

CHAPTER VI FINAL

49. The Decree remains in force until (*insert the date that is two years after the date of coming into force of this Decree*). It is then renewed automatically from year to year, unless one of the contracting parties opposes the renewal by sending written notice to the Minister of Labour and to the other contracting parties during the month of (*insert the month that is four months after the month in which this Decree comes into force and the year concerned*) or during the month of (*insert the month that is four months after the month in which this Decree comes into force*) of any subsequent year.

50. This Decree comes into force on (*insert the date that is six months after the date of publication of the Decree in the Gazette officielle du Québec*).

105613

Draft Regulation

Québec Immigration Act
(chapter I-0.2.1)

Québec immigration — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Québec Immigration Regulation, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends the conditions and requirements respecting sponsors who file an undertaking application under the program for refugees abroad (Collective sponsorship).

The draft Regulation has no impact on Québec enterprises. It does not entail costs or savings for Québec enterprises. An impact is foreseeable for legal persons who carry on their activities in the noncommercial sector, such as non-profit organizations. The amendments better protect sponsored persons, preserve the humanitarian objective of the program for refugees abroad and ensure its integrity. They also promote better reception and taking in charge of persons sponsored by their sponsor.

Further information on the draft Regulation may be obtained by contacting Guillaume Vaillancourt, Director General, Direction générale des politiques et programmes d'immigration et de la reconnaissance des compétences; email: guillaume.vaillancourt@mifi.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Guillaume Vaillancourt, at the above contact information.

JEAN BOULET

Minister of Immigration, Francization and Integration

Regulation to amend the Québec Immigration Regulation

Québec Immigration Act
(chapter I-0.2.1, ss. 9, 22, 23, 24 and 106)

1. The Québec Immigration Regulation (chapter I-0.2.1, r. 3) is amended in section 12 by replacing “subscribed to” in the second paragraph by “entered into”.

2. Section 21 is amended by replacing “made” in subparagraph 1 of the second paragraph by “entered into”.

3. Section 60 is amended by replacing “subscribed to” in paragraph 1 by “entered into”.

4. Section 66 is amended

(1) in paragraph 3

(a) by replacing “monetary requirements of the” by “financial requirements contracted under a” in the French text;

(b) by striking out “souscrit” in the French text;

(2) by replacing “cancellation” in paragraph 10 by “revocation”.

5. Section 67 is amended by replacing the first paragraph by the following:

“The undertaking made by a sponsor is entered into as soon as it is signed by the Minister.”.

6. Section 68 is amended

(1) in the first paragraph

(a) by replacing “subscribed to” in the portion before subparagraph 1 by “entered into”;

(b) by inserting the following after subparagraph 4:

“(5) reimburse to the Gouvernement du Québec any amount paid as financial assistance by the Minister under one of its program.”;

- (2) in the second paragraph
- (a) by replacing “subscribed to” by “entered into”;
- (b) by striking out “jointly and”.
- 7.** Section 79 is amended by replacing “subscribed to” by “entered into”.
- 8.** Section 80 is amended in the French text by replacing “rencontrées” in the portion before paragraph 1 by “satisfaites”.
- 9.** Section 82 is amended
- (1) in paragraph 4
- (a) by replacing “monetary requirements given” by “financial requirements contracted”;
- (b) by striking out “souscrit” in the French text;
- (2) by adding the following paragraph at the end:
- “(5) have registered charity status in accordance with the Income Tax Act (R.S.C. 1985, c. 1 (5th Supp)).”
- 10.** Section 83 is amended
- (1) by replacing subparagraphs 1 to 3 of the first paragraph by the following:
- “(1) has 10 years or more of experience in sponsorship in Québec acquired over a period of 15 years before the date of taking effect of the Minister’s preceding decision providing, under section 50 of the Act, for a period for receiving sponsorship undertaking applications under the program for refugees abroad;
- (2) has filed the minimum number of sponsorship undertaking applications set in the Minister’s preceding decision providing, under section 50 of the Act, for a period during which the legal person could file an undertaking application under the program; and
- (3) has entered into sponsorship undertakings on behalf of foreign nationals of at least 3 different nationalities in the 36 months before the date of taking effect of the Minister’s preceding decision providing, under section 50 of the Act, for a period during which the legal person could file an undertaking application under the program.”;
- (2) by replacing “if the person files only sponsorship undertaking applications of” in the second paragraph by “if the sponsorship undertaking applications filed by the person concern only”.

11. Section 84 is amended by replacing “if the person files only sponsorship undertaking applications of” in the second paragraph by “if the sponsorship undertaking applications filed by the person concern only”.

12. Section 85 is amended by replacing “persons referred to in paragraph 3 of section 81” in the second paragraph by “natural persons”.

13. Section 86 is amended

(1) by replacing “persons referred to in paragraph 3 of section 81” by “2 to 5 natural persons”;

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

“Where a sponsorship undertaking application is filed by a legal person, its administrators, its representatives and the members of its board of directors must meet the conditions set out in paragraphs 4 to 7 and 10 of section 66.”.

14. Section 87 is amended by replacing “persons referred to in paragraph 3 of section 81” by “2 to 5 natural persons”.

15. Section 88 is amended

(1) by replacing “persons referred to in paragraph 3 of section 81” by “2 to 5 natural persons”;

(2) by replacing “income from a Canadian source or property held” by “sufficient financial resources available”.

16. Section 89 is amended

(1) by replacing the first paragraph by the following:

“For the purposes of section 88, each person who is part of a group of 2 to 5 natural persons must, in particular, demonstrate that he or she has and will continue to have, for the duration of the undertaking, income to provide for his or her basic needs and those of the family members, at least equal to the minimum income required as determined in Schedule B.

Where a group includes a married or de facto couple, the minimum income required is reached for each of them when the sum of the income of the spouses or de facto spouses is at least equal to the minimum income required as determined in Schedule B.

Where a group includes a person who has a dependent child and whose income is at least equal to the minimum income required as determined in Schedule B, the dependent child is not taken into account when counting the number of family members for the purpose of assessing the person’s income.”;

(2) in the second paragraph

(a) by striking out “from a Canadian source”;

(b) by striking out “the presumption provided for in”;

(3) by replacing the third paragraph by the following:

“In addition, the group must have the minimum amount required to provide for the sponsored person’s basic needs, as determined in Schedule D.”

17. Section 90 is replaced by the following:

“**90.** For the purposes of section 88, a legal person must in particular have and will continue to have, for the duration of the undertaking, an annual amount at least equal to the amount required for the sponsored person’s basic needs, as determined in Schedule C.”

18. Section 91 is amended

(1) by replacing “subscribed to” by “entered into”;

(2) by replacing “persons referred to in paragraph 3 of section 81” by “2 to 5 natural persons”.

19. Section 93 is amended by adding the following paragraph at the end:

“The report must, in particular, demonstrate that the legal person or the group of 2 to 5 natural persons has in fact used the means presented in the reception and integration plan.”

20. Section 94 is amended by replacing “persons referred to in paragraph 3 of section 81 if, in the 2” by “2 to 5 natural persons if, in the 3”.

21. Section 95 is amended

(1) by replacing “from an undertaking subscribed to” in the first paragraph by “from an undertaking application or an undertaking entered into”;

(2) by replacing “on behalf of whom the undertaking has been subscribed to” in the second paragraph by “covered by the undertaking”.

22. Section 96 is amended by replacing “subscribed to” by “entered into”.

23. Section 97 is amended by replacing “subscribed to” in the portion before paragraph 1 by “entered into”.

24. Section 110 is amended

(1) by replacing “taken” in the portion before paragraph 1 by “entered into”;

(2) by replacing “24 months” in paragraph 3 by “36 months”.

25. The following is inserted after section 118.6:

“**118.7.** The following sponsorship undertaking applications under the program for refugees abroad are processed and decided under sections 88 to 90 and 93 as they read on (*insert the date preceding the date of coming into force of this Regulation*):

(1) those filed before (*insert the date of coming into force of this Regulation*);

(2) those filed on behalf of a foreign national on behalf of whom a sponsorship undertaking that lapsed was entered into further to an application filed before (*insert the date of coming into force of this Regulation*).

Subparagraph 5 of the first paragraph of section 68 and paragraph 5 of section 82 do not apply to such applications.”

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

105604

Notice

Act respecting collective agreement decrees
(chapter D-2)

Security guards —Amendment

Notice is hereby given, in accordance with section 5 of the Act respecting collective agreement decrees (chapter D-2), that the Minister of Labour, Employment and Social Solidarity has received an application from the contracting parties to amend the Decree respecting security guards (chapter D-2, r. 1) and that, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the Decree to amend the Decree respecting security guards, appearing below, may be made by the Government on the expiry of 45 days following this publication.