



# GMS Flash Alert

## Immigration Edition

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## Canada - New Requirements under Quebec Experience and Quebec Selection Certificate Programs

On October 30, 2019, the Minister of Immigration, Francization and Integration (*Ministère de l'Immigration, de la Francisation et de l'Intégration*, "MIFI") introduced an Order In Council amending the regulations governing the fast-track Quebec Experience Program ("PEQ") by imposing additional requirements for the candidates.<sup>1</sup>

The Order also introduces a "Values Test" as a selection criteria for all Quebec economic immigration programs; including PEQ and the Regular Quebec Skilled Worker Program ("PRTQ").

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### WHY THIS MATTERS

The new rules impose restrictive language and profession requirements to temporary foreign workers to qualify for permanent residency in Quebec.

Individuals planning to come to work in Quebec who apply under these programs, their employers, and their immigration counsel, should be aware of the new stringent requirements and advise their clients accordingly.

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### French Knowledge under PEQ for Spouses/Common Law Partners

Beginning on January 1, 2020, the spouse or common law partner of Temporary Foreign Workers and Quebec Graduates applying under the PEQ (where applicable) will be required to demonstrate an intermediate-advanced level of verbal French. If the couple is not able to meet the required language ability in French, then they become ineligible to apply under the PEQ. They may still be eligible for a Quebec Selection Certificate under the PRTQ.

In addition, the completion of a French course taken within an educational institution will no longer be accepted as evidence of French language skills to satisfy the requirements. The following means would be acceptable as evidence of French language proficiency:

- a) Results of an official language test recognized by the MIFI;
- b) Acceptance by a Quebec professional order;
- c) Completion of three (3) years of full-time studies in French at a secondary or post-secondary level in any country.

## **PEQ – Temporary Foreign Workers and Qualifying Occupations**

Beginning on November 1, 2019, eligibility under the PEQ would be restricted as per the following conditions:

- i. The candidate will need to hold a full-time position in an occupation indicated within Quebec’s Employment in Demand (QED) list<sup>2</sup>. This includes National Occupational Classification (“NOC”) codes 0213, 2132, 2146, 2147, 2171, 2172, 2173, 2174, 2175, 2283, 5241, etc.;
- ii. Candidates in a highly-skilled position must demonstrate that they held full-time employment for a minimum period of 12 months within the past two (2) years at levels A, O, and B of the NOC and indicated in the QED list; or
- iii. Candidates in a low-skilled position must demonstrate that they held full-time employment for a minimum period of 18 months during the past two (2) years at levels C and D of the NOC and indicated in the QED.

The candidate would need to demonstrate he or she also meets the eligibility requirements related to the diploma and experience as per the NOC in accordance with his or her profession.

## **PEQ – Graduates**

MIFI is re-opening the PEQ – Graduates. The program has been on hold since July 10, 2019. Beginning on November 1, 2019, graduates who completed a Quebec University Degree, College Diploma, or a Vocational Program would be eligible to apply for a Quebec Selection Certificate provided that:

- i. the diploma was issued within the preceding 36 months;
- ii. the diploma is listed in section A or B of Part II of the list of Areas of Training<sup>3</sup> issued by MIFI (e.g., Computer Science, several Engineering areas, Accounting, Business Administration, Medicine, Nursing, Agriculture, etc.);
- iii. the vocational program entails at least 900 hours or more of training – candidates will also need to demonstrate that they have gained six (6) months of work experience in certain circumstances.

## **Attestation Related to Quebec Values**

As of January 1, 2020, candidates will need to obtain an attestation to confirm that they have acquired an understanding of the democratic values and Quebec values expressed in the Quebec Charter of Human Rights and Freedoms. Both the Quebec Selection Certificate under PEQ and the PRTQ through the Arrima platform will be subject to this new requirement.

Foreign nationals, their spouses, and dependent children (18+) would be subject to this new requirement. The attestation would be issued following the completion of a values test or through the completion of a government course acknowledging their understanding and acceptance of Quebec values. The test will take the form of multiple choice questions covering different subjects, including gender equality, the principles of democracy, and “Francophonie.”

The attestation would be valid for 24 months and must be submitted within 60 days of the request by the Quebec authorities. Candidates under 18 years old or those suffering from a medical disability would be exempted from this requirement.

## How Will This Impact You and Your Employees?

Individuals who are married or in a common law relationship with the intention of applying for a CSQ under the PEQ, will need to ensure that they can both satisfy the French language requirements. This may require them to apply under the PRTQ. The delay in obtaining a CSQ under the PRTQ is uncertain as it is dependent upon obtaining an “Invitation to Apply” through the Arrima platform.

Employers are encouraged to support their employees with a Validated Job Offer to increase their competitiveness under the PRTQ. This requires a separate application.

In parallel, it is of utmost importance to identify practical strategies to extend work authorization far in advance of expiration. This would allow sufficient time to navigate potential avenues and avoid disruption in employment.

Should you have any questions, please do not hesitate to contact us. We will continue to monitor the implementation of the changes affecting the Quebec immigration programs and provide you with timely insight and recommendation as appropriate.

## FOOTNOTES:

- 1 For the announcement (in French) of the minister’s plans, click [here](#).
- 2 For the Quebec’s Employment in Demand (OED) list, click [here](#).
- 3 For the Quebec’s list of Areas of training, click [here](#).

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## Contact us

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