

Regulations and other acts

Gouvernement du Québec

O.C. 93-97, 29 January 1997

An Act respecting immigration to Québec
(R.S.Q., c. I-0.2)

Selection of foreign nationals

— Amendments

Regulation to amend the Regulation respecting the selection of foreign nationals

WHEREAS under section 3.1 of the Act respecting immigration to Québec (R.S.Q., c. I-0.2), the Minister shall issue a selection certificate to the foreign national who meets the criteria of selection determined by regulation;

WHEREAS under subparagraphs *a*, *b*, *c* and *d* of the first paragraph of section 3.3 of the Act, the Government may make regulations on the matters dealt with therein;

WHEREAS the Government made the Regulation respecting the selection of foreign nationals (R.R.Q., 1981, c. M-23.1, r. 2), which provides in particular for the class of foreign nationals who are in a particularly distressful situation;

WHEREAS it is expedient to expand the range of distressful situations which may be the subject of group sponsorships;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting the selection of foreign nationals was published in Part 2 of the *Gazette officielle du Québec* of 26 June 1996 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with concordance amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister for Relations with the Citizens and Immigration:

THAT the Regulation to amend the Regulation respecting the selection of foreign nationals, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the selection of foreign nationals

An Act respecting immigration to Québec
(R.S.Q., c. I-0.2, s. 3.3, 1st par., subpars. *a*, *b*, *c* and *d*)

1. The Regulation respecting the selection of foreign nationals (R.R.Q., 1981, c. M-23.1, r. 2), amended by the Regulations made by Orders in Council 409-82 dated 24 February 1982 (Suppl., p. 898), 771-82 dated 31 March 1982 (Suppl., p. 899), 2057-84 dated 19 September 1984, 1080-86 dated 16 July 1986, 646-88 dated 4 May 1988, 1504-88 dated 4 October 1988, 229-89 dated 22 February 1989, 922-89 dated 14 June 1989, 1968-89 dated 20 December 1989, 1784-91 dated 18 December 1991, 425-92 dated 25 March 1992, 1109-92 dated 29 July 1992, 1725-92 dated 2 December 1992, 189-93 dated 17 February 1993, 1041-93 dated 21 July 1993, 1238-94 dated 17 August 1994, 1323-95 dated 4 October 1995, 563-96 dated 15 May 1996 and 828-96 dated 3 July 1996, is further amended in section 27:

(1) by substituting the following for subsection 1:

“27. (1) Where a foreign national belonging to the class of foreign nationals in a particularly distressful situation referred to in paragraph *a* or *b* or in subparagraph *iii* of paragraph *c* of section 18 files an application with the Minister for a selection certificate, the Minister shall consider the application, taking into account:

(a) the application of a sponsor as prescribed by section 30;

(b) any financial or other assistance offered in Québec; and

(c) as a guide, factor 4 “Adaptability”, 6 “Knowledge of languages”, 7 “Spouse’s characteristics” and 8 “Children” of the Selection Chart for Independent Immigrants provided for in Schedule A.

Where in the Minister’s opinion, the foreign national belonging to the class of foreign nationals in a particularly distressful situation referred to in paragraph *a* or *b* of section 18 is able to establish himself successfully in Québec society, he may issue a selection certificate to him.

Where in the Minister’s opinion, after having considered the affidavit and the papers referred to in subsection 2, the foreign national belonging to the class of foreign nationals in a distressful situation referred to in subparagraph *iii* of paragraph *c* of section 18 has established himself or is able to establish himself successfully in Québec society, the Minister may issue a selection certificate to him.”;

(2) by substituting the words “referred to in subparagraph *i* or *ii* of” for the words “referred to in” in subsection 2.

2. This Regulation comes into force on 1 April 1997.

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Gouvernement du Québec

O.C. 102-97, 29 January 1997

An Act respecting the Québec Pension Plan
(R.S.Q., c. R-9)

Benefits

— Amendment

Regulation to amend the Regulation respecting benefits

WHEREAS under section 102.4.1 of the Act respecting the Québec Pension Plan (R.S.Q., c. R-9), enacted by section 3 of Chapter 15 of the Statutes of 1996, the Régie des rentes du Québec may, in certain situations, not effect the partition of earnings or, if a former spouse who is a beneficiary of benefits applies therefor within the time fixed by regulation, annul a partition already effected;

WHEREAS under paragraph *c.1* of section 219 of the aforementioned Act, amended by section 5 of Chapter 15 of the Statutes of 1996, the Régie des rentes du Québec may make regulations fixing, for the purposes

of section 102.4.1 of that Act, the time within which an application for the annulment of partition of earnings may be presented;

WHEREAS on 16 August 1996, the Régie des rentes du Québec made the Regulation to amend the Regulation respecting benefits, attached to this Order in Council;

WHEREAS in accordance with section 220 of the abovementioned Act, the regulations made by the Régie des rentes du Québec shall not come into force until approved by the Government;

WHEREAS in accordance with section 10 of the Regulations Act (R.S.Q., c. R-18.1), the Draft Regulation to amend the Regulation respecting benefits was published in Part 2 of the *Gazette officielle du Québec* of 16 October 1996, with a notice that, upon the expiry of 45 days following that publication, it could be submitted to the Government for approval;

WHEREAS it is expedient to approve the Regulation to amend the Regulation respecting benefits;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Income Security:

THAT the Regulation to amend the Regulation respecting benefits, attached to this Order in Council, be approved.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting benefits

An Act respecting the Québec Pension Plan
(R.S.Q., c. R-9, ss. 102.4.1 and 219, par. *c.1*; 1996, c. 15, s. 3 and 5)

1. The Regulation respecting benefits, made by Order in Council 967-94 dated 22 June 1994, is amended by inserting the following after section 22:

“**22.1** The time within which an application may be presented, in accordance with section 102.4.1 of the Act, for the annulment of a partition already effected shall be 90 days from the notice of partition mentioned in section 102.7.1 of the Act.”.

2. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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