

Gouvernement du Québec

**O.C. 911-98, 8 July 1998**

An Act respecting private education  
(R.S.Q., c. E-9.1)

**Definition of resident in Québec**

Regulation respecting the definition of resident in Québec

WHEREAS under section 111 of the Act respecting private education (R.S.Q., c. E-9.1), as amended by section 32 of Chapter 87 of the Statutes of 1997, the Government may, by regulation, define for the purposes of the Act the expression “resident in Québec”;

WHEREAS under section 114 of the Act, draft regulations referred to in section 111 are subject to examination by the Commission consultative de l’enseignement privé;

WHEREAS the draft Regulation respecting the definition of resident in Québec was submitted for examination by the Commission which issued its advice on 30 April 1998;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 8 April 1998 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 amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Education:

THAT the Regulation respecting the definition of resident in Québec, attached hereto, be made.

MICHEL NOËL DE TILLY,  
*Acting Clerk of the Conseil exécutif*

**Regulation respecting the definition of resident in Québec**

An Act respecting private education  
(R.S.Q., c. E-9.1, s. 111; 1997, c. 87, s. 32)

**1.** For the purposes of the Act respecting private education (R.S.Q., c. E-9.1), “resident in Québec” means 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 one of the following situations:

(1) he was born in Québec or was adopted by a person who was residing in Québec at the time of the adoption;

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

(3) his parents or sponsor are deceased and one of his parents or his sponsor was residing in Québec at the time of the death;

(4) he keeps his residence in Québec even though his parents or sponsor no longer reside in Québec;

(5) Québec is the last place where he has resided for 12 consecutive months without pursuing full-time studies during that period;

(6) he holds 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 at least 3 months without having resided in another province for more than 3 months and his parents or sponsor do not have their residence elsewhere in Canada; or

(7) his spouse was or is residing in Québec according to the criteria listed in subparagraphs 1 to 6.

For the purposes of the first paragraph, the term “parents” means the student’s father and mother and the term “sponsor” means a Canadian citizen or a permanent resident, excluding the father, mother or spouse, who sponsors the application for landing of 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*.