New Regulation Respecting Immigration to Québec: Economic needs of Quebec and its regions come first

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The new Regulation Respecting Immigration to Québec (“RIQ”), the purpose of which includes fostering the participation of immigrants in the development of Quebec and alleviating the labour shortage currently experienced by many employers in the region, came into force on August 2nd, 2018.

The Regulation makes major changes to a number of programs of the Ministère de l’Immigration, de la Diversité et de l’Inclusion (“MIDI”) of Quebec.

Previously, the Regular Skilled Workers Program (RSWP), known as the regular process for submitting applications for a Certificat de Sélection du Québec (“CSQ”, Quebec selection certificate), allowed eligible applicants in Quebec to submit a CSQ application at any time. Candidates outside Canada could submit their applications during the application intake period until the quota was reached.

Henceforth, it will not be possible to submit a CSQ application under the regular process without first being invited by MIDI to do so.

The Regulation Respecting Immigration to Québec establishes a “Declaration of Interest” system under which interested applicants must submit a declaration of interest form and wait to receive an invitation from MIDI before submitting a CSQ application. In addition, priority will be given to applicants who want to settle outside the Montreal metropolitan region and applicants who have a job offer validated by MIDI.

The Quebec experience program (“PEQ”, Programme de l’expérience québécoise), a “simplified” program that also leads to the CSQ, has been changed substantially as well. A holder of an open work permit obtained as an accompanying spouse or common-law partner may now apply as the principal applicant in a CSQ application submitted under the PEQ. In addition, the PEQ no longer

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imposes any requirement regarding the position's level of specialization. Before August 2nd, 2018, the applicant must have held full-time qualified employment in category 0, A or B of the National Occupational Classification (NOC) for 12 months. Under the new regulation, MIDI will now accept applications from candidates who have held positions in NOC categories C and D.[1]

MIDI's investor and entrepreneur programs have also undergone significant changes. For example, the amount of the investment required in the investor program has been raised from $1,200,000 to $2,000,000 and the assets needed have risen from $800,000 to $1,200,000. For the entrepreneur program, there are now two components: the creation of innovative businesses and the creation and acquisition of small and medium-sized businesses in Quebec.

Please do not hesitate to contact us if you have questions about the new RIQ, the programs referred to above or the programs' specific requirements.

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1. The NOC is a tool that that classifies and categorizes occupations in the Canadian labour market. Category 0 corresponds to managers, category A usually requires university education, and category B generally requires college education or apprenticeship training. The least specialized categories are C and D: category C requires secondary school and/or occupation-specific training and category D usually calls for on-the-job training.

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