

BUSINESSPEOPLE

IMMIGRANT INVESTOR PROGRAM

**List of documents to submit in support of
an Application for a Certificat de Selection du Québec**

In force on August 1st, 2013

*Immigration
et Communautés
culturelles*

Québec 

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INTRODUCTION

1 Purpose

This document specifies the nature of the documents required for the examination of an application for a *Certificat de sélection du Québec* (Québec selection certificate) submitted by a foreign national as an investor immigrant, and the format in which these documents must be presented.

2 Context

The *Act respecting immigration to Québec* stipulates that “the Minister shall issue a certificate of selection to the foreign national who meets the conditions and criteria determined by regulation” (Section 3.1). This Act also states that, “Where the Minister so requires, any person must, under penalty of refusal of the application for a selection certificate, a certificate of acceptance or a certificate of statutory situation or of the application for an undertaking, demonstrate to the Minister the truthfulness of the declarations made by the person respecting the application and submit to him, in the manner and time determined by him, any document which the Minister deems to be pertinent” (Section 3.2.1).

The *Regulation respecting the selection of foreign nationals* further stipulates that the applicant must produce the documents requested by the Minister to determine if he meets the requirements of the Regulation in the framework of examining his application (Section 9). If a selection interview is necessary, the notice to appear at the interview shall indicate which documents the applicant must present in support of his application (Section 8).

3 Definition

The *Regulation respecting the selection of foreign nationals* (Section 21d) defines an investor as a foreign national at least 18 years of age who:

- has experience in management either in a legal agricultural, commercial or industrial enterprise or in a legal professional enterprise in which the personnel, excluding himself, hold the equivalent of at least two full-time job positions, or with an international agency or a government or one of its departments or agencies;
- has, alone or with his accompanying spouse or de facto spouse, net assets of at least CAD \$1,600,000 obtained legally, excluding amounts received by donation less than six months before the date of filing of the application;
- comes to settle and invest in Québec in accordance with the provisions of the Regulation.

To qualify as an investor, an applicant must also demonstrate:

- that he has signed an investment agreement with a broker or trust company authorized to work with the Immigrant Investor Program that provides for a commitment to make an investment of CAD \$800,000 for a period of five years. A list of financial intermediaries

authorized to work with the Immigrant Investor Program is available at the website:
www.immigration-quebec.gouv.qc.ca;

- that he assumed, for at least two years in the five years preceding the application for a selection certificate, duties related to the planning, management and control of financial resources as well as human or material resources under his authority, excluding experience acquired in the context of an apprenticeship, training or specialization process attested to by a diploma;
- that he qualifies under the selection grid (eligibility criteria and passing score).

4. Presentation of the list

The list includes nine sections.

Section 1: This section lists all compulsory documents that must be submitted, **as of August 1, 2013**, by an applicant in the immigrant investor subclass in order for the application to be deemed **admissible. Applications will be returned** to applicants who fail to submit one or more of these documents, duly completed and certified, and, when necessary, signed and translated. **No other document other than those listed in Section 1 must be submitted at this stage. The Ministère will subsequently ask in writing for documents listed in Section 2 and following to be sent.[See Points 5 and 6e].**

A copy of Section 1 of the list must be attached to your application for a selection certificate. The “Sent” boxes of the list corresponding to each of the compulsory documents must be checked.

The **Declaration by Applicant** must be enclosed with your application. It is available on the Immigration Québec website at www.immigration-quebec.gouv.qc.ca/dcs-gens-affaires. **This declaration must bear the original signatures of the principal applicant and it must be placed first among the documents listed in Section 1 that you are submitting at this stage.**

N.B.: Sections 2 to 9 pertain to all applications whether they were submitted before or after August 1, 2013.

Section 2: This section lists the documents **required** to proceed with the examination of the application. **Failure to submit these documents when the Ministère requests them will result in the rejection of the application.**

Section 3: This section lists documents required to demonstrate that individuals accompanying the principal applicant satisfy the regulatory definition of “family member.” **Failure to submit these documents when the Ministère requests them may result in the removal of one or more of these individuals from the immigration application of the principal applicant.**

Section 4: This section lists documents **considered essential** for the assessment of factors in the selection grid. **Failure to submit these documents when the Ministère requests them may result in the rejection of the application.**

Sections 5 to 9: These sections list documents that **correspond to particular situations and which are generally required** to proceed with the examination of the application. **Failure to submit these documents when the Ministère requests them may result in the rejection of the application.**

The list also contains details applicable to applicants who submitted their file to the Québec immigration office in Hong Kong or applicants from other territories covered by the Service de sélection des gens d'affaires in Montréal.

If the applicant is unable to submit a document in the list, he or she must provide a substitute document and enclose an explanation. The substitute document and explanation must be inserted in the place of the document that they replace.

5. Rules of completeness

Applicants who receive a letter (Perm 115c_INV_COMPetMAJ) asking them to complete or update their file within 90 days, **must, in their reply, follow the instructions given in the document list.** They must pay particular attention to **all the important reminders presented below, as well as to Sections 2 to 9 of the document list corresponding to their situation.** Applicants who do not reply to the letter or whose reply does not conform to what is requested could see their application for the selection certificate rejected.

6. Important reminders

a) Spouse or de facto spouse

The spouse or de facto spouse included in the application **must submit the documents required in this list if principal applicant has access to the spouse's net assets to reach the threshold of CAD \$1,600,000.**

The principal applicant must contribute, with all or part of his assets, to reaching the net worth threshold, which cannot, under any circumstances, rely solely on the assets of the accompanying spouse or de facto spouse.

b) The narrative document

The narrative document and that of the spouse or de facto spouse where applicable is **compulsory and essential for the examination of the application.**

The narrative document must, under penalty of rejection of the application, cover each employment period **from the start of the applicant's working life** until the present day, and present, **for each of these periods,** in addition to **detailed information** on the type of work performed, **the amounts in local currency:**

- of all income (salary, bonuses, dividends, capital gains, etc.)
- of all investments (shares, building and land acquisitions, corporate investments, loans, etc.)

It must also, unless the applicant has language skills enabling him to read the document in

French or English, be written in the applicant's mother tongue, be duly certified and signed, and be accompanied by a complete version translated into French or English.

The model to use is accessible on the website www.immigration-quebec.gouv.qc.ca/en/forms/search-title/dcs-businesspeople.html.

c) *Presentation of documents*

A list of the documents sent in response to a request to complete and update a file must be included. **The “sent” box beside each submitted document must be checked** on the list by the principal applicant and the spouse or de facto spouse, where applicable.

To speed up processing of the file, it is also asked to arrange the submitted documents for the principal applicant and, where applicable, for the spouse or de facto spouse included in the application, in the order of their appearance on the list, **and to identify them with a tab bearing the corresponding number on the list.**

Photocopies of documents must be of excellent quality or **they will be deemed non-admissible**. For some documents, the original document or a notarized copy is required at the time the application is submitted.

d) *Translation*

All documents written in a language other than French or English must be accompanied with a **certified translation of these documents into either of these two languages**. Translations of supplementary documents, such as advertising brochures, organization charts, corporate brochures or newspaper articles, do not need to be certified.

e) *Complete and updated documents for the file*

Applicants who have received confirmation of receipt of their application will receive a letter asking them to complete and update their file 90 days before the examination of their file by the Ministère,

Unless new facts require corrections to official documents (birth of a child, change of name on a new passport, etc.), **no update or addition of documents will be accepted after this stage unless the Ministère expressly requests it in writing**. An applicant may not subsequently submit a document that he could have presented in response to the request to complete or update his file or any other formal written request from the Ministère. If assets or economic activities not listed in an applicant's immigration application are revealed following an examination of the file, inquiries, checks or the interview, the applicant may receive a letter of intention to reject the file for misleading information.

When an applicant is called to an interview, he must bring the originals of all documents already submitted in the file. When the applicant can justify the non-availability of an original document, he must present a true copy certified by the institution that issued the document or the authorized legal authority. In the justified absence of the original or a copy from the issuer or the authorized legal authority, the applicant may submit any other certified document. The Ministère will then determine its validity and admissibility.

7. Use of an immigration intermediary and power of attorney

All applications submitted are processed according to the same criteria. No priority or special treatment will be given if the services of an immigration intermediary are used. If an applicant uses the services of an intermediary, he must send a detailed power of attorney authorizing his representative, as defined below in Section 1 of the document list, and accompanied where applicable by special authorization issued by the **Barreau du Québec or the Chambre des notaires du Québec**.

8 Accuracy of information given

The applicant is responsible for the accuracy and truthfulness of the documents and information submitted in support of his application for a *Certificat de sélection du Québec* and for any information or document provided on his behalf by his representative.

The Ministère may verify the truthfulness of submitted documents with third parties. Any false declaration could result in the rejection of the application and the refusal to examine any other application for a selection certificate from this person for a period of five years.

COMPULSORY DOCUMENTS TO SUBMIT WHEN FILING THE APPLICATION

SECTION 1 – COMPULSORY DOCUMENTS	
	Sent
1.1 The <i>Declaration by Applicant</i> , duly completed and signed.	<input type="checkbox"/>
1.2 Completed <i>Investor - Application for a Québec Selection Certificate</i> bearing all the original signatures required of the principal applicant and his spouse or de facto spouse, and an application for each person aged 22 or older included in the application, duly completed and bearing the original signature of the dependent child and the principal applicant.	<input type="checkbox"/> If required <input type="checkbox"/>
1.3 Photocopies of passport pages bearing the photograph and identity information (valid for at least 12 months) of the principal applicant and his spouse or de facto spouse, or the national identity card if they do not have a passport.	<input type="checkbox"/>
1.4 Proof of all banking transactions carried out by the principal applicant and, where applicable, his spouse or de facto spouse, in the six months prior to filing the application.	<input type="checkbox"/>
1.5 The investment agreement bearing the original signatures of both parties and signed with a broker or trust company authorized to work with the Immigrant Investor along with a photocopy of the power of attorney with respect to the financial transactions arising from the investment agreement entered into between the dealer or the trust company and the immigrant investor.	<input type="checkbox"/> <input type="checkbox"/>
1.6 Declaration of the broker or trust company concerning identity checks and steps taken or to be taken to verify the source and origin of the investor applicant's assets, bearing the original signature of the broker or trust company	<input type="checkbox"/>
1.7 Program Fees payable to examine the DCS (See Appendix 2).	<input type="checkbox"/>
1.8 <u>In cases where a person represents the principal applicant before the Ministère:</u> The form <i>Procuration – Mandat de représentation</i> (A-0525-AF) duly completed and bearing the original signature of the principal applicant. If this person holds a special authorization issued by the Barreau du Québec or the Chambre des notaires du Québec, attach it to the power of attorney.	If required <input type="checkbox"/> <input type="checkbox"/>
1.9 <u>In cases where a person declares detaining proficiency level in French intermediate advanced</u> : Attestation of test results or a diploma recognized by the Ministère de l'Immigration et des Communautés culturelles. The following tests and diplomas are recognized: <ul style="list-style-type: none"> – Test de connaissance du français pour le Québec (TCFQ) – Test de connaissance du français (TCF) – Test d'évaluation du français adapté pour le Québec (TEFAQ) – Test d'évaluation du français (TEF) – Diplôme d'études en langue française (DELF) – Diplôme approfondi de langue française (DALF) For contact information on centres that offer the tests, consult the following sites: <ul style="list-style-type: none"> – TCFQ, TCF, DELF and DALF tests: www.ciep.fr/tcf_quebec/index.php and www.ciep.fr/delfdalf/annuaire_centres.php – TEFAQ and TEF tests: www.fda.cciq.fr/tef/tefaq 	If required <input type="checkbox"/>

DOCUMENTS TO SUBMIT WHEN THE MINISTÈRE ASKS FOR IT BY WRITING

SECTION 2 –NARRATIVE DOCUMENT AND DECLARATION BY FINANCIAL INTERMEDIARY		
	SENT	
2.1 Narrative document for the principal applicant and, if applicable, the spouse or de facto spouse included in the application (See Important Reminders in Section 6) .	<input type="checkbox"/>	
2.2 Where applicable , the completed Section 2 of the most recent Form of declaration by the stockbroker or trust company relative to identity checks and steps taken to verify the source and origin of the investor applicant's assets, bearing the original signature of the stockbroker and trust company.	<input type="checkbox"/>	
SECTION 3 FAMILY MEMBER INCLUDED IN THE APPLICATION		
	SENT	NON REQUIRED
3.1 Certificate of marriage, divorce or death of a spouse	<input type="checkbox"/>	<input type="checkbox"/>
3.2 Certificate of birth, adoption or legal custody of a dependent child	<input type="checkbox"/>	<input type="checkbox"/>
3.3 Appendix “Declaration by spouse or de facto spouse” bearing the original signatures of declarers	<input type="checkbox"/>	<input type="checkbox"/>
3.4 Copy of the family booklet or, where applicable, household register	<input type="checkbox"/>	<input type="checkbox"/>
3.5 For applicants accompanied by a dependent child aged 22 or older or who is married or is a de facto spouse: Proof that the child has been studying full time without interruption since the age of 22 or since the date when he/she married or became a common law spouse.	<input type="checkbox"/>	<input type="checkbox"/>
3.6 For an applicant accompanied by a minor child whose other parent is not part of the immigration application: Notarized copy of a letter of authorization or non-objection signed by the other parent who is not part of the immigration application.	<input type="checkbox"/>	<input type="checkbox"/>
SECTION 4 –SELECTION FACTORS		
	SENT	NON REQUIRED
4.1 Diplomas of the principal applicant, if any	<input type="checkbox"/>	<input type="checkbox"/>
4.2 Proof of stay in Québec: for business (principal applicant only), study or work	<input type="checkbox"/>	<input type="checkbox"/>
4.3 Proof of family residence in Québec	<input type="checkbox"/>	<input type="checkbox"/>

		Sent	
		PA	Spouse if required
7.3	<p>The list of shareholders, if any, or for applicants originating from the People's Republic of China:</p> <ul style="list-style-type: none"> ▪ the complete auditor's report on capital, including an explanation of non-monetary investments issued: <ul style="list-style-type: none"> – when the enterprise was created; – when it was privatized; or – when the applicant became a shareholder; and – following any increase in capital. ▪ the history and current situation of partners, share transfer agreement or resolution of the board of directors or amendments to the articles of association, these documents must be validated by AIC) establishing a share transfer or change to the list of shareholders, if this transfer or change took place without amending the initial auditor's report; ▪ the appraisal report prepared by an accredited independent expert when a significant investment was booked as an intangible asset. 	<input type="checkbox"/>	<input type="checkbox"/>
7.4	<p><u>For an incorporated enterprise or one that is a shareholder in one or more companies:</u></p> <p>All financial statements concerned, or a consolidated financial statement in the case of a holding company that owns several businesses, for the last five (5) complete fiscal years, where applicable, prepared by a chartered accountant and showing:</p> <ul style="list-style-type: none"> ▪ balance sheet, statement of profit and loss, and statement of distributed profits for each year; ▪ a chartered accountant's opinion on the reliability of the information; ▪ notes on accounting methodology, covering: <ul style="list-style-type: none"> – evaluation principles and methods used; – accounting for sales; – inventory evaluation; – identification (typing) of fixed assets and evaluation of their annual depreciation ▪ informational notes on: <ul style="list-style-type: none"> – revenue from non-principal business activity; – long-term investments of the company; – intangible assets, equity reserves and/or capital surplus; – tax law applicable to the business. ▪ copy of the chartered accountant's licence and complete contact information. 	<input type="checkbox"/>	<input type="checkbox"/>

	Sent	
	PA	Spouse if required
<p>These financial statements must be accompanied by pertinent external documents that validate the company's performance in the latest fiscal year, including tax statements or notices of assessment on corporate income and, in countries where the government requires it, a tax return stamped by competent tax authorities. In countries where tax law does not provide for corporate income tax, the applicant must provide other external documents such as sales agreements and statements of corporate bank accounts.</p> <p>For applicants who participated as shareholders in the listing of a company on the stock exchange:</p> <ul style="list-style-type: none"> prospectus prepared for the initial public share offering and annual reports for the last five (5) years, if applicable. 	<input type="checkbox"/>	<input type="checkbox"/>
<p>7.5 <u>For an unincorporated sole proprietorship</u></p> <ul style="list-style-type: none"> a statement of results (profit and loss) for the last five (5) years prepared by a chartered accountant; a detailed evaluation of the net worth of the sole proprietorship prepared by a firm specialized in appraising corporate assets (e.g., in China, China Certified Assets Appraiser), accompanied where applicable by certificates attesting to the right to use land and property titles and an agreement to acquire a right to a commercial lease (key money); statement of bank account(s) of the company and the applicant covering the period from the last update of documents until three (3) months prior to the date of submitting the business net value appraisal. 	<input type="checkbox"/>	<input type="checkbox"/>
<p>7.6 <u>For applicants who acquired their management experience in a professional enterprise:</u></p> <ul style="list-style-type: none"> list of employees with the monthly salary and number of hours of work paid by the employer per week and proof of payment of salaries. <p>For applicants originating from countries where these documents are available:</p> <ul style="list-style-type: none"> proof of the declaration of employees to social insurance (certified) or to any other organization or ministry, or employer's public liability insurance. 	<input type="checkbox"/>	<input type="checkbox"/>
<p>8. APPLICANTS WHO HAD A MANAGEMENT CONTRACT</p> <ul style="list-style-type: none"> Compensation and value of the enterprise Management experience of the principal applicant 		
<p>To support the declarations made in the narrative document, an applicant who exercised management responsibilities or drew significant compensation in the performance of a management contract must submit the following documents:</p>		
<p>8.1 The initial management contract and, where applicable, the last renewal of the contract, accompanied by all pertinent documentation that can confirm the authority of the contract signatory on behalf of the contracting company.</p>	<input type="checkbox"/>	<input type="checkbox"/>

	Sent	
	PA	Spouse if required
8.2 A notarized copy of the registration of the contracting company (and the sub-contracting unit if it is registered separately from the contracting company) and of the confirmation from the local government of these registrations at the time of the contract performance or documents from local government registers confirming the existence and activity of the contracting company (and sub-contractor where applicable) at the time of the contract.	<input type="checkbox"/>	<input type="checkbox"/>
8.3 If the contract was terminated: <ul style="list-style-type: none"> ▪ a certificate issued by an authorized signatory describing the contracting company (brief history of the company, and, for Chinese companies, its participation in the reform, field of operations, etc.); ▪ a profit and loss statement of the sub-contracting unit throughout the contract period. <p>These documents must be accompanied by:</p> <ul style="list-style-type: none"> ▪ pertinent documentation from the period that can confirm the authority of the certificate signatory and performance of the subcontracting unit presented in the certificate; ▪ current contact information for the signatory. <p>For applicants originating from the People’s Republic of China who managed a sub-contracting unit in the construction field, the performance of this unit must be certified by a notarized copy of the consolidated balance sheet of each completion certificate for projects executed by the sub-contracting unit, all validated by the issuing government authority.</p>	<input type="checkbox"/>	<input type="checkbox"/>
8.4 If the contract is still in force: <ul style="list-style-type: none"> ▪ if the sub-contracting unit is registered separately from the contracting company: financial statements of the sub-contracting unit for the five (5) years prior to the end of the last completed fiscal year and meeting the requirements referred to in Point 6.4; ▪ if the sub-contracting unit is not registered separately from the contracting company: a profit and loss statement from the sub-contracting unit for the five (5) years prior to the end of the last completed fiscal year. 	<input type="checkbox"/>	<input type="checkbox"/>
8.5 For applicants originating from the People’s Republic of China who acquired the assets of a privatized collective business: <ul style="list-style-type: none"> ▪ notarized copy certifying the conformity of the copy of the privatization application form approved by the authorities; ▪ the initial evaluation report of the privatized company meeting the requirements referred to in Point 6.3. 	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>

9. APPLICANTS WHO RECEIVED A DONATION OR AN INHERITANCE

Amounts received by donation less than six (6) months before submitting the Application for a Québec Selection Certificate are not eligible.

	Sent	
	PA	Spouse if required
9.1 Donation <ul style="list-style-type: none">▪ identification of the donor and proof of his/her financial capacity to make a donation (Refer to sections 5 to 7 depending on the size of the donation and the particular situation of the donor: employee, shareholder, etc.);▪ documents attesting to the transfer of sums or assets received (e.g., proof of bank deposit).	<input type="checkbox"/>	<input type="checkbox"/>
9.2 Inheritance <ul style="list-style-type: none">▪ Act of death certified by the authorized authority, notarized will or court judgment, documents confirming the nature of the inheritance, documents attesting to the transfer of funds or assets to the inheritor.	<input type="checkbox"/>	<input type="checkbox"/>

APPENDIX 1

WHERE TO SEND THE APPLICATION

Following a decision by the Minister of Immigration and Cultural Communities, published in the *Gazette officielle du Québec* on July 17, 2013, all applications must be sent to the Minister by regular postal mail. Applications received by special private mail or by a physical person will be returned. The stamp of the Ministère will be evidence of the date of receipt of the application by the Minister.

**PLEASE SEND US
ONLY ONE APPLICATION PER POSTAL MAILING**

**WRITE VISIBLY ON THE ENVELOPE
« DEMANDE DE CERTIFICAT DE SÉLECTION-
INVESTISSEUR »**

BUREAU D'IMMIGRATION DU QUÉBEC À HONG KONG

Applications originating from China, Hong-Kong and Macao must be sent to the BIQ in Hong Kong to the following address :

Bureau d'immigration du Québec à Hong Kong
c/o Consulate General of Canada
10th Floor, Tower 1, Exchange Square
8 Connaught Place, Central
HONG KONG

DIRECTION DU COURRIER ET DE L'ENCAISSEMENT – SECTION GENS D'AFFAIRES

Applications originating from any other territory must be sent to the Direction du courrier et de l'encaissement to the following address :

Direction du courrier et de l'encaissement – Section Gens d'affaires
Ministère de l'Immigration et des Communautés culturelles
285, rue Notre-Dame Ouest, 4^e étage
Montréal (Québec) H2Y 1T8
CANADA

APPENDIX 2

RATES AND PAYMENT METHODS

The fees for the examination of an application for a certificate of selection are set to 10 000 CA. These fees cover all persons included in the application.

These fees are payable at time of submission of the application by mail. For more information about payment methods, please consult the following website.

<http://www.immigration-quebec.gouv.qc.ca/fr/immigrer-installer/gens-affaires/>

Cheques must be made payable to **the ministre des Finances du Québec** and include, in the back, the name of applicant in block letters.