

Management Alert



Québec Government Announces New Caps and Reopens the Immigrant Investor Program

By Pavan Dhillon, Michelle Gergerian and Jason E. Burritt

The following alert is directed to organizations with a presence in Canada or who anticipate the need to place talent at a Canadian work site.

Seyfarth Shaw's Global Mobility Practice includes attorneys licensed to practice in Canada, the UK, and Germany. The group has the capability to assist clients with obtaining work and residence visas for over 70 jurisdictions around the world. If we can assist you in placing talent, please call your Seyfarth attorney. We will be happy to help you.

The Canadian Province of Quebec now applies "caps" to four important permanent residency programs.

Immigration Subclass	Maximum number of applications accepted
Investor Category	1750
Entrepreneur Category or Self-Employed Category	500
Skilled Worker Category	6500

As a result of the newly-imposed caps, potential applicants should seek counsel as soon as possible to ensure preparation of complete and thorough applications in a timely fashion to increase the likelihood that the Québec Immigration Ministry will accept the application. We encourage you to contact Seyfarth Shaw LLP's Global Mobility team to ensure that you receive critical advice related to potential permanent residency and alternative options through the Canadian federal government or through various provinces to retain your key employees.

Canada, at both the Federal and Provincial levels, offers a number of permanent residency options to encourage and retain skilled workers in Canada.

Québec Skilled Workers

Beginning April 1, 2014 until March 31, 2015, the Québec Skilled Worker program will accept up to 6,500 new cases for those eligible under this popular permanent residency program. Applicants under this program must first qualify for a *Certificat de sélection du Québec* (CSQ) from the Québec Immigration Ministry, and successful applicants will then submit the CSQ to the Canadian federal government to obtain final approval for permanent residency.

The Québec Immigration Ministry will grant the CSQ in those situations in which a certain number of "points" are granted for a number of different categories, including prior work experience, education, age and French language proficiency.

The Québec Immigration Ministry expressly exempted the following situations from the cap:

- An application submitted under the Programme de l'expérience québécoise (Québec experience program);
- An applicant with a valid employment offer in-hand;
- An applicant informed by Citizenship and Immigration Canada that it has agreed to process his or her application for permanent residence in Canada; and,
- An applicant currently a temporary resident and eligible to submit an application for a CSQ.

Since June 2013, it has been reported that 10,000 applications were submitted to the Québec Immigration Ministry under this stream. Therefore, it is important that those individuals who may be currently eligible for the program apply as soon as possible to avoid having their application returned.

The Immigrant Investor Program

The Québec Immigration Ministry has announced that this popular program will be re-opened to accept a maximum of 1,750 applications for processing until March 2015. General eligibility requirements include, but are not limited to, proving a net worth of at least 1.6 million CAD, willingness to invest \$800,000 CAD with the government of Québec for a specified period of time, and having experience in management for at least two out of the immediately preceding five years.

For those individuals who do not have an intermediate or advanced knowledge of French, but meet eligibility requirements, the Québec Immigration Ministry will accept applications in the first round from September 8, 2014 until September 19, 2014. The Québec Immigration Ministry will accept subsequent applications in second and third rounds if the cap is not met. If an individual has advanced knowledge of French, he or she may submit an application until March 31, 2015.

These applications require significant documentation and financial analysis of an individual's net worth, and it is important to prepare these applications well in advance of September 8, 2014. This path to permanent residency is extremely popular and now even more so given the Canadian government's announcement to permanently close the Federal Investor Program. Therefore, we suggest you contact Seyfarth Shaw LLP as soon as possible to inquire about this process if you believe you or a colleague may be eligible for Permanent Residency through this program.

Self-Employed Workers and Entrepreneurs

The Québec Immigration Ministry has also announced a cap of 500 applications under the Entrepreneur and Self Employed worker programs. These categories focus on job creation, experience and net worth.

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Seyfarth Shaw LLP Management Alert | April 7, 2014

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