

chapter C-24.2, r. 14

Regulation respecting a reciprocal agreement on driver's licence exchange between the Société de l'assurance automobile du Québec and the National Police Agency of the Republic of Korea

Highway Safety Code
(chapter C-24.2, s. 631).

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APPENDIX

1. The Highway Safety Code (chapter C-24.2) and its attendant regulations apply to the holder in Québec of a driver's licence issued by the National Police Agency of the Republic of Korea.

O.C. 471-2001, s. 1.

2. The provisions of the Code and its attendant regulations apply in accordance with the reciprocal agreement on driver's licence exchange between the Société de l'assurance automobile du Québec and the National Police Agency of the Republic of Korea, which is appended hereto.

O.C. 471-2001, s. 2.

3. *(Omitted).*

O.C. 471-2001, s. 3.

APPENDIX

RECIPROCAL AGREEMENT ON DRIVER'S LICENCE EXCHANGE

BETWEEN

THE SOCIÉTÉ DE L'ASSURANCE AUTOMOBILE DU QUÉBEC

AND

THE NATIONAL POLICE AGENCY OF THE REPUBLIC OF KOREA

The Société de l'assurance automobile du Québec

hereinafter referred to as the "SAAQ"

AND

The National Police Agency of the Republic of Korea

hereinafter referred to as the "NPA"

Also referred to hereunder as the Parties

Whereas the SAAQ and the NPA issue driver's licences authorizing residents of Québec and of Korea respectively to drive motor vehicles within the borders of their respective territories;

Whereas the SAAQ and the NPA require that anyone residing in their respective territories and driving on a public highway hold a valid driver's licence;

Whereas the Parties wish to facilitate the exchange of driver's licences for holders of a valid licence issued by one of the Parties who settle in the territory of the other Party;

Have agreed to conclude a reciprocal agreement to ensure that the licences are recognized and to facilitate the exchange of driver's licences under the following conditions.

ARTICLE 1

DEFINITIONS

Under the present agreement:

1.1 "Driver's licence" means a licence issued by one of the Parties and authorizing the holder to drive a motor vehicle on a public highway, subject to the terms and conditions specific to the class of driver's licence and any other related condition and subject to the relevant laws and regulations in force in the territory in question.

"Authority" or "territory" refers to Québec or Korea and "authorities" or "territories" refers to Québec and Korea together.

"Valid" means that at the time a driver's licence issued by one Party is exchanged for a driver's licence issued by the other Party, the original driver's licence has not expired or been revoked, suspended or cancelled by the authority or by the administration or agency acting on behalf of the authority which issued the driver's licence, and that the driver's licence is not subject to any similar restriction which prevents the holder from using it for the intended purpose.

1.2 In the case of the SAAQ:

A class 5 licence is a valid licence issued by the SAAQ authorizing the holder to drive a motor vehicle having two axles and a net weight of less than 4,500 kg, a motor vehicle permanently converted into a dwelling, a tool vehicle and a service vehicle.

1.3 In the case of the NPA:

A class 2 – ordinary vehicles driver’s licence is a valid driver’s licence issued by the NPA authorizing the holder to drive a sedan, a van/minibus (with a maximum capacity of 9 passengers) and a light truck or van with a load capacity of not more than 4,000 kg.

ARTICLE 2

RECOGNITION AND EXCHANGE OF LICENCES

2.1 A resident of Korea who holds a class 2 – ordinary vehicles driver’s licence may exchange his licence for a class 5 licence upon settling in Québec without undergoing a proficiency examination or an eye test, upon presentation of a valid licence or a licence that expired within the previous three years, and after paying the fees and insurance premium set by regulation.

If the applicant is at least 25 years old or can prove that he has held a valid driver’s licence for the past 24 months at least, the SAAQ shall issue a driver’s licence to him; otherwise, he will be issued a probationary licence.

An applicant who wishes to have his driving experience recognized must provide a record of his file from Korea. The licence, and the record of his file must be accompanied by an official English or French translation.

2.2 A Québec resident who holds a valid class 5 driver’s licence may exchange that licence for a class 2 – ordinary vehicles licence upon settling in Korea after passing an eye test and a hearing test and paying the attendant fees.

2.3 The restrictions on the original driver’s licence are carried over onto the driver’s licence issued in exchange, as equivalent codes.

ARTICLE 3

FINAL PROVISIONS

3.1 Samples of the various valid Korean and Québec driver’s licences are appended to the present agreement.

Any change by one or the other of the Parties to the driver’s licences shown as samples will be communicated to the other Party through diplomatic channels.

3.2 The present agreement does not invalidate the provisions of any law or regulation applicable in the territory of one or the other of the Parties with respect to the right to use a foreign driver’s licence.

3.3 The present agreement will be amended in order to take into account any amendments made to the internal law of either Party.

3.4 The present agreement does not affect existing or future reciprocal understandings or agreements made by one or the other of the Parties with any other government.

3.5 The Parties shall help each other apply this agreement and exchange information, when necessary, on licences submitted for the purposes of an exchange.

3.6 Any document or communication provided or transmitted under this agreement shall be in writing and shall be deemed to have been duly provided or transmitted to the Party to which it is addressed at the time it is

handed in person, delivered by messenger or registered letter (postage paid) or sent by fax to the following address:

For Québec: Société de l'assurance automobile du Québec

333, boulevard Jean-Lesage

Québec (Québec) G1K 8J6

Télécopieur: (418) 643-2748

Téléphone: (418) 528-3390

For Korea: The Consulate General of the Republic of Korea

1002, rue Sherbrooke Ouest, bureau 2500

Montréal (Québec) H3A 3L6

Télécopieur: (514) 845-8517

Téléphone: (514) 845-3243

Each Party may change the address to which documents or communications must be sent by sending a written notice to the other Party.

3.7 The present agreement shall come into force once the necessary internal formalities have been carried out, at the date agreed on through an exchange of letters between the Parties.

3.8 A Party may terminate the present agreement by means of a written notice sent to the other Party. The agreement shall end on the ninetieth (90th) day following the sending of the notice.

Made in Montréal on the 23rd day of November 2000, in French and in Korean, both texts being equally valid.

FOR THE SOCIÉTÉ

DE L'ASSURANCE

AUTOMOBILE DU QUÉBEC

FOR THE NATIONAL

POLICE AGENCY OF THE

REPUBLIC OF KOREA

JEAN-YVES GAGNON,

Chairman and CEO

SANG-TAE LEE,

Consul General of the

Republic of Korea

O.C. 471-2001, Sch.

UPDATES

O.C. 471-2001, 2001 G.O. 2, 2171

