

## Regulations and other acts

Gouvernement du Québec

### O.C. 597-2000, 17 May 2000

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 3.3 of the Act respecting immigration to Québec (R.S.Q., c. I-0.2), the Government may, by regulation, determine the conditions of selection applicable to each class of foreign nationals who have filed an application for a selection certificate referred to in section 3.1 of that Act;

WHEREAS the class of independent immigrants includes a foreign national who is designated as an “investor”;

WHEREAS in the 2000-2001 Budget Speech, measures supporting the development of small and medium-sized businesses, including the review of the program of immigrant investors in securities were announced;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation to amend the Regulation respecting the selection of foreign nationals was published in Part 2 of the *Gazette officielle du Québec* of 31 March 2000 with a notice that it could be made 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 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 NOËL DE TILLY,  
*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 and f.2)

1. Section 34.1 of the Regulation respecting the selection of foreign nationals is amended

(1) by substituting the following for the first paragraph:

“**34.1.** A foreign national who applies for a selection certificate as an investor shall file with the Minister an investment agreement signed with a broker or a trust company that entered into an agreement with Investissement-Québec or one of its subsidiaries and which will be, in Québec, his mandatory with Investissement-Québec or one of its subsidiaries.”;

(2) by substituting the following for the third paragraph:

“The agreement must contain at least the following conditions, which must apply for the full term of the agreement:

(a) an undertaking to make an investment of at least \$400 000 with a broker or a trust company that must place that amount with Investissement-Québec or one of its subsidiaries for the purposes of financing its Programme des immigrants investisseurs pour l’aide aux entreprises;

(b) the term of the investment shall be five years; the term is calculated from the date on which the Minister receives notice by Investissement-Québec or one of its subsidiaries that the investment has been made by Investissement-Québec or one of its subsidiaries; that date may not precede that on which the Minister informs the investor that the agreement complies with this agreement;

\* 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 413-2000 dated 29 March 2000 (2000, G.O. 2, 1940). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 February 2000.

(c) the agreement or any other deed signed in connection with that agreement or investment, except those entered into for the purposes of the Programme des immigrants investisseurs pour l'aide aux entreprises, must not provide for a hypothec, a guarantee or any other security granted by a third party in favour of a foreign national or a member of his family;

(d) the agreement must be irrevocable before the end of its term, except if the application for visa or landing within the meaning of the Immigration Act (R.S.C., 1985, c. I-2) is denied to the investor;

(e) within 30 days of the maturity of the investment, the broker or trust company shall reimburse the investment to the investor and shall file a document with the Minister attesting the reimbursement.”.

2. The Regulation is amended by deleting Schedules K and L.

3. Every application for a selection certificate as an investor filed with the Minister before 8 June 2000 shall be governed by subparagraph *d* of the first paragraph of section 21 and section 34.1 of the Regulation respecting the selection of foreign nationals, as they read on the date on which the application was filed.

Notwithstanding the foregoing, any foreign national whose selection certificate as an investor was filed with the Minister before 8 June 2000 may, with the consent of the broker or trust company with whom he signed his investment agreement, amend the latter so that his investment be made with Investissement-Québec or one of its subsidiaries in accordance with this Regulation.

Furthermore, no fee shall be exigible for the examination of the application where such application is replaced in accordance with the second paragraph.

4. This Regulation comes into force on 8 June 2000.

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Gouvernement du Québec

## O.C. 561-2000, 9 May 2000

An Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10)

### Government and Public Employees Retirement Plan — Amendments to Schedule I to the Act

Amendments to Schedule I to the Act respecting the Government and Public Employees Retirement Plan

WHEREAS, under section 1 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), the retirement plan applies to employees and persons designated in Schedule I;

WHEREAS, under the first paragraph of section 220 of the Act, the Government may, by order, amend Schedules I, II, II.1, II.2, III, III.1 and VI and any such order may have effect 12 months or less before it is made;

WHEREAS the Regulation under the Act respecting the Government and Public Employees Retirement Plan made by Order in Council 1845-88 dated 14 December 1988 and its subsequent amendments determines, in accordance with subparagraph 25 of the first paragraph of section 134 of the Act, the conditions which permit a body, according to the category determined by the regulation, to be designated by order in Schedule I;

WHEREAS the Association des directeurs généraux des services de santé et des services sociaux du Québec, the Fédération des infirmières et infirmiers du Québec, the Syndicat de l'enseignement de la Côte-du-Sud, the Syndicat de l'enseignement du Lac-St-Jean, the Syndicat des enseignantes et enseignants des Laurentides, the Syndicat de l'enseignement du Saguenay and the Syndicat du personnel de l'enseignement des Hautes Rivières meet those conditions;

IT IS ORDERED, therefore, upon the recommendation of the Minister for Administration and the Public Service and Chairman of the Conseil du trésor:

THAT the Amendments to Schedule I to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), attached hereto, be made.

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