

(5) a person in respect of whom, in accordance with the Immigration Act, an application for permanent residence has been filed on the basis of humanitarian considerations or the public interest and who has a selection certificate issued under section 3.1 of the Act respecting immigration to Québec.

An exchange program or a cooperation program referred to in subparagraph 2 of the first paragraph means all the projects under a reciprocal agreement respecting tuition fees entered into with a foreign government, an international agency or a body.

**10.3** The additional financial contribution that an institution may require of a student from outside Québec may not exceed the following amount per school year:

(1) preschool level	\$2 275 ;
(2) elementary level	\$2 092 ;
(3) secondary level	\$ 2 919 .”.

**2.** For the 1997-1998 school year, a Canadian citizen or a permanent resident within the meaning of the Immigration Act is not deemed to be a student from outside Québec.

**3.** 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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## Draft Regulation

Education Act  
(R.S.Q., c. I-13.3)

### Definition of “resident in Québec”

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting the definition of “resident in Québec”, the text of which appears below, may be made by the Government at the expiry of 45 days following this publication.

The purpose of the Draft Regulation is to define the expression “resident in Québec” for the purposes of the Education Act. Consequently, school boards will have to require a financial contribution for any student who is not resident in Québec and is not exempted from paying that contribution under the budgetary rules established each year by the Minister of Education in accordance with sections 472 to 475 of the Education Act.

I therefore intend that students who are not resident in Québec within the meaning of the draft of the Regulation below and who are not deemed to come from outside Québec within the meaning of section 10.2 of the Regulation respecting private educational institutions at the preschool, elementary school and secondary school levels, as introduced by section 1 of the draft of the Regulation to amend the Regulation respecting private educational institutions at the preschool, elementary school and secondary school levels, the text of which appears in this issue of the *Gazette officielle du Québec*, shall be exempted under the budgetary rules from paying the financial contribution.

To date, study of this matter has revealed no impact on businesses.

Further information may be obtained from Mr. René Lepage, Direction générale du financement et des équipements, ministère de l'Éducation, 1035, rue De La Chevrotière, 14<sup>e</sup> étage, Québec (Québec), G1R 5A5; tel. (418) 643-5432.

Any interested person having comments to make on this matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Education, 1035, rue De La Chevrotière, 16<sup>e</sup> étage, Québec (Québec), G1R 5A5.

PAULINE MAROIS,  
*Minister of Education*

## Regulation respecting the definition of “resident in Québec”

Education Act  
(R.S.Q., c. I-13.3, s. 455)

**1.** A student who is a Canadian citizen or a permanent resident within the meaning of the Immigration Act (R.S.C., 1985, c. I-2) and who is in any of the following situations is resident in Québec within the meaning of the Education Act (R.S.Q., c. I-13.3):

(1) he was born in Québec or was adopted by a person having his residence in Québec at the time of the adoption;

(2) one of his parents or his sponsor has his residence in Québec;

(3) his parents or his sponsor are deceased, and one of his parents or his sponsor had his residence in Québec at the time of his death;

(4) he maintains his residence in Québec despite the fact that his parents or his sponsor have ceased to reside here;

(5) Québec is the last place in which he has had his residence for 12 consecutive months without being a full-time student during that time;

(6) he has a selection certificate issued under section 3.1 of the Act respecting immigration to Québec (R.S.Q., c. I-0.2) or has been residing in Québec for not less than three months without having resided in another province for more than three months, and his parents or his sponsor do not have their residence elsewhere in Canada;

(7) his spouse has or had his residence in Québec in accordance with the criteria set forth in subparagraphs 1 to 6.

For the purposes of the first paragraph, the word “parents” means the student’s father and mother, and the word “sponsor” means a Canadian citizen or a permanent resident, other than the father, mother or spouse, who sponsors an application for landing filed by a permanent resident within the meaning of the Immigration Act.

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