

“(1) that has received confirmation from the Order of the eligibility of the nursing extern for a nursing externship;”.

2. Schedule 1 of the Regulation is amended:

(1) by replacing section 17 with the following:

SCHEDULE 1

(ss. 4 to 6, 8 and 9)

Professional acts that may be performed under the supervision on the premises of a nurse	Other prescribed conditions
17. Doing simple aseptic dressing	Under the supervision of the nurse if in the presence of a packing or drain.

(2) by adding, after section 21, the following sections:

SCHEDULE 1

(ss. 4 to 6, 8 and 9)

Professional acts that may be performed under the supervision on the premises of a nurse	Other prescribed conditions
22. Applying dressings to prevent and treat the pressure lesions (stages 1 and 2)	According to the instructions of nurse.
23. Removing sutures and staples	Prior assessment by the nurse.
24. Irrigating a nasogastric tube if the tube is in place	
25. Performing venous puncture	Under the supervision of the nurse.

3. This regulation comes into force on 15 May 2003.

5438

Draft Regulation

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

**Selection of foreign nationals
— Amendments**

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 to amend the Regulation respecting the selection of foreign nationals, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to increase the duties payable for selection certificate applications of investor immigrants. It also proposes to extend the basis of the previous undertakings taken into account by the Minister in the examination of applications for the undertaking of a sponsor and of applications of legal persons qualified to give an undertaking, it allows for an undertaking to be made in favour of a foreign national having emotional or close family ties with a Québec resident and it prescribes that a person who was subject to an enforcement measure for unpaid support and who reimbursed the sums owed may subscribe to an undertaking.

Furthermore, the draft Regulation proposes to facilitate the permanent immigration of foreign students to Québec, to limit the duration of a certificate of acceptance for studies, to amend the requirements in respect of a foreign student's available funds and medical coverage, to reduce the period during which an American student may be exempted from the certificate of acceptance, to extend the exemption of the certificate of acceptance for studies to other groups, to exempt refugee claimants in Canada from the obligation to pay duties and from the obligation to make studies their principal activity.

Finally, the draft Regulation prescribes that points under the selection grid (Schedule A) will only be attributed to a spouse, *de facto* spouse or child wishing to emigrate, it adjusts the vocabulary used in certain provisions and it makes certain additions and corrections necessary to harmonize it with the Immigration and Refugee Protection Act (S.C., 2001, c. 27).

The proposed amendments have no impact on businesses in Québec.

Further information may be obtained by contacting Monique Proulx, Acting Director General, Immigration sociale et humanitaire, 800, place Victoria, C.P. 216, bureau 2.70, Montréal (Québec) H4Z 1E3; telephone: (514) 864-3288; fax: (514) 864-2796.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Relations with the Citizens and Immigration, 360, rue McGill, 4^e étage, Montréal (Québec) H2Y 2E9.

RÉMY TRUDEL,
*Minister of State
for Population
Regions and Native
Affairs and
Minister of Relations
with the Citizens and
Immigration*

ANDRÉ BOULERICE,
*Minister for Relations
with the Citizens and
Immigration*

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, pars. *b.*, *b.1*, *c.1*, *c.2*, *c.3*, *e*, *f*, *f.1*, *f.2* and *g*)

1. Section 1 of the Regulation respecting the selection of foreign nationals is amended by substituting “family member” for “dependant” in paragraph *k* of subsection 1.

2. Section 5 is amended by substituting the following paragraphs for the second and third paragraphs:

“The application shall be examined on foreign soil or at a Québec immigration office, in Québec, when it is filed by a foreign national who is in Québec

(*a*) for a temporary stay primarily intended for work or study purposes; or

(*b*) for prospecting purposes and who is an entrepreneur, a self-employed person or an investor.

The application shall be filed and examined at an immigration office of the Gouvernement du Québec, in Québec, and an application previously filed on foreign soil may be examined in Québec

(*a*) where the Minister responsible for the administration of the Immigration and Refugee Protection Act undertakes proceedings to provide for assessment of the case in Canada;

(*b*) where the protection under paragraph *b* or *c* of subsection 1 of section 95 of the Immigration and Refugee Protection Act was granted by the competent authorities and where that person is in Québec; and

(*c*) where the application is for a selection certificate belonging to the family class.”

3. Section 15 is amended by inserting the following sentence in the third paragraph and after the first sentence: “The certificate is valid for 36 months.”

4. Section 19 is amended by striking out “de” preceding “d’époux” in the French text in the part preceding subparagraph *i* of paragraph *g*.

5. Section 23 is amended by adding “, or, if the resident was subject to such a proceeding, the resident paid all the arrears owed” at the end of paragraph *b.1* and after the word “Act”.

6. Section 24.1 is amended

(1) by substituting “a statement” for “a document”;

(2) by adding the following paragraph at the end:

“Where an officer authorized under the Immigration and Refugee Protection Regulations provides the Minister with new evidence under section 117 (8) of those Regulations, the latter shall notify the sponsor thereof and the Minister of Health and Social Services so that the Minister may confirm or revise the statement.”

7. Section 27 is amended by inserting the following paragraph after subsection 2:

“In the case of an application made by a foreign national of full age belonging to the class referred to in subparagraph *i* of paragraph *c* of section 18, the Minister shall assess the application taking into account, in particular, the steps taken by a sponsor in accordance with subparagraph *a* of paragraph 2 of section 40.1.”

8. Section 28 is amended by inserting “the Religious Corporations Act (R.S.Q., c. C-71), the Roman Catholic Bishops Act (R.S.Q., c. E-17), or the Professional Syndicates Act (R.S.Q., c. S-40),” after “(R.S.Q., c. C-38),” in paragraph *a*.

9. Section 44 is amended by substituting “des” for “de ses” in the French text.

10. Section 45 is amended

(1) by substituting “des” for “de ses” in the first paragraph in the French text;

(2) by deleting the third paragraph; and

(3) by striking out “described in section 19” in the fifth paragraph.

11. Section 46 is amended by adding the following paragraph at the end:

* 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 728-2002 dated 12 June 2002 (2002, G.O. 2, 3245). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2002, updated to 1 September 2002.

“The monetary obligations stemming from a former undertaking subscribed to by such legal person must be taken into account in the calculation of the legal person’s financial capacity.”.

12. Section 47 is amended

(1) by substituting “tuition and study-related fees” for “tuition fees” in clause *ii* of paragraph *a* of subsection 1;

(2) by substituting the following for clause *iii* of paragraph *a* of subsection 1:

“iii. documents showing that the foreign national and each accompanying family member have health and hospital insurance or are covered by a social security agreement on health and that such insurance or agreement will be in effect throughout the entire duration of the stay as a foreign student or family member accompanying such student;”;

(3) by adding “however, that condition does not apply to a foreign national whose temporary stay is primarily intended for work purposes and to accompanying family members, to the family members of the foreign national whose temporary stay is primarily intended for study purposes, and to a foreign national having filed an application with a view to obtaining protection under paragraph *b* or *c* of subsection 1 of section 95 of the Immigration and Refugee Protection Act;” at the end of clause *ii* of paragraph *b* of subsection 1;

(4) by substituting “the amount for the basic needs established in accordance with Schedule C” for “\$9600 if he is alone, \$12 960 if he has one dependant and \$16 000 if he has 2 family members. Where applicable, the amount shall be increased by \$2240 for each additional family members accompanying the foreign national” in subsection 3.

(5) by substituting “the letter of acceptance issued by the educational institution. The certificate is valid for a period of not more than 36 months.” for “his application for a certificate” in subsection 5;

(6) by substituting “where that child must attend elementary or secondary school” for “if that child is subject to the obligation to attend school referred to in section 14 of the Education Act (R.S.Q., c. I-13.3)” in subsection 6; and

(7) by substituting “where that child must attend elementary or secondary school” for “if that child is subject to the obligation to attend school referred to in section 14 of the Education Act” in subsection 7.

13. Section 49 is amended

(1) by substituting “six weeks” for “3 months” in paragraph *g*;

(2) by substituting “a minor child who has filed an application with a view to obtaining protection under paragraph *b* or *c* of subsection 1 of section 95 of the Immigration and Refugee Protection Act or a minor child of a foreign national having filed such an application” for “a minor child claiming refugee status in Canada or recognized as a refugee in Canada or the minor child of such a claimant or refugee” in paragraph *h*; and

(3) by adding the following paragraphs at the end:

“(i) a foreign national and family members present in Québec referred to in subparagraphs *a* and *b* of the third paragraph of section 5 and who are holders of a selection certificate; and

(j) a foreign national who holds a temporary resident permit referred to in section 24 of the Immigration and Refugee Protection Act issued with a view to granting permanent residence.”.

14. Section 50 is amended by substituting “et n’est pas susceptible de nuire au” for “au et n’est pas susceptible de nuire” in paragraph *c* of subsection 1 in the French text.

15. Section 56 is amended by substituting “\$3850” for “\$850” in subparagraph *a* of the first paragraph.

16. Section 57 is amended by substituting “a foreign national who has filed an application with a view to obtaining protection under paragraph *b* or *c* of subsection 1 of section 95 of the Immigration and Refugee Protection Act” for “a person referred to in section 18 or an accompanying family member of such a person” in the fourth paragraph.

17. Schedule A is amended

(1) by substituting the following for paragraphs 2.C.2.1 to 2.C.2.10 in Criterion 2.C.2:

“2.C.2.1 from 0 to less than 6 months, if the candidate has completed or will complete in Québec, within 12 months of filing a selection certificate application, studies leading to a diploma referred to in Criterion 1.1, paragraph *d*, *g*, *h*, *i* or *j*

2.C.2.2	6 months
2.C.2.3	1 year
2.C.2.4	1 year and a half
2.C.2.5	2 years
2.C.2.6	2 years and a half
2.C.2.7	3 years
2.C.2.8	3 years and a half
2.C.2.9	4 years
2.C.2.10	4 years and a half
2.C.2.11	5 years or more”;

(2) by substituting “Accompanying spouse or *de facto* spouse” for “Spouse or *de facto* spouse” in the heading of Criterion 2.C.6 and in the heading of Factor 7;

(3) by substituting the following for paragraphs *a* to *j* in Criterion 3.1 :

“(a) from 0 to less than 6 months, if the candidate has completed or will complete in Québec, within 12 months of filing a selection certificate application, studies leading to a diploma referred to in Criterion 1.1, paragraph *d*, *g*, *h*, *i* or *j*

- (b) 6 months
- (c) 1 year
- (d) 1 year and a half
- (e) 2 years
- (f) 2 years and a half
- (g) 3 years
- (h) 3 years and a half
- (i) 4 years
- (j) 4 years and a half
- (k) 5 years or more”;

(4) by substituting “Accompanying children” for “Children” in the heading of Factor 8; and

(5) by substituting “family members” for “dependent persons” in the heading of the criterion related to “Factor 9. Financial self-sufficiency”.

18. Schedule B is amended

(1) by substituting “Number of family members” for “Number of dependants”; and

(2) by substituting “each additional family member” for “each additional dependant” at the end.

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

5433

Draft Regulation

An Act respecting the Régie de l'énergie
(R.S.Q., c. R-6.01)

Wind energy and forest biomass energy

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 wind energy and forest biomass energy, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The draft Regulation establishes, for the purpose of fixing the cost of electric power, and for the purposes of the supply plan and the tender solicitation by the electric power distributor, the block of wind energy related to the establishment in Québec of facilities for the manufacturing and assembly of windmills and their components up to an installed capacity of 800 megawatts, the block of wind energy not related to the establishment of facilities for the manufacturing and assembly of windmills and their components up to an installed capacity of 200 megawatts, and the block of energy produced in Québec from forest biomass from an installed capacity of 100 megawatts.

The draft Regulation also prescribes that the electric power distributor must proceed with tender solicitations of those blocks of energy no later than 1 April 2003.

The draft Regulation will have no direct impact on the public. The interested businesses in the fields of wind energy and forest biomass may participate in the tender solicitations by the electric power distributor.

Further information on the draft Regulation may be obtained by contacting

Gilles Boulianne
Conseiller économique
Ministère des Ressources naturelles
5700, 4^e Avenue Ouest, bureau A-405
Charlesbourg (Québec) G1H 6R1

Telephone : (418) 627-6380
Fax : (418) 643-8337
E-mail : gilles.boulianne@mrn.gouv.qc.ca

Any person having comments to make on the draft Regulation is asked to send them in writing, before the expiry of the 45-day period, to Mario Bouchard, Associate Deputy Minister, Énergie et Changements climatiques, Ministère des Ressources naturelles, 5700, 4^e Avenue Ouest, bureau B-401, Charlesbourg (Québec) G1H 6R1.

RITA DIONNE-MARSOLAIS, FRANÇOIS GENDRON,
Minister for Energy *Minister of Natural Resources*