

**CANADA - NEWFOUNDLAND AND LABRADOR
PROVISIONAL ARRANGEMENTS
FOR MINORITY-LANGUAGE EDUCATION AND
SECOND-LANGUAGE INSTRUCTION
FOR 2003-04**

This agreement was concluded in English and in French on this 29th day of September 2003.

Pending conclusion of the next *Protocol for Agreements for Minority-Language Education and Second-Language Instruction* and the next Canada - Newfoundland and Labrador bilateral agreement, Canada agrees to provide Newfoundland and Labrador with funding under the terms of these provisional arrangements, subject to the appropriation of funds by Parliament and to the maintenance of current and forecasted Official Languages in Education Program budgetary levels.

Canada also agrees that the present provisional arrangements shall not prejudice negotiations relative to the renewal of the *Protocol for Agreements for Minority-Language Education and Second-Language Instruction*.

1. CANADA'S CONTRIBUTION AND TERMS OF PAYMENT

The terms of the Canada - Newfoundland and Labrador bilateral agreement for 2000-01 to 2002-03 shall continue to apply, subject to the following provisions:

Contribution to the Action Plan

Newfoundland and Labrador shall receive a contribution of **\$2,115,000** to fund measures included in its action plan. This contribution shall be paid as follows, in quarterly payments each representing approximately one quarter (25 percent) of the total amount:

- (a) the first payment shall be paid following the signature of these provisional arrangements, provided that the requirements for the preceding payments have been met, and following receipt and acceptance by Canada of an updated provincial action plan for 2003-04;
- (b) the second payment shall be paid on or about September 30, 2003, provided that the requirements for the preceding payments have been met;
- (c) the third payment shall be paid on or about December 31, 2003, subject to receipt and acceptance by Canada of a detailed report on the results achieved in 2002-03 and a final certified financial statement of expenditures related to fiscal year 2002-03. This report and financial statement will be submitted no later than November 30, 2003; and
- (d) the fourth payment, representing the balance of the contribution for fiscal year 2003-04, shall be paid subject to receipt and acceptance by Canada of an interim certified financial statement of actual expenditures incurred as of January 31, 2004, and of anticipated expenditures to the end of the school year.

A detailed report on the results achieved in 2003-04 and a final certified financial statement of actual expenditures incurred by Newfoundland and Labrador during this period shall be submitted to Canada no later than November 30, 2004.

Supplementary Contribution

Canada may provide Newfoundland and Labrador with a supplementary contribution for any other project or measure agreed to by Canada and Newfoundland and Labrador. Canada and Newfoundland and Labrador shall agree on the selection of projects or measures to receive supplementary funding and on the amount of this contribution for fiscal year 2003-04. These projects or measures will be included in a document to be attached to the updated action plan for 2003-04 and will form an integral part thereof.

Canada's supplementary contribution to Newfoundland and Labrador will be subject to the Minister's approval and shall be paid as follows:

- (a) the first payment representing approximately one half (50 percent) of Canada's contribution shall be paid following the Minister's approval; and
- (b) the second payment, representing the balance of the supplementary contribution, shall be paid following receipt and acceptance by Canada:
 - (i) of a detailed report on the measures achieved through Canada's contribution during the preceding fiscal year and a final certified financial statement relating thereto, where appropriate. This report and financial statement shall be submitted at the same time as those required for the third payment for the funding of the action plan; and
 - (ii) of an interim certified financial statement of actual expenditures incurred as of January 31, 2004, and forecasted expenditures to the end of the school year, submitted at the same time as the interim financial statement for the updated action plan.

A detailed report on results achieved in 2003-04 and a final certified financial statement indicating actual expenditures incurred by Newfoundland and Labrador during the period shall be submitted to Canada no later than November 30, 2004.

2. ACTION PLAN

The attached Schedule B replaces the previous Schedule B.

IN WITNESS WHEREOF the parties hereto have executed these provisional arrangements on the date inscribed on the first page.

ON BEHALF OF CANADA

**ON BEHALF OF
NEWFOUNDLAND AND LABRADOR**

(Signed) Sheila Copps
Minister of Canadian Heritage

(Signed) Gerry Reid
Minister of Education

Witness

Witness

(Signed) Tom Lush
Minister for Intergovernmental Affairs

Witness