

with a view to the development or utilization of wildlife or its habitat, as the case may be, or for the purposes of recreational activities pursuant to sections 109, 118 and 127 of the Act respecting the conservation and development of wildlife;

(e) the Société des établissements de plein air du Québec or its mandataries; or

(f) a person, an association or a body authorized by contract to operate a business, provide a service or organize an activity pursuant to section 8.1 of the Parks Act (R.S.Q., c. P-9); and

(4) transport of marine pilots.

For the purposes of subparagraph 2 of the first paragraph, “water sport” means any physical activity involving the use of a craft on various bodies of water, provided by a person who is a member of a sports body that has adopted a safety regulation approved pursuant to section 27 of the Act respecting safety in sports (R.S.Q., c. S-3.1) or by a person who is a member of a sports body affiliated to a sports federation that has adopted such a regulation approved pursuant to section 27 of that Act.”.

**2.** Section 3 is amended

(1) by striking out paragraph 1;

(2) by replacing “for the period of validity of the permit” in paragraph 2 by “for the period of operation of the service authorized by the permit”;

(3) by striking out “whose gross tonnage is greater than 5 tons or” in paragraph 2;

(4) by replacing paragraph 4 by the following:

“(4) he attests in a document that each ship and its crew to be used in providing the service meet the requirements of the federal regulations relating to the inspection, capacity and safety of ships and the competence of their crew;”.

**3.** Section 6 is amended by replacing “15 June” in the second paragraph by “15 July”.

**4.** Section 9 is amended by striking out “at all times” and by replacing “in the boarding area in full view of the public” by “in full view of the public during boarding”.

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

9576

**M.O., 2009**

**Order number AM 2009-13 of the Minister of Immigration and Cultural Communities dated 3 December 2009**

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

Prescribed form to give an undertaking

THE MINISTER OF IMMIGRATION AND CULTURAL COMMUNITIES,

CONSIDERING section 3.1.1 of the Act respecting immigration to Québec (R.S.Q., c. I-0.2), which provides that the application for an undertaking to assist a foreign national in settling in Québec must be made on the form prescribed by the Minister;

CONSIDERING the Minister’s Order dated 29 September 2006, published in the *Gazette officielle du Québec* of 11 October 2006, concerning the prescribing as of 16 October 2006 of six forms to give an undertaking and an additional document;

CONSIDERING it is expedient to replace the Undertaking – Family class form prescribed by the Minister’s Order dated 29 September 2006;

ORDERS AS FOLLOWS:

Is prescribed, as of 1 January 2010, pursuant to the Act respecting immigration to Québec, the Undertaking – Family class form attached to this order;

This form replaces the one that was prescribed by the Minister’s Order dated 29 September 2006.

YOLANDE JAMES,  
*The Minister of Immigration and Cultural Communities*



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File No. :

<b>SECTION 3 IDENTIFICATION OF THE PRINCIPAL SPONSORED PERSON'S FAMILY MEMBERS</b>						
<b>A Members of the principal sponsored person's family who are accompanying that person to Québec</b>						
	FAMILY NAME (at birth) AND FIRST NAME	RELATIONSHIP with sponsored person	SEX	DATE OF BIRTH Year / Month / Day	HOME ADDRESS	TERM OF THE UNDERTAKING*
1						
FAMILY NAME (after marriage, if applicable):						
2						
3						
4						
5						
6						
<b>B Members of the principal sponsored person's family who are not accompanying that person to Québec and who are not covered by the undertaking</b>						
1						
2						
3						
4						
* This undertaking is valid for three years for the spouse, de facto spouse, and conjugal partner. In the case of a child under the age of 16, the undertaking is valid for ten years or until the age of majority (18 years), whichever is longer. In the case of a child aged 16 or over, the undertaking is valid for three years or until age 25, whichever is longer. For other sponsored persons, the undertaking is valid for ten years. The obligations set forth herein come into force from the moment the sponsored person is admitted as a permanent resident or under a temporary resident permit. The age of a child is determined on this same date.						
<b>SECTION 4 IDENTIFICATION OF DECISIONS REGARDING CHILDREN WHO HAVE BEEN OR ARE IN THE PROCESS OF BEING ADOPTED</b>						
Check the box that corresponds to your situation						
<input type="checkbox"/>		The child I wish to sponsor will be adopted abroad according to a procedure authorized by the Secrétariat à l'adoption internationale (licensed agency or minister's order).				
<input type="checkbox"/>		The child I wish to sponsor has already been the subject of a judgment (or decision) regarding his or her placement or adoption.				
		<b>Indicate the country, city and date on which you obtained your judgment or decision, and attach the documents you obtained to your application.</b>				
		The judgment or decision was rendered in _____ on _____				
		City/Country Year / Month / Day				
		Age of the child at the time of the judgment or decision _____				
		<b>Check only one of the following boxes.</b>				
<input type="checkbox"/>		I was living in Québec at the time of the judgment or decision.				
<input type="checkbox"/>		I was living abroad at the time of the judgment or decision (before immigrating to Québec).				

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SECTION 5 DECLARATION		
<b>SPONSOR</b>	<b>CO-SIGNER SPOUSE</b>	<b>You must indicate by "yes" or "no" if the following statements apply to you.</b> The spouse should fill out this section only if co-signer to the undertaking.
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	I am domiciled in Québec.
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	I am a recipient of last resort assistance benefits.
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	I am subject to a removal order from Canada (deportation order).
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	I am detained in a jail or penitentiary.
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	I have been subject to a recourse for non-payment of support payments in the past five years.
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	If "yes", I have repaid all outstanding amounts.
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	I have been convicted, in or outside Canada, of a sexual offence or an attempt or threat to commit such an offence against another person; or an offence involving bodily injury or an attempt or threat to commit such an offence against a member of my family or a relative, my spouse, my de facto spouse, my conjugal partner, or a member of their family or a relative of theirs.
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	If "yes", I was acquitted upon final appeal, rehabilitated as defined in the Criminal Records Act (R.S.C. (1985), c. C-47), or have served my sentence at least five years before filing this application.
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	I have sponsored someone before.
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	If "yes", I have complied with the financial obligations related to that undertaking.
SECTION 6 DECLARATION OF THE PERSON SPONSORING A SPOUSE		
		<b>You must answer the following two questions.</b>
<input type="checkbox"/> Yes <input type="checkbox"/> No		At the time of my marriage, I was someone else's spouse.
<input type="checkbox"/> Yes <input type="checkbox"/> No		I have a de facto spouse or a conjugal partner, and I have been living separate and apart from my spouse for at least one year.
SECTION 7 DECLARATION OF THE PERSON SPONSORING A DE FACTO SPOUSE		
		<b>Answer only one of the following two questions.</b>
<input type="checkbox"/> Yes <input type="checkbox"/> No		I reside with, and have been in a conjugal relationship with _____ Name of de facto spouse since _____ . Year / Month / Day
<input type="checkbox"/> Yes <input type="checkbox"/> No		I have been in a conjugal relationship with _____ Name of de facto spouse since _____ . Due to persecution or penal control, we are unable to reside together. Year / Month / Day
SECTION 8 DECLARATION OF THE PERSON SPONSORING A CONJUGAL PARTNER		
<input type="checkbox"/> Yes <input type="checkbox"/> No		I have been in a conjugal relationship with _____ Name of conjugal partner since _____ and this person lives outside Canada. Year / Month / Day

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File No. :

**SECTION 9 IMPORTANT INFORMATION**

The amounts required to provide for basic needs are determined in Schedule C of the Regulation respecting the selection of foreign nationals. They include food, clothing, personal necessities, and any other expenses pertaining to living accommodations, insofar as the sponsored persons reasonably need them. These amounts are indexed annually.

The sponsor's spouse or de facto spouse participating in the undertaking as co-signer spouse is responsible of this undertaking jointly and with solidarity.

The undertaking lapses if the sponsored persons do not qualify under the Regulation respecting the selection of foreign nationals, are not admitted as permanent residents or as holders of a temporary resident permit, or do not obtain a Québec Selection Certificate within 24 months following the date on which the undertaking was accepted by the immigration officer.

**SECTION 10 PROTECTION OF PERSONAL INFORMATION**

The personal information collected in this document is necessary in order to process your undertaking application, and is required under the terms of the Act respecting immigration to Québec, the Regulation respecting the selection of foreign nationals, and the incumbent administrative rules.

This information may also be used by the Ministry to verify directly or by the means of an intermediate the accuracy of the information provided, for the purpose of research, statistics, program evaluation, or to convey to you any information that is liable to affect your undertaking.

The personal information provided is confidential and cannot be disclosed without your consent, unless authorized by law. Under certain conditions, the law allows for personal information to be communicated without permission if such communication is necessary in order to

- enforce a law in Québec;
- exercise the powers of an agency of the Government of Québec or the Government of Canada, particularly federal immigration officials;
- render a service provided by the Ministry, or fulfill a service contract awarded by the Ministry;
- lay charges for violating a law that is applicable in Québec, or to respond to an emergency.

Access to this information within the Ministry is restricted to the persons authorized to receive it in order to carry out their duties. Any omission or refusal to answer, with the exception of the optional sections, may result in the rejection of your application or cause delays in the processing of your file.

You can obtain information pertaining to your file held by the Ministry, and if necessary, corrections may be requested in writing. For additional information, please contact the office processing your application. If the latter cannot provide the information requested, contact the person within the Ministry responsible for the protection of personal information at Secrétariat général du Ministère de l'Immigration et des Communautés culturelles, located at: Édifice Gérard-Godin, 360, rue McGill, 4<sup>e</sup> étage, Montréal (Québec), H2Y 2E9.

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**SECTION 11 DECLARATION AND UNDERTAKING**

**The undertaking is a contract that binds you to provide for your sponsored person's basic needs throughout the term of the undertaking.**

I declare that the information contained in this form is complete and accurate.

I declare that I have read the notice respecting the "Protection of personal information" in Section 10 of this form.

I further acknowledge being informed that:

- the Minister of Immigration and Cultural Communities may request from any other department or body information related to the sponsor's address, and may forward a copy of this undertaking to the sponsored person(s);
- the Minister may revoke an undertaking or a *Québec Selection Certificate* if the undertaking was accepted or the certificate issued on the strength of false or misleading information or documents, were accepted or issued by mistake, or if the conditions required for the acceptance of the undertaking or the issue of the *Québec Selection Certificate* cease to exist (in no other case may an undertaking be revoked);
- the undertaking is effective, and cannot be cancelled, once the sponsored person has obtained permanent residence or is admitted under a temporary resident permit;
- the Minister may reject an application that contains false or misleading information or documents;
- the Minister may refuse to consider an undertaking application from someone who has provided false or misleading information or documents within the past two years;
- legal proceedings may be taken against the sponsor and the co-signer spouse if they fail to comply with the undertaking or if they provide false or misleading information.

I acknowledge having read the information contained in this form and in the *Sponsor's Guide*, and I understand the nature and scope of the undertaking that binds me to the persons covered by my undertaking application. Consequently:

1. I undertake to provide, during the entire term of the undertaking, for the basic needs of the sponsored person(s), as established in Schedule C to the Regulation respecting the selection of foreign nationals (R.R.Q., 1981, c. M-23.1, r. 2);
2. I undertake to reimburse the Government of Québec any amount that the latter may grant to the sponsored person(s), as special benefits or last resort assistance benefits, in accordance with the Individual and Family assistance Act (R.S.Q., c.A-13.1.1);
3. I undertake to reimburse the Government of any province of Canada the amount paid as special benefits, last resort assistance benefits or other similar benefits it may grant to the sponsored person(s).

In witness whereof, I have signed in: \_\_\_\_\_  
City

\_\_\_\_\_  
Sponsor's signature

\_\_\_\_\_  
Year / Month / Day

\_\_\_\_\_  
Co-signer spouse's signature (if applicable)

**SECTION 12 DECISION (for official use only)**

Undertaking accepted

Undertaking denied

Undertaking rejected

\_\_\_\_\_  
Name of authorized officer

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Year / Month / Day