

Desjardins News

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1. New: Desjardins-Lexbase Business Edition

Desjardins has teamed up with Lexbase to bring you a special edition of Lexbase. This "Desjardins-Lexbase Business Edition" summarizes important information for immigration practitioners specializing in business immigrants.

The March edition will be sent to our immigration practitioners by email shortly. It will also be available on our Web site at www.immigrantinvestor.com.

QUÉBEC IMMIGRATION NEWS

1. Regulating immigration practitioners

The draft by-law was published today in the Official Gazette for consultation. The government will receive comments in writing for a period of 45 days.

New draft by-law



Rivka Augenfeld, founding member of CSIC | Minister Yolande James, MICC | Jacques Frémont, Université de Montréal

This draft Regulation affecting An Act respecting immigration to Québec (R.S.Q., c I-0.2, s. 3.3, 1st par., subpars. k to n, p and q) will enter into force gradually. A transitional period of 12 months after its coming into force will be granted for the examination on Québec immigration rules and knowledge of the French language.

The new draft by-law aims at regulating immigration practitioners processing files for candidates destined for Québec. It excludes lawyers and notaries, members of their respective professional order. It defines immigration consultants and determines the conditions to be recognized as an immigration consultant. It also specifies the supporting documents required for an application for recognition and fees payable.

Definition

An immigration consultant as defined in the first paragraph is a person assisting or representing, for remuneration, another person filing an application with the ministre de l'Immigration et des Communautés culturelles (MICC).

IMMIGRANT INVESTOR PROGRAM

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Conditions for recognition

An immigration consultant must fulfill the following to obtain recognition (valid for 1 year):

1. Work for an enterprise established in Québec or registered in the register of sole proprietorships, partnerships and legal persons
2. Be a member of good standing with the Canadian Society of Immigration Consultants (CSIC)
3. Have communicated no false or misleading information and have committed no offense to any of the Immigration Laws and Regulations
4. Not be at fault with any of the obligations 3 years prior to the application for recognition or renewal
5. Have passed an exam on Québec's immigration rules
6. Have sufficient knowledge of the French language for their activities, defined as having
 - Passed an examination recognized by the Minister
 - Attended 3 years of secondary or post-secondary full-time studies in French
 - Passed the fourth or fifth year secondary level examinations in French
 - Obtained a secondary school certificate in Québec after 1985

A fee of \$500 is applicable and proof is required that all the conditions are met including supporting documents for 1, 2 and 6.

The recognition may be suspended if the immigration consultant is suspended by CSIC or does no longer meet the first condition. It may be revoked in case the immigration consultant communicates false or misleading information, ceases to be CSIC member, or defaults repeatedly the obligations of this Regulation. A public register will be kept for revoked and suspended recognitions.

Obligations

Immigration consultants are required to obtain a mandate in writing from the persons they assist or represent. The mandate must show all fees, costs or expenses. Immigration consultants will also be required to ensure the authenticity of all documents and information communicated to the MICC. They will be required to communicate with the MICC for changes to their address or changes in membership for CSIC.

A copy of the draft Regulation that was published in the Official Gazette, can be found at www.immigrantinvestor.com.

2. Selection of foreign nationals

The Regulation affecting the selection of foreign nationals may be amended to reflect the changes introduced by the draft by-law concerning immigration consultants.

Persons applying for a Québec Selection Certificate would be required to indicate if they have used the services of an immigration consultant and provide the consultant's identity.

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3. Submission of files

All investor files except the files for BIQ Hong Kong should as of now be submitted to the new address specified below. For a transitional period files sent to the old address will be automatically transferred to this new address:

Ministère de l'immigration et des communautés culturelles
Service de l'accueil et de l'encaissement - Section Gens d'affaires
285, rue Notre-Dame Ouest, 4e étage
Montréal (Québec) H2Y 2T8

Files usually sent to the BIQ Hong Kong will continue to be sent there.

This modification only concerns file submission. Interviews will continue to be held at:

Service aux gens d'affaires
360 rue St-Jacques, bureau 320,
Montréal (Québec) H2Y 1P5

The Desjardins Immigrant Investor Program Team
Leading the way to success

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Note: Some of the information in this document has been provided by external sources. Desjardins is not responsible for the accuracy, reliability, or currency of the information provided by external sources.

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