

(1) by replacing “\$379”, “\$612”, “\$253” and “\$486” in the first paragraph by “\$381”, “\$615”, “\$254” and “\$488” respectively;

(2) by replacing “\$233” in the second paragraph by “\$234”;

(3) by replacing “\$253” and “\$233” in the third paragraph by “\$254” and “\$234” respectively;

(4) by replacing “\$171” in the fourth paragraph by “\$172”.

## **12.** Section 156 is amended

(1) by replacing “\$858” in the first paragraph by “\$862”;

(2) by replacing “\$1,283” in the second paragraph by “\$1,289”.

## **13.** Section 157 is amended

(1) by replacing “\$434” in the first paragraph by “\$436”;

(2) by replacing “\$183” in the second paragraph by “\$184”.

**14.** This Regulation comes into force on 1 January 2010.

9568

Gouvernement du Québec

### **O.C. 1289-2009, 2 December 2009**

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 the Government may make regulations governing the matters referred to in section 3.3 of the Act respecting immigration to Québec (R.S.Q., c. I-0.2);

WHEREAS the Government made the Regulation respecting the selection of foreign nationals (R.R.Q., 1981, c. M-23.1, r.2);

WHEREAS a draft of the Regulation to amend the Regulation respecting the selection of foreign nationals was published in Part 2 of the *Gazette officielle du Québec* of 23 June 2009 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS comments were received within the 45-day period;

WHEREAS it is expedient to make the Regulation with amendments;

WHEREAS, under the second paragraph of section 3.3 of the Act respecting immigration to Québec, a regulation under any of subparagraphs *a* to *b.5*, *f.2* and *f.3* of the first paragraph of that section is not subject to the publication requirement set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1) and, despite section 17 of that Act, comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date mentioned in the regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Immigration and Cultural Communities:

THAT the Regulation to amend the Regulation respecting the selection of foreign nationals, attached to this Order in Council, be made.

GÉRARD BIBEAU,  
*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*, *b.1*, *b.3*, *b.4*, *f* and *g*)

**1.** The Regulation respecting the selection of foreign nationals is amended in section 2 by striking out the last sentence of the third paragraph.

#### **2.** Section 5.01 is amended

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

“(a) in the case where the main purpose of the stay is to study,

\* 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 675-2009 dated 10 June 2009 (2009, G.O. 2, 1861). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.

i. the foreign national holds a certificate of acceptance, a study permit or a temporary resident permit, except if the foreign national is exempt therefrom under this Regulation or the Immigration and Refugee Protection Regulations (SOR/02-227);

ii. the foreign national complies with the conditions of the certificate or permit;

iii. the foreign national pursues, or has successfully completed, a secondary-level vocational training program of 900 hours or more, a program of full-time college or undergraduate studies of 12 months or more, a graduate specialization or a master's program or a doctoral program in a Québec educational institution in Québec; and

iv. if the foreign national pursues graduate studies or another program whose duration is less than 18 months, the foreign national has completed half of those studies or, if the other program is 18 months or more, the foreign national only has 12 months or less to complete the program;”;

(2) by replacing “of at least 1 year” in subparagraph iii of paragraph *b* by “or consecutive periods totalling at least 1 year”;

(3) by inserting the following after paragraph *b*:

“(b.1) in the case where the foreign national participates in a youth exchange program under an international agreement entered into by Québec or Canada,

i. the foreign national holds a work permit and complies with the conditions of the permit;

ii. the foreign national has been lawfully admitted in the territory for a period or consecutive periods totalling at least 1 year; and

iii. the foreign national holds full-time employment at the time of filing the foreign national's application;”.

**3.** Section 5.02 is amended by adding the following after paragraph *c*:

“(d) the application is made by a foreign national who meets the conditions set out in section 38.1;

(e) the application is made by a foreign national who meets the conditions set out in section 38.2, including the application of a foreign national whose program of studies will be completed within 6 months of the date of filing.”.

**4.** Section 18 is amended by adding the following after paragraph *c*:

“(d) is the subject of a positive opinion on his or her process of integration in Québec following the cancellation of the stay on removal orders with respect to a country of which he or she is a national, and has made a request for permanent resident status processed in Canada under section 25 of the Immigration and Refugee Protection Act or section 65.1 of the Immigration and Refugee Protection Regulations.”.

**5.** Section 22 is amended by replacing paragraph *c* by the following:

“(c) the application of a foreign national who is a skilled worker, in the following order:

i. the skilled worker referred to in section 38.1 or 38.2;

ii. the skilled worker or the accompanying spouse, including de facto spouse, who submits a validated employment offer;

iii. the skilled worker or the accompanying spouse, including de facto spouse, whose training belongs to a promising area in respect of the needs of the labour market according to the List of preferred areas of training;

iv. any other skilled worker;”.

**6.** Section 27 is amended by inserting the following after subsection 4:

“(4.1) Where a foreign national in the class of foreign nationals in a particularly distressful situation referred to in paragraph *d* of section 18 files an application with the Minister for a selection certificate, the Minister may issue the selection certificate if in the Minister's opinion the foreign national has settled successfully in Québec society, taking into account the steps taken to find employment, employments held, training received, his or her children's integration in school and his or her participation in community life.”.

**7.** Section 31 is amended by replacing the second paragraph by the following:

“Despite the first paragraph, the first paragraph does not apply

(a) where the accompanying spouse, including de facto spouse, is not a foreign national in the economic class;

(b) where the foreign national files an application under section 5.01 and the accompanying spouse, including de facto spouse, stays in Québec without being a temporary resident within the meaning of the Immigration and Refugee Protection Regulations.”.

**8.** The following is inserted after section 38:

“**38.1.** The Minister issues a selection certificate as a skilled worker to a foreign national who stayed temporarily in Québec with the main purpose of working in Québec or in the context of a youth exchange program under an international agreement entered into by Québec or Canada, if the foreign national

(a) complied with the conditions of the foreign national’s stay and the foreign national is lawfully in Québec at the time of filing his or her application;

(b) holds, at the time of filing his or her application, full-time employment in Québec, in a skill level higher than C within the meaning of the National Occupational Classification, and held such employment during a period totalling at least 12 months in the 24 months preceding that filing;

(c) has successfully completed at least 2 years of full-time studies in French at the secondary or post-secondary level during the 10 years preceding the filing of his or her application, successfully completed a level B1 French course, according to the Common European Framework of Reference for Languages or its equivalent, offered by a Québec educational institution in Québec, or accompanies the application with a document certifying that the foreign national has met the linguistic requirements of a professional order or with the result of a standardized French test showing a level B1 oral knowledge of French, according to the framework of reference or its equivalent; and

(d) complies with Factor 9, that deals with financial self-sufficiency, of the Selection grid for the economic class in Schedule A.

**38.2.** The Minister issues a selection certificate as a skilled worker to a foreign national who stayed temporarily in Québec with the main purpose of studying in Québec, if the following conditions are met:

(a) the foreign national stayed in Québec for at least half the duration of his or her program of studies and complied with the conditions of his or her stay;

(b) since the end of the program of studies, the foreign national has not undertaken other studies in Québec;

(c) the foreign national obtained from a Québec educational institution in Québec, after 13 February 2008, a secondary school vocational diploma which, alone or with an attestation of vocational specialization obtained consecutively, attests to 1,800 hours or more of continuing training, a diploma of college studies in a technical program, or a university diploma attesting to a bachelor’s degree, a master’s degree or a doctorate;

(d) the foreign national completed the program of studies in Québec in French, or the foreign national has successfully completed at least 2 years of full-time studies in French at the secondary or post-secondary level during the 10 years preceding the filing of his or her application, or the foreign national has successfully completed a level B1 French course, according to the Common European Framework of Reference for Languages or its equivalent, offered by a Québec educational institution in Québec, or the foreign national accompanies the application with a document certifying that the foreign national meets the linguistic requirements of a professional order or with the result of a standardized French test showing a level B1 oral knowledge of French, according to the framework of reference or its equivalent;

(e) the foreign national was not the holder of a scholarship with a condition to return to the foreign national’s country at the end of the studies or the foreign national complied with that condition; and

(f) the foreign national complies with Factor 9, that deals with financial self-sufficiency, of the Selection grid for the economic class in Schedule A.

**38.3.** Sections 31 and 32 do not apply to an application referred to in section 38.1 or 38.2.”.

**9.** This Regulation comes into force on 14 February 2010, except sections 4 and 6, which come into force on the date of publication of this Regulation.

9570

Gouvernement du Québec

## O.C. 1291-2009, 2 December 2009

Code of Civil Procedure  
(R.S.Q., c. C-25)

### Determination of child support payments — Amendment

Regulation to amend the Regulation respecting the determination of child support payments

WHEREAS, under article 825.8 of the Code of Civil Procedure (R.S.Q., c. C-25), the Government, by regulation, is to establish standards for the determination of the child support payments to be made by a parent, on the basis of the basic parental contribution determined in respect of the child, of the child care expenses, post-secondary education expenses and special expenses relating to the child and of the parents’ custodial arrangement in respect of the child;