

No. 4414

**CANADA
and
FRANCE**

**Agreement (with exchange of notes) on the admission of
trainees. Signed at Ottawa, on 4 October 1956**

Official text: French.

Registered by Canada on 11 July 1958.

**CANADA
et
FRANCE**

**Accord (avec échange de notes) relatif à l'admission de
stagiaires. Signé à Ottawa, le 4 octobre 1956**

Texte officiel français.

Enregistré par le Canada le 11 juillet 1958.

[TRANSLATION¹ — TRADUCTION²]

No. 4414. AGREEMENT³ BETWEEN CANADA AND FRANCE
ON THE ADMISSION OF TRAINEES. SIGNED AT
OTTAWA, ON 4 OCTOBER 1956

The Government of Canada and the Government of the French Republic, hereinafter described as the “ Contracting Parties ”, desiring to encourage the vocational training of Canadian and French trainees, have agreed as follows :

Article I

(a) This Agreement shall apply to “ trainees ”, that is to the nationals of one Contracting Party who proceed to the territory of the other Contracting Party in order to improve their linguistic and vocational knowledge while at the same time holding employment.

(b) Trainees may be of either sex and employed in manual or intellectual work. Save in exceptional cases, they shall not be over 30 years of age.

(c) Trainees shall be authorized to hold employment under the conditions laid down in the following articles. The required permit to work shall be granted them, at the discretion of the authorities of the receiving country, whatever be the state of the labour market in their trade or profession; but it shall be subject to the legislative and administrative provisions governing the employment of aliens in certain occupations.

Article II

(a) Permits to work shall be granted for one year. However in certain cases, and on an individual basis, they may be extended for six months.

(b) On the expiration of their period of training, trainees shall not remain in the host country with a view to holding employment, except when expressly authorized to do so.

Article III

(a) The maximum number of trainees to be admitted on the territory of each Contracting Party is to be twenty-five (25) in the first year after this Agreement comes into force, fifty (50) in the second year, seventy-five (75) in the third year and one hundred (100) in each of the following years.

¹ Translation by the Government of Canada.

² Traduction du Gouvernement canadien.

³ Came into force on 4 October 1956, upon signature, in accordance with article XI.

(b) In the calculation of annual quotas, account shall be taken of trainees designated during the previous year and whose training has not yet been completed.

(c) If either of the Contracting Parties does not exhaust the quotas determined by this article, it shall not claim the right to limit to the same number the trainees which the other Contracting Party is entitled to send to it for the same period.

Article IV

Trainees shall not be admitted to France and Canada unless the competent authorities of the country in which the training is to take place are satisfied that the terms of remuneration provided by the employers correspond to the services which the trainees will render and to the normal salaries prevailing in the occupation and region concerned, and that the terms of employment shall be respected.

Article V

Trainees shall enjoy the same treatment as nationals of the host country in all matters concerning the application of laws, regulations and practices governing health and working conditions. They and their employers shall comply with the social security legislation in force in the host country.

Article VI

All necessary administrative arrangements relating to the admission of trainees in France and Canada shall be defined by an exchange of notes¹ which shall constitute an annex to this agreement.

Article VII

Candidates shall apply to the agency designated in accordance with the provisions of Article VI. Their applications shall state, in addition to any pertinent information required, the name of the establishment in which the applicants wish to be employed. The agency shall consider the candidates' files and forward those that are approved to the corresponding agency of the other Contracting Party.

Article VIII

In order to provide as much assistance as possible to candidates for training who, by themselves, could not have found employers prepared to accept them as trainees, the Contracting Parties undertake to facilitate the exchange of

¹ See p. 73 of this volume.

trainees, either through the establishment of a central office charged with supervising the application of this Agreement or by any other appropriate means with the assistance of organizations interested in the exchange of trainees.

Article IX

The competent authorities of both States shall do everything in their power to ensure the processing of applications within the shortest possible time.

Article X

(a) No provision of this Agreement shall relieve trainees or employers from the necessity of complying with the laws and regulations in force in the territories of the Contracting Parties concerning the entry, residence and exit of aliens.

(b) The Contracting Parties shall make every effort in order that decisions of the administrative authorities concerning the entry and residence of trainees who have been accepted may take place within the shortest possible time. They shall also endeavour to remove as quickly as possible any difficulties which might arise in connection with the entry and residence of trainees.

Article XI

(a) This Agreement shall come into force on the day of signing and shall remain in force for one year.

(b) It shall thereafter be renewed by tacit agreement from year to year, unless denounced by one of the Contracting Parties upon six months' notice.

(c) In the event of its denunciation, permits granted under this Agreement shall remain valid during the period for which they were issued.

IN WITNESS WHEREOF the undersigned, duly authorized by their respective Governments, have signed and sealed the present Agreement.

DONE in the French language, at Ottawa, this 4 day of October 1956.

For the Government of Canada :

L. B. PEARSON

For the Government of the French Republic :

Francis LACOSTE

EXCHANGE OF NOTES

I

The Ambassador of France to Canada to the Secretary of State for External Affairs

EMBASSY OF FRANCE IN CANADA

No. 76

Ottawa, October 4, 1956

Sir,

I have the honour to refer to the Agreement which was signed today¹ at Ottawa regarding the admission of trainees (*stagiaires*) to Canada and to France and, in particular, to Article VI of this Agreement.

With a view to co-ordinating the administrative arrangements for the operation of this programme, I have the honour to suggest, upon orders from my Government, that the following procedures be adopted by the French and Canadian Governments.

I. *Procedure for securing employment in France*

(1) Canadian citizens shall apply to the National Employment Service of the Unemployment Insurance Commission in Ottawa. Applications shall contain the name of the prospective employer, whenever possible, and full information on qualifications and other data deemed to be relevant by the Canadian authorities.

(2) The dossiers of individual applicants after they have been studied and approved by the National Employment Service, shall be forwarded by the Department of External Affairs to the Embassy of Canada in Paris, for transmission to the Foreign Ministry preferably three months or more before the date for which employment is requested.

(3) The Ministry of Labour and Social Security shall in due course make known to the Embassy of Canada in Paris, through the Foreign Ministry, the conditions of employment offered by interested employers. In the case of a request not containing an employer's name or in case the employer named cannot offer the requested employment, the Ministry of Labour and Social Security shall communicate this request to employers who may be able to offer the candidate employment corresponding to his wishes and professional qualifications.

(4) Communications received by the Embassy of Canada in Paris shall be forwarded to the National Employment Service through the Department of External Affairs.

(5) After a contract is concluded, the Canadian trainee must present himself, with this contract, to the Consulate of France nearest his domicile, to obtain his visa of entry into France. After his arrival in France, he shall be put in possession of a residence card delivered by the Prefecture and of a work permit through the care of the Departmental Direction of Labour and Manpower of the place of employment.

¹ See p. 67 of this volume.

II. *Procedure for securing employment in Canada*

(1) French candidates shall apply to the Ministry of Labour and Social Security in Paris. Applications shall contain the name of the prospective employer, whenever possible, and full information on qualifications and all other data deemed to be relevant by the French authorities.

(2) The candidates' requests, after being studied and approved by the Ministry of Labour and Social Security, shall be sent to the Embassy of France in Canada, which shall forward them to the Department of External Affairs, preferably three months or more before the date for which employment is requested. The Department of External Affairs shall transmit them to the National Employment Service of the Unemployment Insurance Commission of Canada.

(3) The National Employment Service shall in due course communicate to the Embassy of France in Canada, through the Department of External Affairs, the terms of employment offered the candidates by interested employers. In the case of a request not bearing an employer's name, or should the employer named be unable to offer the requested employment, the National Employment Service shall communicate this request to employers who would be able to offer the candidate employment corresponding to his wishes and his professional qualifications.

(4) Communications received by the Embassy of France in Ottawa shall be transmitted to the Ministry of Labour and Social Security by the Ministry of Foreign Affairs.

(5) After a contract is concluded, the Department of Citizenship and Immigration shall instruct its representative in Paris to furnish the trainee with a visa of entry into Canada and to give him a letter, indicating the conditions and purpose of his trip. The letter shall be handed over by the trainee to an Immigration Officer at the Canadian port of entry and replaced with a temporary entry form, properly endorsed to allow the holder to take work in Canada during the period of his temporary entry. Admission of the trainee to Canada shall be subject to his satisfactorily meeting Canadian medical requirements.

III. Normally, French trainees shall not arrive in Canada during the period between November 1 and April 1 of any given year.

IV. French trainees, if not protected by medical and hospital insurance, shall either join a group insurance plan or subscribe to an individual insurance contract, according to the practice in the firm where they are employed.

It is agreed, provided the above proposals are accepted by the Canadian Government, that the present letter and your reply thereto shall constitute an integral part of the Agreement signed today.

Accept, Sir, the assurance of my highest consideration.

Francis LACOSTE

The Honourable Lester B. Pearson
Secretary of State for External Affairs
Department of External Affairs
Ottawa

II

The Secretary of State for External Affairs to the Ambassador of France to Canada

DEPARTMENT OF EXTERNAL AFFAIRS

No. J. 71

Ottawa, October 4, 1956

Excellency,

I have the honour to acknowledge receipt of your Note No. 76, dated today, in which you formulate proposals regarding the carrying out of the Agreement on the admission of trainees to Canada and France.

I have the honour to inform you that the Canadian Government accepts those proposals and agrees to your Note and the present reply constituting an integral part of the Agreement signed today.

Accept, Excellency, the renewed assurances of my highest consideration,

L. B. PEARSON
Secretary of State for External Affairs

The Ambassador of France to Canada
Embassy of France
Ottawa