, where Swedish legislation applies;

(b) by the liaison agency, where Québec legislation applies.

3. Where a certificate of coverage is issued, a copy of that certificate is sent to the liaison agency of the other Party, to the person on assignment and to the employer.

Article 4

For the purposes of Paragraph 2 of Article 9 of the Agreement, the Gouvernement du Québec and the Government of Sweden each agree, in the capacity of employer, to comply with the obligations that the provisions of the legislation of the other Party impose on every employer.

TITLE II

PROVISIONS RESPECTING BENEFITS

CHAPTER 1

RETIREMENT BENEFITS, DISABILITY BENEFITS AND SURVIVOR'S BENEFITS

Article 5

For the purposes of Chapter 1 of Title II of the Agreement:

(a) a person who resides elsewhere than in Sweden and who wishes to obtain benefits payable by Swedish legislation, under the Agreement, may submit his application to the Québec liaison agency or the public insurance office for the Stockholm region which so informs the Québec liaison agency;

(b) a person who resides elsewhere than in Québec and who wishes to obtain benefits payable by Québec legislation, under the Agreement, may submit his application to the Swedish liaison agency or the Régie des rentes du Québec which, where it is an application referred to in Paragraph 1 of Article 32 of the Agreement, so informs the Swedish liaison agency. Notwithstanding the foregoing, if that person resides in Canada, he may apply to any office qualified to receive an application for benefits under the Québec Pension Plan.

Article 6

1. The liaison agency to which an application has been submitted in accordance with Article 5 of this Arrangement forwards the application to the competent institution of the other Party, together with the supporting documents required.

2. A liaison agency informed that an application has been submitted to the institution of the other Party in accordance with Article 5 of this Arrangement forwards, on request, the supporting documents required to the competent institution of the other Party.

3. Any information respecting civil status entered on the application form referred to in the preceding paragraph is certified by the liaison agency that forwards the application, which exempts it from having to forward supporting documents.

4. Every original document or a copy thereof is kept by the liaison agency to which it was submitted and the copy is made available to the competent institution of the other Party, on request.

Article 7

1. The application or supporting documents referred to in Paragraph 1 of Article 6 are accompanied by the liaison form approved by the competent institution, in duplicate.

2. If the same is required by the other Party, the liaison agency indicates the periods credited on the liaison form.

Article 8

As soon as a decision is made by a competent institution under its legislation, it so informs the applicant and advises him of the means and periods of appeal prescribed by its own legislation; it also informs the liaison agency of the other Party by using the liaison form.

CHAPTER 2

INDUSTRIAL ACCIDENTS AND OCCUPATIONAL DISEASES

Article 9

1. To receive benefits in kind under Article 17 of the Agreement, a person who, after having received benefits under the legislation of one Party, transfers his residence or place of stay 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 continue receiving the said benefits in kind.

2. That attestation, issued by the competent institution, indicates in particular, as the case may be, the maximum period during which benefits in kind may still be provided, in accordance with the provisions of the legislation applicable by the competent institution. Where it could not be issued before departure, the attestation may be issued thereafter and on application by the person in question or the institution of the place of stay or residence.

Article 10

1. For the purposes of Article 17 of the Agreement, where entitlement to benefits is established under the legislation of one Party on behalf of a person who stays or resides in the territory of the other Party, the declaration of the industrial accident or occupational disease as well as the application for benefits must be made in accordance with the legislation of the first Party, within the periods fixed by that legislation. That declaration and application may be submitted either to the competent institution of the first Party, which forwards a copy thereof to the institution of the place of stay or residence, or to the latter institution, which keeps a copy thereof and forwards the originals to the competent institution of the first Party.

2. The institution of the place of stay or residence initiates an administrative review as soon as possible and, as the case may be, medical verification, as if it were dealing with its own insured person. The report ascertaining the result of the administrative review and, as the case may be, the verifying physician's report, which indicates in particular the probable duration of work disability, are forwarded immediately by the institution of the place of stay or residence to the competent institution, for decision.

3. The competent institution immediately notifies its decision directly to the persons in question, indicating to them, as the case may be, the means and periods of appeal. It also informs the institution of the place of stay or residence.

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

Article 11

1. When submitting any application for benefits in kind referred to in Article 17 of the Agreement, a person who is eligible to receive those benefits submits the supporting documents required under the legislation applicable by the institution of the place of stay or residence.

2. The institution of the place of stay or residence gives prior notice to the competent institution, by a

means of rapid communication and through the liaison agency, of any decision respecting the awarding of benefits in kind of great importance or of an unusual nature. The competent institution has thirty days to notify, as the case may be, its objection with reasons; the institution of the place of stay or residence awards the said benefits in kind if it has not received objections at the expiry of that period. If such benefits in kind must be awarded urgently, the institution of the place of stay or residence so informs the competent institution immediately.

3. A 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 place of stay. The competent institution also informs 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 competent institution provide information respecting the affiliation or entitlement of any person to benefits in kind.

Article 12

1. For the purposes of Articles 18 and 19 of the Agreement, the declaration of occupational disease or recurrence as well as the application for benefits is forwarded to the institution of the place of stay or residence within the periods fixed by the legislation applicable by that institution. That institution forwards a copy of the declaration and the application to the institution of the other Party.

2. The institution of the place of stay or residence initiates an administrative review as soon as possible and, as the case may be, the medical verification required by its legislation.

3. If it ascertains that the legislation of the other Party is applicable under the provisions of Article 18 or Article 19 of the Agreement, the institution of the place of stay or residence forwards the file immediately to the competent institution of that Party, for decision. The file must include, in particular, the reports ascertaining the results of medical verifications. Pending the decision of the competent institution, the institution of the place of stay or residence may provide benefits in kind, if it is of the opinion that the application for benefits appears well founded.

4. The competent institution immediately notifies its decision directly to the persons in question, indicating to them, as the case may be, the means and periods of appeal. It also informs the institution of the place of stay or residence.

5. In a situation other than that referred to in Paragraph 1 (a) of Article 19, if the decision referred to in the preceding paragraph refuses the application for benefits, the institution that made the decision forwards the file to the institution of the place of stay or residence when it informs it of its decision. In that case, the institution of the place of stay or residence, taking into account the said decision of refusal, decides whether its own legislation is applicable.

6. If the institution of the place of stay or residence, in the case referred to in Paragraph 5, decides that entitlement to benefits is established under the legislation it is applying, where there is a right of appeal from the decision of refusal previously made by the institution of the other Party, the latter institution reimburses to the institution of the place of stay or residence its share of the amount of the benefits covered if, following an appeal, it is bound to award benefits.

Article 13

1. The apportionment of the cost of the benefits referred to in Articles 18 and 19 is made by the institution paying the benefits.

2. For the purposes of that apportionment, the institution referred to in Paragraph 1 may require of the person in question and the institution of the other Party any information and document respecting employment held by that person in the territory of either Party.

3. The said apportionment is ascertained on a form that the institution referred to in Paragraph 1 forwards, for agreement, to the institution of the other Party.

Article 14

1. At the end of each calendar year, the liaison agency of the Party that has provided benefits or made medical verifications on behalf of or to be borne by the institution of the other Party forwards to the liaison agency of the other Party a statement of the benefits awarded or fees related to medical verification during the fiscal period in question, indicating the amount payable. That statement is accompanied by supporting documents.

2. The institution on whose behalf or liability benefits have been provided or medical verification made reimburses the amount payable to the institution that provided the said benefits, as soon as possible and not later than three months following the date on which the statement referred to in Paragraph 1 was forwarded to it.

3. Notwithstanding Paragraph 1, the Parties agree not to claim reimbursement where the amount payable for a given person for one year is less than 500 \$ Canadian or 2 500 Swedish Kronor. The authorized agencies of the two Parties may agree to revise those amounts.

CHAPTER 3

HEALTH SERVICES

Article 15

1. For the purposes of Article 24 of the Agreement:

(a) to receive health services in the territory of Québec, a person must submit to the competent Québec institution an attestation issued by the competent Swedish institution certifying his entitlement to health services and a certificate of acceptance for work or study issued by the Ministère des Communautés culturelles et de l'Immigration du Québec;

(b) to receive health services in the territory of Sweden, a person must submit to the competent Swedish institution an attestation issued by the competent Québec institution certifying his entitlement to health services and a certificate of acceptance for work or a certificate of registration at a Swedish institution covered by Swedish legislation respecting assistance for study.

2. The institution issuing the attestation referred to in the preceding paragraph indicates the period of validity of the attestation. In the absence of such an indication, the attestation is presumed valid for one year from the first day of its validity.

3. For the purposes of Paragraph 3 of Article 24, a student is a person registered full-time at a Québec institution recognized by the Ministère de l'Éducation du Québec or the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie or at a Swedish institution covered by Swedish legislation respecting assistance for study.

TITLE III

MISCELLANEOUS PROVISIONS

Article 16

1. Where a person applying for or receiving disability benefits payable by one Party resides in the territory of the other, the competent liable institution may, at any time, request that the competent institution of the other Party have the medical examination it requires performed.

2. The forwarding of medical information already in the possession of the competent institutions is an integral part of administrative assistance and is carried out free of charge. Notwithstanding the foregoing, the costs resulting from supplementary medical examinations are borne by the competent institution requiring those examinations.

3. Medical costs are reimbursed by the liable institution on receipt of the account sent by the institution that has provided medical services, in the currency of the latter.

Article 17

Where the competent institution of one Party ascertains a change in the situation of a beneficiary that is likely to affect his entitlement to benefits under the legislation of the other Party, it so informs the competent institution of that Party.

Article 18

Any form or other document required to implement the procedures set out in the Administrative Arrangement is established in common agreement by the institutions and agencies responsible for the procedures for administering the Agreement for each Party.

Article 19

The liaison agencies of the two Parties exchange, in the form agreed to, statistics respecting payments made to beneficiaries during each calendar year under the Agreement. Those statistics include the number of beneficiaries and the total amount of benefits, by category of benefit.

TITLE IV

FINAL PROVISIONS

Article 20

The Administrative Arrangement comes into force on the same date as the Agreement. Termination of the Agreement has the effect to terminating the Administrative Arrangement.

Made at Québec on the twentieth day of September 1986, in duplicate, in French and in Swedish, both texts being equally authentic.

For the Gouvernement du

Québec

GIL RÉMILLARD

For the Government of

Sweden

ANITA GRADIN

O.C. 1745-87, Sch. II; S.Q. 2013, c. 28, s. 205.

REFERENCES

O.C. 1745-87, 1987 G.O. 2, 4109

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

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

S.Q. 2013, c. 28, s. 205