

2. If a party requests title insurance, the notary must enter the written request in the file.

3. A notary who recommends the use of title insurance or interacts with an insurer for the subscription for such insurance is not exempt from informing the parties where he detects a problem or irregularity and from advising them as to the required corrective action.

Subscription for title insurance does not exempt the notary from taking steps to correct the problem or irregularity, unless the parties exempt him therefrom in writing.

The notary shall record in the file the action taken pursuant to this section, including reasons for exemption from corrective action, and the identity of the party that opted for insurance or refused it.

4. The notary shall inform the party that intends to obtain title insurance that an application for insurance will be sent to the insurer and if the insurer accepts it must provide written confirmation. Upon receipt of confirmation, the notary is required to verify only that the binder and endorsement are in conformity with the application for insurance.

The notary shall remit the insurance contract to the party upon receipt and shall keep in the file a copy of the contract and a record of remittance.

5. No notary may receive remuneration or other benefit from a title insurer or insurance representative.

6. 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

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

Selection of foreign nationals

— Amendments

Notice is hereby given that the Regulation to amend the Regulation respecting the selection of foreign nationals, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to prioritize the selection of candidates for permanent immigration who meet the priority needs of the labour market in Québec. The draft Regulation amends certain criteria and factors

in the selection grid for skilled workers, extends the period of validity of the certificate of acceptance issued to students, facilitates the selection without interview of foreign nationals in a particularly distressful situation and exempts from the payment of fees a foreign national who has already obtained a selection certificate from Québec where a spouse or a child is added. Finally, the draft Regulation makes corrections or technical adjustments.

The draft Regulation carries no administrative or financial weight for enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Lucy Wells, Assistant Deputy Minister for Immigration, 360, rue McGill, 4^e étage, Montréal (Québec) H2Y 2E9; telephone: 514 873-0696; fax: 514 873-0453.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Immigration and Cultural Communities, 360, rue McGill, 4^e étage, Montréal (Québec) H2Y 2E9.

YOLANDE JAMES,
*Minister of Immigration and
Cultural Communities*

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. *b*, *b.4*, *c*, *c.2*, *c.3*, *f*, *f.1.0.1*, *f.2* and *g*)

1. The Regulation respecting the selection of foreign nationals is amended in section 1

(1) by inserting the following after subparagraph *b.1* of paragraph 1:

“(b.2) “Québec diploma” means one of the following diplomas, attesting to at least 1 year of full-time studies:

- i. a diploma issued by the Minister of Education, Recreation and Sports or by a Québec university;
- ii. a diploma issued by a college-level educational institution for training acquired in Québec.

* 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 1117-2008 dated 5 November 2008 (2008, *G.O.* 2, 5143). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2008, updated to 1 September 2008.

The following is deemed to be a Québec diploma:

i. a diploma issued by the minister responsible for education or by a university of a province or Canadian territory;

ii. a diploma or training acquired outside Québec and recognized as equivalent by a Québec professional or trade regulatory body;

iii. a diploma or training acquired outside Québec and related to a profession or trade regulated in Québec, where the holder also holds an authorization to practise the profession or trade issued by a Québec regulatory body, including an authorization obtained under an agreement on mutual recognition of professional qualifications entered into with another government;

iv. a diploma or training acquired outside Québec and related to a trade regulated in Québec, where the Québec regulatory body certifies that the holder meets the conditions regarding training and, where applicable, professional experience or the passing of an aptitude test or the completion of an adaptation training period that are required to practise that trade under an agreement on mutual recognition of professional qualifications entered into with another government;”;

(2) by inserting the following after subparagraph *g.1* of paragraph 1:

“(g.1.1) “List of preferred areas of training” means the publication bearing that title and authorized by the Minister, as it reads at the time it applies, listing the most promising areas of training in respect of the needs of the labour market;”.

2. Section 8 is amended by replacing the second paragraph by the following:

“A foreign national in the class of persons in a particularly distressful situation referred to in paragraph *b* or *c* of section 18 whose record does not contain all the information necessary for a decision is to be called for a selection interview.”.

3. Section 18 is amended by inserting “or section 65.1 of the Immigration and Refugee Protection Regulations” in subparagraph *iv* of paragraph *c* after “Act”.

4. Section 22 is amended

(1) by replacing paragraph *c* by the following:

“(c) the application of a foreign national who is a skilled worker, where the foreign national or his spouse or de facto spouse accompanying him submits a validated employment offer, then the application of a skilled worker whose training or his accompanying spouse’s or de facto spouse’s training belongs to a promising area in respect of the needs of the labour market according to the List of preferred areas of training, and finally, the application of other skilled workers;”;

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

“The training referred to in subparagraph *c* must have been attested to by a diploma obtained in the 5 years preceding the date of filing of the application or, failing that, must have led to the full-time practice of a profession related to the diploma for at least 1 year in the 5 years preceding that date.”.

5. Section 40.1 is amended

(1) by inserting “for 5 years” after “given” in paragraph 2;

(2) by replacing subparagraph *a* of paragraph 2 by the following:

“(a) by a Québec resident who satisfies the conditions in subparagraphs *b* to *b.5* of the first paragraph of section 23, the second paragraph of section 23, if applicable, paragraphs *e* and *f* of section 28.1, and sections 42 and 44 to 46.3; or”.

6. Section 47 is amended in subsection 5 by replacing “37 months” by “49 months”.

7. Section 56 is amended by adding the following paragraph at the end:

“Where the purpose of an application for a selection certificate, in relation to the preceding application, is to add a family member of the foreign national, the foreign national and his family members are exempt from the payment of the fees if they already hold a valid selection certificate.”.

8. Schedule A is amended

(1) by inserting the following after paragraph *f* of criterion 1.1:

“(f.1) undergraduate diploma attesting to 1 year of full-time studies

“(f.2) undergraduate diploma attesting to 2 years of full-time studies”;

(2) by replacing criteria 1.2 to 1.4 by the following:

“1.2 Areas of training

Québec diploma or diploma issued abroad listed in one of the following sections in the List of areas of training:

Section A of Part I
Section B of Part I
Section C of Part I
Section D of Part I
Section E of Part I
Section F of Part I
Section G of Part I

Section A of Part II
Section B of Part II
Section C of Part II
Section D of Part II
Section E of Part II
Section F of Part II
Section G of Part II.

A diploma attesting to training must have been obtained in the 5 years preceding the date of filing of the application for a selection certificate; failing that, the foreign national must have practised full-time a profession related to the diploma for at least 1 year in the 5 years preceding that date.

If there is more than 1 diploma, the most advantageous diploma for the foreign national is retained.”;

(3) by inserting the following after paragraph *d* of criterion 5.1:

“(d.1) in the context of a youth exchange program to which an international agreement entered into by Québec or Canada applies, if work is the main activity for at least 3 months

(d.2) in the context of a youth exchange program to which an international agreement entered into by Québec or Canada applies, if work is the main activity for at least 6 months”;

(4) by replacing paragraphs *d*, *e* and *f* of criterion 6.1 by the following:

“(d) postsecondary technical diploma attesting to 1 year of full-time studies

(e) postsecondary technical diploma attesting to 2 years of full-time studies

(f) postsecondary technical diploma attesting to 3 years of full-time studies

(g) undergraduate university degree attesting to 1 year of full-time studies

(h) undergraduate university degree attesting to 2 years of full-time studies

(i) undergraduate university degree attesting to 3 years of full-time studies”;

(5) by replacing criteria 6.2 to 6.4 by the following:

“6.2 Areas of training

Québec diploma or diploma issued abroad listed in one of the following sections in the List of areas of training:

Section A of Part I
Section B of Part I
Section C of Part I
Section D of Part I
Section E of Part I
Section F of Part I
Section G of Part I

Section A of Part II
Section B of Part II
Section C of Part II
Section D of Part II
Section E of Part II
Section F of Part II
Section G of Part II.

A diploma attesting to training must have been obtained in the 5 years preceding the date of filing of the application for a selection certificate; failing that, the foreign national must have practised full-time a profession related to the diploma for at least 1 year in the 5 years preceding that date.

If there is more than 1 diploma, the most advantageous diploma for the foreign national is retained.”;

(6) by replacing the numbering of criteria 6.5 to 6.7 by 6.3 to 6.5;

(7) by inserting “, as well as the particular requirements for access to the profession in Québec” at the end of the first dash of the first paragraph after criterion 7.2.

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