

Gouvernement du Québec

**O.C. 190-2015, 18 March 2015**

An Act respecting immigration to Québec  
(chapter I-0.2)

**Immigration consultants**

Regulation respecting immigration consultants

WHEREAS, under subparagraphs *k*, *l*, *m*, *n* and *p* of the first paragraph of section 3.3 of the Act respecting immigration to Québec (chapter I-0.2), the Government may make regulations governing the matters set forth therein concerning immigration consultants;

WHEREAS, under subparagraph *q* of that section, the Government may make regulations determining the provisions of a regulation whose violation constitutes an offence;

WHEREAS the Government made the Regulation respecting immigration consultants (chapter I-0.2, r. 0.1) on 23 June 2010;

WHEREAS it is expedient to replace the Regulation by a new Regulation in order to better govern the activities of an immigration consultant;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation respecting immigration consultants was published in Part 2 of the *Gazette officielle du Québec* of 17 September 2014 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Immigration, Diversity and Inclusiveness:

THAT the Regulation respecting immigration consultants, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,  
*Clerk of the Conseil exécutif*

**Regulation respecting  
immigration consultants**

An Act respecting immigration to Québec  
(chapter I-0.2, s. 3.3, 1st par., subpars. *k* to *n*, *p* and *q*)

**DIVISION I  
GENERAL**

**1.** A person wishing to act as an immigration consultant must obtain recognition from the Minister.

**2.** An immigration consultant is a natural person who, for remuneration, advises, assists or represents another person with respect to an application filed with the Minister under the Act respecting immigration to Québec (chapter I-0.2).

**3.** A natural person in one of the following situation who advises, assists or represents another person with respect to an application filed with the Minister under the Act respecting immigration to Québec is presumed to act for remuneration:

(1) the person is a member of a body designated as an authorized representative under the Regulations Designating a Body for the Purposes of Paragraph 91(2)(c) of the Immigration and Refugee Protection Act (SOR/2011-142); or

(2) the person's recognition is suspended, revoked or expired.

In the case provided for in subparagraph 2 of the first paragraph, the presumption applies for 5 years following the revocation or expiry of recognition.

**4.** This Regulation does not apply to a member in good standing of the Chambre des notaires du Québec or the Barreau du Québec or to a person holding a special authorization issued under section 42.4 of the Professional Code (chapter C-26) by one of those orders and allowing the person to engage in the activities governed by this Regulation.

**DIVISION II  
RECOGNITION OF IMMIGRATION CONSULTANTS**

**§1. Recognition and renewal**

**5.** A person who wishes to obtain recognition as an immigration consultant or who wishes to renew recognition must file an application with the Minister.

The person must provide the Minister with all the information and documents required by the Minister.

**6.** The Minister grants recognition as an immigration consultant or renews the recognition if the applicant

(1) has passed one of the French examinations recognized by the Minister and obtained a result showing a knowledge of the language equal to or greater than level 7 according to the Échelle québécoise des niveaux de compétence en français des personnes immigrantes adultes;

(2) has passed the examination on Québec immigration rules following the filing of his or her application for recognition;

(3) is registered in the enterprise register under the Act respecting the legal publicity of enterprises (chapter P-44.1) or carries on activities for an enterprise registered under that Act or having an establishment in Québec; and

(4) is a member in good standing of a body designated as an authorized representative under the Regulations Designating a Body for the Purposes of Paragraph 91(2)(c) of the Immigration and Refugee Protection Act.

**7.** The Minister may not grant recognition as an immigration consultant or renew that recognition if the person filing the application has, in the 5 years prior to the processing of the application,

(1) communicated or contributed to the communication of false or misleading information or documents to the Minister;

(2) failed to provide the Minister with information or documents required under the Act respecting immigration to Québec;

(3) been found guilty of a criminal or penal offence committed in Canada or abroad in connection with the activities of an immigration consultant;

(4) been the subject of a disciplinary decision in connection with the activities of an immigration consultant, rendered by the disciplinary council of a professional order or by the Professions Tribunal, revoking the person's right to practice or striking the person off the roll of an order; or

(5) had his or her recognition revoked for one of the reasons provided for in paragraphs 1 to 4 of section 14.

In addition, the Minister is to deny an application for renewal if the immigration consultant fails to comply with the time limit prescribed in section 9 or if recognition is suspended in accordance with section 11.

**8.** An immigration consultant's recognition is valid for 2 years.

**9.** An application for renewal is filed not later than 60 days before the date on which recognition expires.

**10.** The fees payable for the examination of an application are

(1) \$1,600 for recognition as an immigration consultant;

(2) \$1,300 for the renewal of that recognition.

Those fees are payable at the time the application is filed.

## **§2. Recognition suspension and revocation**

**11.** The Minister suspends the recognition of an immigration consultant for any of the following reasons:

(1) the consultant no longer meets the condition in paragraph 3 of section 6;

(2) the consultant's membership with a body referred to in paragraph 4 of section 6 is suspended.

The Minister lifts the suspension when the reason provided for in subparagraph 1 or 2 of the first paragraph no longer exists.

**12.** The Minister may, for the duration and on the conditions determined by the Minister, suspend the recognition of an immigration consultant who does not comply with any of the provisions in Divisions III and IV.

**13.** The Minister revokes the recognition of an immigration consultant who is no longer a member of a body referred to in paragraph 4 of section 6.

**14.** The Minister may revoke the recognition of an immigration consultant for any of the following reasons:

(1) the immigration consultant communicates or contributes to the communication of false or misleading information or documents to the Minister;

(2) the immigration consultant fails to provide information or documents required under the Act respecting immigration to Québec to the Minister;

(3) the immigration consultant is found guilty of a criminal or penal offence committed in Canada or abroad in connection with the activities of an immigration consultant;

(4) the immigration consultant is the subject of a disciplinary decision in connection with the activities of an immigration consultant, rendered by the disciplinary council of a professional order or by the Professions Tribunal, revoking the consultant's right to practice or striking him or her off the roll of an order;

(5) the immigration consultant does not comply with any provision of Divisions III and IV;

(6) the immigration consultant's recognition was granted or renewed by error.

### §3. Register

**15.** The Minister keeps an up-to-date register of recognized immigration consultants, indicating those whose recognition has been suspended or revoked for less than 5 years. The register is to be published on any medium deemed appropriate by the Minister.

Such information is public information.

### DIVISION III OBLIGATIONS

**16.** Immigration consultants must exercise their activities with honesty, integrity and objectivity.

**17.** Immigration consultants must enter into a written service contract with a person who resorts to their services and give the person a copy of the contract at the time of signing.

The contract must clearly indicate the object and scope of the services to be provided, the remuneration paid by the person to the consultant, the terms and conditions of payment and the costs or other expenses required for the contract to be carried out.

**18.** Immigration consultants must take all reasonable means to ensure the authenticity of the documents and the truthfulness of the information communicated to the Minister in support of an application.

Immigration consultants must so certify in writing.

**19.** Immigration consultants must write the residential address of the person who resorts to their services on the application they file with the Minister.

**20.** Immigration consultants must inform the Minister in writing of a change in their situation likely to have an impact on the maintenance of their recognition or of a change in the address of their establishment in Québec within 30 days of the change.

Immigration consultants must also inform the Minister of a change in the residential address of a person who resorts to their services within 30 days following the date on which they become aware of the change.

**21.** Immigration consultants must keep all documents relating to their application for recognition, the renewal thereof, the professional services contracts entered into with persons who resort to their services and the applications filed with the Minister as the representatives of those persons.

Immigration consultants must keep those documents in their establishment in Québec for a period of 5 years following the expiry of their recognition, the end of any professional services contract and any decision of the Minister.

**22.** Immigration consultants must provide the Minister with any information or document deemed relevant by the Minister, within the time and in the manner indicated by the Minister.

### DIVISION IV PROHIBITIONS

**23.** Immigration consultants must refrain from behaving in a way that would be detrimental to the administration of immigration in Québec.

**24.** Immigration consultants may not, by any means whatsoever, make false, misleading or incomplete representations as regards their level of competence or the extent or effectiveness of their services.

**25.** Immigration consultants may not communicate or contribute to the communication of false or misleading information or documents to the Minister.

### DIVISION V PENAL AND TRANSITIONAL

**26.** Any violation of sections 16 to 25 constitutes an offence.

**27.** An immigration consultant's recognition granted by the Minister before 16 April 2015 is maintained until its expiry, subject to sections 13 and 14.

Despite the foregoing, the Minister may revoke an immigration consultant's recognition for any of the reasons provided for in paragraphs 2 to 4 of section 14 only if the event justifying revocation occurred after 16 April 2015.

Immigration consultants whose recognition is maintained under the first paragraph and who apply for renewal of that recognition are not required to meet the condition prescribed in paragraph 1 of section 6.

**28.** The Minister may not refuse to renew an immigration consultant's recognition for any of the reasons provided for in subparagraphs 2 to 4 of the first paragraph of section 7 if the event justifying refusal occurred before 16 April 2015.

**29.** This Regulation replaces the Regulation respecting immigration consultants (chapter I-0.2, r. 0.1).

**30.** This Regulation comes into force on 16 April 2015.

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Gouvernement du Québec

## O.C. 203-2015, 18 March 2015

Automobile Insurance Act  
(chapter A-25)

### Reimbursement of certain expenses — Amendment

Regulation to amend the Regulation respecting the reimbursement of certain expenses

WHEREAS, under paragraph 15 of section 195 of the Automobile Insurance Act (chapter A-25), the Société de l'assurance automobile du Québec may make regulations to determine the cases and conditions entitling a person to the reimbursement of the expenses referred to in section 83.2 of the Act and to fix the maximum amount thereof;

WHEREAS, under the second paragraph of section 83.2 of the Act, the victim is entitled, in the cases and on the conditions prescribed by regulation, to the reimbursement of expenses determined by regulation of the Société;

WHEREAS the Société made the Regulation to amend the Regulation respecting the reimbursement of certain expenses at the sitting of the board of directors on 25 September 2014;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation to amend the Regulation respecting the reimbursement of certain expenses was published in Part 2 of the *Gazette officielle du Québec* of 3 December 2014 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, under section 197 of the Automobile Insurance Act, regulations of the Société must be approved by the Government, except those made under sections 151 to 151.3 and 195.1 of that Act;

WHEREAS it is expedient to approve the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Transport:

THAT the Regulation to amend the Regulation respecting the reimbursement of certain expenses, attached to this Order in Council, be approved.

JUAN ROBERTO IGLESIAS,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting the reimbursement of certain expenses

Automobile Insurance Act  
(chapter A-25, s. 195, par. 15)

**1.** The Regulation respecting the reimbursement of certain expenses (chapter A-25, r. 14) is amended in section 10.1 by replacing the second and third paragraphs by the following:

“These expenses qualify for reimbursement up to a maximum amount of \$50 per physiotherapy treatment session and \$36 per occupational therapy treatment session.

Expenses incurred for purposes of receiving at home a treatment covered by this section qualify for reimbursement when the victim is in a physical state such that the victim is incapable of travel. Home treatment qualifies for reimbursement up to a maximum amount of \$60 per physiotherapy treatment session and \$54 per occupational therapy treatment session.”

**2.** From 24 September 2015, the maximum amount qualifying for reimbursement per physiotherapy treatment session is \$55. In the case of a home physiotherapy treatment, the amount is \$65.