

The Quebec Ministry of Immigration and Cultural Communities Will Restrict Certificate of Selection Applicants

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On March 20, 2012, the Quebec Minister of Finance presented his speech on the 2012-2013 Budget. During the speech, he announced that an omnibus bill containing modifications to Quebec's immigration program would be proposed shortly. Although it is a proposed bill, once enacted the immigration provisions will be retroactive to March 20, 2012. Therefore, these changes should be treated as if they are already in force.

The proposed bill will establish caps on the number of Quebec immigration applicants that may be accepted between March 21, 2012 (19:00 Québec time) and March 31, 2013 (19:00, Québec time). Under the proposed bill, there will be two groups of skilled workers:

A) GROUP 1 (NO NUMERICAL LIMIT)

This group will consist of the following:

1) Applicants who temporarily reside in Quebec as temporary workers and meet the eligibility conditions of the Programme de l'expérience québécoise (Temporary worker) (PEQ - Québec experience program for temporary workers) or are eligible to apply for a selection certificate under the regular program for skilled workers.

2) Applicants who have obtained a diploma awarded by a Quebec educational institution for studies done in Québec or who are about to obtain that diploma and meet the eligibility conditions of the Programme de l'expérience québécoise (Quebec Graduate) (PEQ - Québec experience program for Quebec graduates).

3) Applicants who reside temporarily in Quebec as foreign students, are eligible to apply for a selection certificate under the regular program for skilled workers, and are submitting their application in Quebec.

4) Applicants who reside temporarily in Quebec within the framework of a youth exchange program subject to an international agreement, such as a work holiday program. They must be working full-time in Quebec, be eligible to apply for a selection certificate under the regular program for skilled workers, and must be submitting their application in Quebec.

5) Applicants (or their accompanying spouses) who hold a diploma awarded by a teaching institution in an area of training allowing them to get 12 or 16 points under the area of training criterion of the selection grid for skilled workers. The number of years of study required to obtain the diploma must be at least equal to the number of years required to obtain that diploma in Quebec. This diploma must have been obtained less than five years before the date of the application. Failing that, they must have practised a profession or trade, in an area related to that diploma, on a full-time basis and for at least one year out of the five years preceding the date of their application.

6) Applicants (or their accompanying spouses) who hold an employment offer made by a Quebec employer and validated by the Minister of Immigration and Cultural Communities.

7) Applicants who have received notice from Citizenship and Immigration Canada that their application for permanent residence in Canada is eligible for processing.

8) Applicants who reside temporarily in Quebec, who were Canadian citizens at one time, and who are submitting their application in Quebec.

B) GROUP 2 (SUBJECT TO A NUMERICAL LIMIT OF 14,300 APPLICATIONS)

This group will consist of the following:

1) Applicants (or their accompanying spouses) who hold a diploma, awarded by an teaching institution in an area of training allowing them to get 6 points under the area of training criterion of the selection grid for skilled workers. The number of years of study required to obtain the diploma must be at least equal to the number of years required to obtain that diploma in Quebec. This diploma must be obtained less than five years before the date of the application. Failing that, they must have practised a profession or trade, in an area related to that diploma, on a full-time basis and for at least one year out of the five years preceding the date of the application.

2) Applicants (or their accompanying spouses) who hold a Quebec diploma or the equivalent of a Quebec diploma that requires at least one year of full-time studies. This diploma was must have been obtained less than five years before the date of the application. Failing that, they must have practised a profession or trade, in an area related to that diploma, on a full-time basis and for at least one year out of the five years preceding the date of the application.

No other skilled workers will be permitted to apply for a Quebec Certificate of Selection.

The proposed bill will also establish caps on the number of business immigrants who may apply for a Quebec Certificate of Selection. Applicants under the popular Quebec investor program will now be subject to a cap of 2,700 applications. Applicants under the Quebec entrepreneur and self-employed categories will be subject to a cap of 215 applications.