

NATIONAL ASSEMBLY
Thirty-fourth Legislature, second session

1992, chapter 5

**AN ACT TO AMEND THE ACT RESPECTING THE
MINISTÈRE DES COMMUNAUTÉS CULTURELLES
ET DE L'IMMIGRATION**

Bill 416

Introduced by Madam Monique Gagnon-Tremblay, Minister of Cultural Communities and Immigration

Introduced 11 March 1992

Passage in principle 12 March 1992

Passage 8 April 1992

Assented to 8 April 1992

Coming into force: on the date or dates fixed by the Government

— 19 May 1992: ss. 1 to 12
G.O., 1992, Part 2, p. 2551

Act amended:

Act respecting the Ministère des Communautés culturelles et de l'immigration (R.S.Q., chapter M-23.1)



CHAPTER 5

An Act to amend the Act respecting the Ministère des Communautés culturelles et de l'Immigration

[Assented to 8 April 1992]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

c. M-23.1,
s. 3.1, am.

1. Section 3.1 of the Act respecting the Ministère des Communautés culturelles et de l'Immigration (R.S.Q., chapter M-23.1) is amended by adding, at the end of the fourth paragraph, the following sentence: "Conversely, the Minister may refuse to issue such a certificate to a foreign national who meets the conditions and criteria of selection if he has reasonable grounds to believe that the foreign national does not intend to settle in Québec or is unlikely to settle successfully in Québec or that the settlement of the foreign national would be contrary to public interest."

c. M-23.1,
s. 3.1.2,
added

2. The said Act is amended by inserting, after section 3.1.1 enacted by section 1 of chapter 3 of the statutes of 1991, the following section:

Application

"3.1.2 A foreign national in Québec who does not hold a selection certificate may make an application to the Minister for a certificate of identity. He shall file his application in the manner prescribed by regulation.

Certificate
of identity

The Minister shall issue a certificate of identity to any foreign national who meets the conditions determined by regulation."

c. M-23.1,
s. 3.2.1,
am.

3. Section 3.2.1 of the said Act, enacted by section 2 of chapter 3 of the statutes of 1991, is amended by inserting the words "of acceptance or a certificate of identity" after the word "certificate" in the second line.

c. M-23.1,
s. 3.2.2,
am.

4. Section 3.2.2 of the said Act, enacted by section 2 of chapter 3 of the statutes of 1991, is amended

(1) by inserting the words “, a certificate of identity” after the word “acceptance” in the second line of the first paragraph;

(2) by inserting, in the French text, the words “ou l’attestation” after the word “certificat” in the first lines of subparagraphs *a* and *b* of the first paragraph;

(3) by inserting, in the French text, the words “de l’attestation ou pour” after the word “ou” in the second line of subparagraph *c* of the first paragraph.

c. M-23.1,
s. 3.3, am.

5. Section 3.3 of the said Act, amended by section 3 of chapter 3 of the statutes of 1991, is again amended

(1) by inserting the words “, his financial situation” after the word “languages” in the sixth line of paragraph *b*;

(2) by adding, at the end of paragraph *c*, the words “and the cases of termination of an undertaking”;

(3) by adding, at the end of paragraph *c.2*, the words “and prescribing exemptions to one or several conditions by reason of the family situation or minority of the foreign national for whom the undertaking is subscribed”;

(4) by inserting, after paragraph *d*, the following paragraph:

“(d.1) determining the conditions that must be met by a foreign national who applies for a certificate of identity under section 3.1.2 and determining classes of foreign nationals for which these conditions may vary;”;

(5) by replacing paragraphs *f*, *f.1* and *f.2* by the following paragraphs:

“(f) determining the form and tenor of applications for a selection certificate under section 3.1, a certificate of identity under section 3.1.2 or a certificate of acceptance under section 3.2, establishing the procedure to be followed for obtaining such certificates and prescribing their form;

“(f.1) determining the conditions of validity of a certificate of identity, a selection certificate or a certificate of acceptance and their duration and providing that the duration of a certificate of acceptance may vary, in the case of a foreign national coming to Québec to study, according to whether he is a minor or of age or according to the program of study or the duration of his studies, in the case of a foreign

national coming to Québec to work, according to the duration of his employment, his professional experience or the needs of the labour market in Québec in his profession or, in the case of a foreign national coming to Québec to receive medical treatment, according to the duration of the treatment;

“(f.2) prescribing the duties payable for the processing of an application for an undertaking, a selection certificate or a certificate of acceptance, for the issue of either certificate or the subscription of the undertaking and determining the cases of total or partial exemption from the payment of such duties; duties may vary, in the case of an undertaking, according to the family situation of the foreign national, in the case of a selection certificate, according to the classes of foreign nationals or, in the case of a certificate of acceptance, according to the reason for the temporary admission to Québec of the foreign national;”.

c. M-23.1,
s. 12.1, am. **6.** Section 12.1 of the said Act, replaced by section 5 of chapter 3 of the statutes of 1991, is amended by inserting the words “, a certificate of identity” after the word “acceptance” in the fourth line of the first paragraph.

c. M-23.1,
s. 12.3, am. **7.** Section 12.3 of the said Act, replaced by section 5 of chapter 3 of the statutes of 1991, is amended by inserting the words “, a certificate of identity” after the word “acceptance” in the first line of paragraph *a*.

c. M-23.1,
s. 12.4, am. **8.** Section 12.4 of the said Act, enacted by section 5 of chapter 3 of the statutes of 1991, is amended by replacing the words “or a certificate of acceptance” in the second line by the words “, a certificate of acceptance or a certificate of identity”.

c. M-23.1,
s. 12.7, am. **9.** Section 12.7 of the said Act, enacted by section 5 of chapter 3 of the statutes of 1991, is amended by replacing the words “or the certificate of acceptance” in the fifth and sixth lines by the words “, the certificate of acceptance or the certificate of identity”.

c. M-23.1,
s. 16, am. **10.** Section 16 of the said Act is amended by replacing the words “or the Deputy Minister” in the second line by the words “, the Deputy Minister or a person designated in writing by the Minister or the Deputy Minister”.

c. M-23.1,
s. 39, am. **11.** Section 39 of the said Act, enacted by section 6 of chapter 3 of the statutes of 1991, is amended by replacing the word “March” in the second line by the word “July”.

Coming into
force

12. The provisions of this Act will come into force on the date or dates fixed by the Government.