

Gouvernement du Québec

O.C. 497-98, 8 April 1998

An Act respecting the Société de développement industriel du Québec
(R.S.Q., c. S-11.01)

Business Start-Up Support Program — Revocation

Regulation to revoke the Business Start-Up Support Program

WHEREAS under sections 5 and 47 of the Act respecting the Société de développement industriel du Québec (R.S.Q., c. S-11.01), the Government made the Business Start-Up Support Program;

WHEREAS section 15 of the Program states that it will have effect until the budget allocated to the Business Start-up Investment Program is totally spent, which budget is transferred to the administration of this Program according to the same terms and conditions;

WHEREAS the objective of the Program was attained before the budget allocated thereto was totally spent;

WHEREAS it is expedient to put an end to the Program;

WHEREAS under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published as prescribed in section 8 of that Act, where the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS the Government is of the opinion that the urgency due to following circumstances justifies the absence of prior publication of the Regulation and its coming into force on the date of its publication in the *Gazette officielle du Québec*: it is expedient to put an end to the Program now;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for the Economy and Finance and Minister of Industry, Trade, Science and Technology:

THAT the Regulation to revoke the Business Start-Up Support Program, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to revoke the Business Start-Up Support Program(*)

An Act respecting the Société de développement industriel du Québec
(R.S.Q., c. S-11.01, ss. 5 and 47)

1. The Business Start-Up Support Program is revoked.
2. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

O.C. 503-98, 8 April 1998

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 sections 3.1.1 and 3.3 of the Act respecting immigration to Québec (R.S.Q., c. I-0.2), the Government may make regulations determining classes of foreign nationals and the applicable conditions of selection;

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 conditions applicable to a resident who subscribes an undertaking, for the selection in Canada of a foreign national and for the selection of a securities investor;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regula-

* The Business Start-Up Support Program, made by Order in Council 832-96 dated 3 July 1996 (1996, *G.O.* 2, 3154), was amended by the Regulations made by Orders in Council 1209-96 dated 25 September 1996 (1996, *G.O.* 2, 4095) and 1613-96 dated 18 December 1996 (1997, *G.O.* 2, 94).

tion to amend the Regulation respecting the selection of foreign nationals was published in Part 2 of the *Gazette officielle du Québec* of 29 October 1997 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS no comments were received within that period;

WHEREAS it is expedient to make the Regulation with technical and harmonization amendments;

WHEREAS it is also expedient to correct a technical mistake in the English text of the Regulation to amend the Regulation respecting the selection of foreign nationals made by Order in Council 578-97 dated 30 April 1997;

IT IS ORDERED, therefore, upon the recommendation of the Minister of 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;

THAT the English text of the Regulation to amend the Regulation respecting the selection of foreign nationals made by Order in Council 578-97 dated 30 April 1997 be amended by substituting at the end of section 1 the words "whose description of that employment comprises, in accordance with the Canadian Classification and Dictionary of Occupations, a Specific Vocational Preparation (SVP) of less than 6" for the words "where the Specific Vocational Preparation (SVP) for a job description, within the meaning of the Canadian Classification and Dictionary of Occupations, is less than 6", and by substituting at the end of section 4 the words "where the description of the employment comprises a Specific Vocational Preparation (SVP) of less than 6" for the words "where the Specific Vocational Preparation (SVP) for a job description is less than 6".

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, ss. 3.1.1, 3.3. 1st par., subpars. *a, b, b.1, b.2, c, c.1* and *c.2*)

1. Section 2 of the Regulation respecting the selection of foreign nationals is amended by inserting the following after the first sentence: "Notwithstanding the foregoing, the application for a selection certificate filed in Québec in the class contemplated in section 11.2 of the 1978 Immigration Regulations (SOR 78/172), may not consider the dependants who are not in Canada."

2. Section 23 is amended

(1) by substituting the following for subparagraph *b* of the first paragraph:

"(b) the resident has complied with the obligations provided for in the undertaking given to the Government or to the Minister responsible for the Immigration Act or, failing that, he has reimbursed in full the amounts received as special benefits or last resort assistance benefits in compliance with the Act respecting income security (R.S.Q., c. S-3.1.1) or similar benefits contemplated in Schedule VI to the 1978 Immigration Regulations;"

(2) by adding the following after subparagraph *b.1* of the first paragraph:

(b.2) the resident demonstrates that he will reside exclusively in Québec, continuously, from the date the undertaking is signed to the date the foreign national obtains permanent resident status, within the meaning of the Immigration Act (R.S.C., 1985, c. I-2); notwithstanding the foregoing, a Canadian citizen residing exclusively abroad on the date the undertaking is signed may give an undertaking on behalf of his spouse or dependent child if he demonstrates that he will reside in Québec when they will have obtained permanent resident status;

(b.3) the resident is not subject to a removal order made under the Immigration Act;

* The Regulation respecting the selection of foreign nationals (R.R.Q., 1981, c. M-23.1, r.2) was last amended by the Regulation made by Order in Council 578-97 dated 30 April 1997 (1997, *G.O.* 2, 1947). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1997, updated to 1 September 1997.

(b.4) the resident is not detained in a penitentiary or jail;”;

(3) by substituting the following for the second paragraph:

“Any person married to the resident and with whom he lives or any person who, for the twelve months preceding the application for undertaking, cohabits with the resident and is publicly introduced as his spouse, may also join into the application and subscribe to the undertaking if that person is a Québec resident and is at least 18 years of age. Other than the condition relating to the required fees, that person is subject to the conditions prescribed in this section.”.

3. Section 26.1 is revoked.

4. Section 30 is amended

(1) by adding the following at the end of paragraph *b*:

“or, failing that, they have reimbursed the amounts received as special benefits or last resort assistance benefits in accordance with the Act respecting income security (R.S.Q., c. S-3.1.1) or similar benefits contemplated in Schedule VI to the 1978 Immigration Regulations”;

(2) by adding the following after paragraph *c*:

(*d*) no member of a group contemplated in section 29 is subject to a removal order made under the Immigration Act (R.S.C., 1985, c. I-2);

(*e*) no member of a group contemplated in section 29 is detained in a penitentiary or jail; and

(*f*) every member of a group contemplated in section 29 demonstrates that they will reside exclusively in Québec, continuously, from the date the undertaking is signed to the date the foreign national obtains permanent resident status, within the meaning of the Immigration Act (R.S.C., 1985, c. I-2).”.

5. Section 34.1 is amended by striking out the words “; they may not be used to obtain a loan or as a guarantee on a loan or for any act of a similar nature, unless the investor has obtained permanent resident status” at the end of subparagraph *o* in the third paragraph.

6. Section 45 is amended

(1) by substituting the words “that he has had, for the 12 months preceding the examination of the application” for the words “that he has” in the first paragraph;

(2) by inserting the words “from Canadian source” after the words “gross annual income” in the first paragraph;

(3) by substituting the following for the second paragraph:

“If two spouses or two persons cohabiting are sponsors in the case provided for in section 23, the total gross annual income of both shall be used to determine whether or not they have the required minimum income.

If a person cohabiting with a resident is the sponsor in the case provided for in section 23, that person and his dependent children are deemed to be dependents of the sponsor to determine the required minimum income.”;

(4) by inserting the words “towards the Government or towards the Minister responsible for the administration of the Immigration Act (R.S.C., 1985, c. I-2) after the words “has given an undertaking” in the fourth paragraph.

7. Section 46.1 is amended by inserting the words “or the person cohabiting with him” after the words “sponsor’s spouse” in the second paragraph.

8. Section 46.2 is amended by adding, at the end, the words “or, in the case of a national admitted under a Minister’s permit issued in compliance with section 37 of the Act, on the date of issue of the permit, if the application is filed in Québec, or on the date of his arrival in Québec, if the application is filed abroad”.

9. Section 46.3 is amended by adding, at the end of paragraph *b*, the words “under the undertaking or as the holder of a Minister’s permit contemplated in section 37 of the Immigration Act”.

10. This Regulation comes into force on 7 May 1998.

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Gouvernement du Québec

O.C. 504-98, 8 April 1998

Consumer Protection Act
(R.S.Q., c. P-40.1)

Regulation
— **Amendments**

Regulation to amend the Regulation respecting the application of the Consumer Protection Act

WHEREAS section 91 of the Consumer Protection Act (R.S.Q., c. P-40.1) provides that credit charges applied to contracts between a merchant and a consumer must be computed according to the actuarial method prescribed by regulation;