

(a) the employer has made or has agreed to make reasonable efforts to hire or train Québec residents;

(b) the working conditions and the wages offered meet the requirements of the Act respecting labour standards, even in the cases where the Act does not apply to certain categories of employees;

(c) the working conditions and the wages offered are such as to attract Québec residents into holding and continuing to hold the employment; and

(d) an improvement in the working conditions or in the wages offered would attract Québec residents into holding and continuing to hold the employment.

**50.4.** A foreign national who wishes to stay temporarily in Québec to work as a live-in caregiver must, in addition to the conditions provided for in section 50, meet the following conditions:

(a) the foreign national has a secondary school diploma attesting to at least 11 years of full-time elementary and secondary school studies;

(b) the foreign national had for one year, in the three years preceding the filing of the foreign national's application for a certificate of acceptance, a full-time remunerated employment in that field of employment, including at least six consecutive months with the same employer, or the foreign national has successfully completed, in the same field, full-time vocational training of at least six months in a vocational school; and

(c) the foreign national understands and speaks French or English.

**50.5.** A certificate of acceptance is issued for the employment and the employer indicated in the offer, for a duration not exceeding the duration of the employment offered, but not over 48 months.

On the expiry of the period of validity of a certificate of acceptance, a new certificate may be issued, on request, to a foreign national who meets the conditions provided for in section 50.

A foreign national who wishes to modify the undertakings made under paragraphs *b* and *c* of section 50 must file a new application for a certificate of acceptance.

The Minister may refuse a foreign national's application if, during the period of validity of a certificate previously issued, the foreign national failed to comply with the undertakings made under paragraphs *b* and *c* of section 50, unless more than six months have elapsed since the Minister became aware of the failure.”

**3.** Section 53 is replaced by the following:

“**53.** For the purposes of this Subdivision, a foreign national who is staying temporarily in Québec to work for 30 days or less or to work while the foreign national's admission to Canada is not governed by the requirements concerning the determination of the positive or neutral effect on the labour market, according to Part 11 of the Immigration and Refugee Protection Regulations, is exempt from the application of section 3.2 of the Act.”

**4.** Section 57 is amended by striking out the third paragraph.

**5.** Section 57.1 is amended by adding the following paragraph at the end:

“The fees must be paid when the application is filed.”

**6.** Paragraph *e* of section 50.1 introduced by section 2 of this Regulation does not apply to a conviction prior to 1 April 2011 or to a conviction after that date against an offence committed before 1 April 2011.

**7.** This Regulation comes into force on 1 April 2011.

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Gouvernement du Québec

**O.C. 276-2011, 23 March 2011**

Forest Act  
(R.S.Q., c. F-4.1)

**Forestry fund**  
— **Contributions**  
— **Amendment**

Regulation to amend the Regulation respecting contributions to the forestry fund

WHEREAS, under the first paragraph of section 73.4 of the Forest Act (R.S.Q., c. F-4.1), every holder of a timber supply and forest management agreement must, at such intervals as are determined by regulation of the Government, pay to the Minister of Natural Resources and Wildlife a contribution for the financing of activities related to forest management;

WHEREAS, under the second paragraph of that section, the contribution, paid into the forestry fund under section 73.5 of the Forest Act, is to be established by the Minister on the basis of a rate per cubic metre of timber, fixed by regulation of the Government, that is

applicable to the volume of timber allotted to the agreement holder in the agreement and is determined on the date or dates fixed by the regulation;

WHEREAS, under section 95.2.1 of the Forest Act, sections 73.4 and 73.5 of the Act apply to the holder of a wood processing plant operating permit who has entered into an auxiliary timber supply guarantee agreement as if the permit holder were the holder of a timber supply and forest management agreement;

WHEREAS, under the second paragraph of section 92.0.2 of the Forest Act, a holder of a wood processing plant operating permit who acquires timber from an agreement holder authorized to send it to the permit holder must pay a contribution to the Minister for the financing of activities related to forest management;

WHEREAS, under the third paragraph of that section, the contribution paid into the forestry fund is to be established by the Minister on the basis of a rate per cubic metre of timber, set by regulation of the Government, applicable to the volume of timber acquired by the holder of a wood processing plant operating permit from the agreement holder;

WHEREAS, under subparagraph 3 of the first paragraph of section 92.0.3 of the Forest Act, the Minister may, if considered expedient by the Minister, accredit the holder of a wood processing plant operating permit to enable the permit holder to obtain a management permit in a management unit to supply the holder's plant where a volume of timber is made available following a person's waiver of the right provided for in a reservation agreement entered into pursuant to section 170.1 or by reason of the failure by that person to exercise that right in a previous year;

WHEREAS, under the second paragraph of section 92.0.11 of the Forest Act, in such a case, the holder of a wood processing plant operating permit must also pay a contribution to the Minister for the financing of activities related to forest management;

WHEREAS, under the third paragraph of that section, the contribution paid into the forestry fund is to be established by the Minister on the basis of a rate per cubic metre of timber, set by regulation of the Government, applicable to the volume of round timber indicated in the accreditation;

WHEREAS, under subparagraphs 18.2 and 18.2.1 of the first paragraph of section 172 of the Forest Act, the Government may, by regulation, set the rate referred to in the second paragraph of section 73.4 and in the third paragraph of sections 92.0.2 and 92.0.11 and determine the date and other terms of payment of the contribution referred to in those sections;

WHEREAS the Government made the Regulation respecting contributions to the forestry fund (c. F-4.1, r. 2);

WHEREAS the Regulation was amended by Order in Council 1188-2006 dated 18 December 2006 in order to set new rates to implement the measure consisting in resuming charge of forest seedling production to enhance the Silvicultural Investment Strategy to support the forest industry;

WHEREAS the Regulation was amended by Order in Council 536-2009 dated 6 May 2009 in order to extend until 31 March 2010 the period during which the rates referred to in sections 2 and 3.3 of the Regulation will be effective;

WHEREAS the Regulation was amended by Order in Council 181-2010 dated 10 March 2010 in order to extend until 31 March 2011 the period during which the rates referred to in sections 2 and 3.3 of the Regulation will be effective;

WHEREAS it is expedient to again amend the Regulation in order to extend until 31 March 2012 the period during which the rates referred to in sections 2 and 3.3 of the Regulation will be effective;

WHEREAS, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published, if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS, under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS, under sections 13 and 18 of that Act, the reason justifying the absence of prior publication and such coming into force must be published with the regulation;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies the absence of prior publication and such coming into force:

— the amendments in the Regulation attached to this Order in Council extend by one year the assistance measure; without the extension, the forest industry would have to pay the costs for forest seedling production for the reforestation of Québec's forests during that period;

— since the forest industry is already greatly affected by the current economic conditions, any delay in the coming into force of the Regulation would expose the industry to additional expenses, which could lead to layoffs and plant closures in the regions;

WHEREAS it is expedient to make the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Natural Resources and Wildlife:

THAT the Regulation to amend the Regulation respecting contributions to the forestry fund, attached to this Order in Council, be made.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

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### **Regulation to amend the Regulation respecting contributions to the forestry fund**

Forest Act  
(R.S.Q., c. F-4.1, ss. 73.4, 92.0.2, 92.0.11, 95.2.1  
and 172, 1st par., subpars. 18.2 and 18.2.1)

**1.** The Regulation respecting contributions to the forestry fund (R.R.Q., c. F-4.1, r. 2) is amended in section 2 by replacing “31 March 2011” in the second paragraph by “31 March 2012”.

**2.** Section 3.3 is amended by replacing “31 March 2011” in the second paragraph by “31 March 2012”.

**3.** This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.