

ECONOMIC IMMIGRATION

IMMIGRANT INVESTOR PROGRAM

**List of documents to submit in support of
an application for a Québec selection certificate**

July 3rd 2007

*Immigration
et Communautés
culturelles*

Québec 

TABLE OF CONTENTS

	Page
Introduction.....	3
List of documents.....	7
Appendix 1: Where to submit the application.....	13
Appendix 2: Fees payable and payment method	15

INTRODUCTION

1. Purpose

The purpose of this document is to simplify the presentation of documents required for the examination of an Application for a Selection Certificate submitted by a foreign national as an investor immigrant.

2. Context

The Act respecting immigration to Québec states that the Minister shall issue a selection certificate to a foreign national who satisfies the selection conditions and criteria established by regulation (s. 3.1). This Act also requires each person who applies for a selection certificate to demonstrate the truthfulness of his declarations to the Minister (s. 3.2.1).

The candidate is responsible for determining which documents will enable the Minister to examine his application.

This section of the Act also states that the candidate must submit to the Minister any document that the Minister deems to be pertinent.

The Regulation respecting the Selection of Foreign Nationals (RSFN) also provides that notice of a call to an interview should indicate which documents the candidate must present to support his application (s. 8). During the interview, the immigration officer may ask the candidate for other documents to determine if he meets the requirements of the RSFN (s. 9).

3. Definition of an investor

Québec's Regulation respecting the Selection of Foreign Nationals defines an investor as a foreign national at least 18 years old:

- who has at least three (3) years management experience in a farming, commercial or industrial business that is profitable and legal; or for a government or one of its departments or agencies, or for an international agency;
- who has net assets of at least \$800,000 CAN that he has accumulated through legal economic activities. These net assets may include the value of the equity of the foreign national's accompanying spouse, including de facto spouse, if that equity belongs to the foreign national and is invested in an enterprise in which the investor also controls the equity and has acquired experience in management; and
- who comes to settle and to invest in Québec in accordance with the provisions of the Regulation.

To qualify as an *investor*, a candidate must also demonstrate:

- that he has signed an investment agreement with a broker or trust company authorized to work with the immigrant investor program and calling for a commitment to invest \$400,000

for a term of five years. Financial intermediaries authorized to work in the immigrant investor program are listed at the following web site:

www.immigration-quebec.gouv.qc.ca

- that the management experience was acquired in the ten (10) years preceding the application for a selection certificate and involved the effective full-time exercise of the duties and responsibilities of planning, management and control of financial resources and of human or material resources, except in the context of an apprenticeship, training or specialization process attested to by a diploma; and
- that he qualifies under the selection grid (required elements and passing score).

4. Presentation of the list

This list sets out, under eight headings, the documents generally required in compliance with regulatory requisites. It also contains specific information applicable to candidates served by Québec Immigration Offices in Hong Kong and Damascus.

For each required document enclosed with an application for a Quebec selection certificate, check the box “Sent” and send this list with the documents.

For faster processing of a file, the documents should be arranged in the order of their appearance on the list and identified by a tab bearing their corresponding number on the list.

5. Examination of the file and collection of fees

An application for a selection certificate must be submitted to one of the addresses given in Appendix 1 of this list, depending on the country of the foreign national.

Fees for processing the application are cashed upon receipt and a computer file is created in all cases, whether or not the file is complete. The amount of these fees is given in Appendix 2.

In order to be processed, an application for a selection certificate must contain the documents described in Points 1.1 to 1.5 of this list.

If these essential documents are not sent, the file will be placed on hold and the other documents will not be examined. A notice of incomplete file will be sent to the candidate, who will have thirty (30) days to complete it. The examination will resume when the missing documents are received. If they are not received by the deadline, the file will be closed.

All the other documents on this list are necessary for the examination of your file. If the file contains the essential documents, but remains incomplete, a period of sixty (60) days will be given to complete it. If the Ministry does not receive the documents by this time, the file will be closed.

If a person wishes to file a new application after his file has been closed, the processing fee will have to be paid again.

6. Presentation of the documents

Photocopies of documents must be of excellent quality or they will not be accepted.

For some documents, the original or a notarized copy is required at the time the application is submitted.

If a candidate cannot present certain documents, he must enclose an explanation and, depending on the case, a substitute document. The explanation and the document submitted as substitute for the required document must be placed at the location of the document that they replace.

However, at the interview, the candidate must have the original of any document for which he provided a copy in his application.

7. Translation

All documents written in a language other than French or English must be accompanied, upon submission of the application, 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.

8. Submitting documents before the interview

Files submitted by candidates in the Businesspeople category are deemed to be complete when the Application for a selection certificate is filed. It is not acceptable for a candidate to submit a document later than he could have submitted when filing his application. After examining the file, if the Ministry believes that important documents are missing, it asks the applicant for them. Once these operations are concluded, the file is deemed complete and ready for a call to interview.

The candidate wishing to update his file before the interview to include new facts that occurred since the submission of the application for immigration, must do so as soon as possible after the event or at least ten (10) business days before the interview date. New facts could be the creation of a new company involving new supporting documents to provide, or an increase in capital invested in the business as shown by a new Capital Verification Report (CVR), etc. The documents attesting to these new facts must reach the Hong Kong BIQ (for applications from the territory it covers), or the Direction de l'immigration économique (DIE) (for other territories including those covered by the Damascus BIQ) by mail and be accompanied by a list of the documents concerned.

Updates of the personal assets of the candidate must reach the Hong Kong BIQ or the Direction de l'immigration économique by mail at least ten (10) business days before the interview.

The candidate who, after filing his application, sends unsolicited documents that were available or could have been available at the time of filing his application, concerning facts that occurred prior to the filing of the application, will see the processing of his file interrupted and placed at the end of the wait line for complete processing. This situation could lead to postponing a previously confirmed selection interview.

If the documents attesting to the new facts reach the BIQ or DIE after the deadline of ten (10) days or if the applicant presents them on the same day as the interview, the interview could be postponed. Moreover, the BIQ and DIE reserves the right to postpone an interview even if the documents attesting to the new facts are presented within the deadline of ten (10) business days before the interview, in cases where there are many documents or they require an analysis that will exceed the period of ten (10) business days.

Finally, any candidate who, during an interview, declares assets or economic activities that he never reported in his immigration application could see the interview suspended and receive a letter of intent to reject for giving misleading information. (Reference: NPI 2006-10).

9. Deposit of documents during the interview

The originals of all required documents must be submitted at the interview.

When the candidate can justify the non-availability of an original document, he must present a certified true copy from the institution that issued it or the duly authorized legal authority. In the justified absence of the original or a copy from the issuer or duly authorized legal authority, the candidate may submit any other certified document. The immigration officer will then rule on the document's validity and admissibility (Reference: NPI 2006-06).

10. Use of an immigration intermediary and power of attorney

Anyone may present an application for a selection certificate directly to the Ministry via a Québec Immigration Office abroad or the Service de la sélection of the Ministry's Direction de l'immigration économique in Montréal.

All applications are processed under the same criteria. No priority or special treatment will be given should the services of an immigration intermediary be used.

If a candidate uses the services of an immigration intermediary, he must send a complete and detailed power of attorney mandating his representative. The power of attorney used in dealings with the federal government cannot be used to obtain a Québec selection certificate.

11. Accuracy of supplied information

The candidate is responsible for the accuracy and truthfulness of the information and documentation that he submits to support his application for a selection certificate and for any information or document supplied on his behalf by a person that he mandates.

The truthfulness of the documents submitted may be verified by the Ministère with third parties. A false declaration could result in the rejection of an application and the refusal to examine any other application for a selection certificate from the candidate for a period of five (5) years.

LIST OF DOCUMENTS TO PROVIDE

	SENT	
	YES	NO
1. BASIC DOCUMENTS		
1.1 The Application for a Québec selection certificate, completed and bearing the original signature of the principal applicant and an application for a selection certificate for each accompanying person aged 18 and over bearing the original signature of this person and the principal applicant.	<input type="checkbox"/>	<input type="checkbox"/>
1.2 The Investor Appendix duly completed.	<input type="checkbox"/>	<input type="checkbox"/>
1.3 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 program.	<input type="checkbox"/>	<input type="checkbox"/>
1.4 The statement of the broker or trust company with respect to the verification of the identity and to the steps taken to verify the source and origin of the assets of the investor applicant, bearing the original signature of the broker or trust company.	<input type="checkbox"/>	<input type="checkbox"/>
1.5 Fees payable to examine the Application for a selection certificate.	<input type="checkbox"/>	<input type="checkbox"/>
<u>Where applicable:</u>	<input type="checkbox"/>	<input type="checkbox"/>
1.6 Power of attorney granted to the broker or trust company if acting as representative of the principal applicant, bearing the original signature of the principal applicant.	<input type="checkbox"/>	<input type="checkbox"/>
1.7 Detailed power of attorney granted to a lawyer or consultant, bearing the original signature of the principal applicant.	<input type="checkbox"/>	<input type="checkbox"/>

2. IDENTIFICATION OF APPLICANT AND HIS DEPENDANTS NAMED ON THE APPLICATION FOR A SELECTION CERTIFICATE		
2.1 Proof of family status: act of marriage, death of a spouse, divorce, adoption, legal custody or birth of a dependent child, Appendix "Declaration by spouse" bearing the original signatures of declarers and, for applicants originating from the People's Republic of China , a copy of the household registration (<i>hukou</i>).	<input type="checkbox"/>	<input type="checkbox"/>
2.2 Photocopies of passport pages bearing the photo and identity (valid for at least 12 months) of the principal applicant and accompanying family members or the national identity card of the principal applicant and spouse if they do not have a passport .	<input type="checkbox"/>	<input type="checkbox"/>
2.3 For a candidate accompanied by a child at least 22 years old: Proof that the child is studying full-time and is neither a married nor de facto spouse or became a married or de facto spouse before the age of 22 and is studying full-time.	<input type="checkbox"/>	<input type="checkbox"/>
2.4 For a candidate 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 not part of the immigration application.	<input type="checkbox"/>	<input type="checkbox"/>

	SENT	
	YES	NO
3. HISTORY OF ORIGIN AND ACCUMULATION OF FUNDS		
<p>3.1 Narrative document bearing the candidate's original signature and describing the origin or manner in which the candidate's present financial resources (both family and business) were accumulated. This document could, for example, present information on the following points:</p> <ul style="list-style-type: none"> – <i>Employment income</i>: date, amount and source; – <i>Business income</i>: amount accumulated while the candidate managed the business as well as dates the business was in operation, share of distributed profits and accumulated profits; – <i>Investment income</i>: shares, units, bonds (date and purchase price, sale price and current market value), interest, dividends, capital gains (date, amount and source); – <i>Cumulative gains on personal assets</i>: real estate (date and purchase price, sale price and current market value), other; – <i>Inheritance, donations and non-bank loans</i>: date, amount and source, accompanied by documents confirming: <ul style="list-style-type: none"> • the identity of the donor and/or lender and his financial capacity to give or lend; • transfer of sums borrowed and their complete or partial repayment. 	<input type="checkbox"/>	<input type="checkbox"/>

4. EDUCATION		
4.1 Diplomas of the principal applicant	<input type="checkbox"/>	<input type="checkbox"/>

5. NET SHORT-TERM ASSETS (SAVINGS, INVESTMENTS, SHARES) AND PROPERTIES		
<p>5.1 All supporting proof for information given in the Investor Appendix on net short-term assets and properties, including:</p> <ul style="list-style-type: none"> • proof of banking transactions carried out in the six (6) months prior to the latest update of the Investor Appendix; • mortgage and personal loan agreements where applicable and current balance of these loans; • proof of payment of the purchase price and taxes for real estate; • property title and valuation done by a specialized firm accompanied by a copy of the firm's licence authorizing this firm to conduct professional valuations or, for candidates originating from Iran, valuation of real estate property prepared by an expert sworn with the Ministry of Justice (civil engineer or architect, for example) and accompanied by a copy of the expert's licence; • certificate confirming the current redemption value of insurance; 	<input type="checkbox"/>	<input type="checkbox"/>

	SENT	
	YES	NO
<ul style="list-style-type: none"> investor book, where applicable, and copy of statements of real estate and/or investment transactions, with a history of the portfolios' evolution; other. 		

6. MANAGEMENT EXPERIENCE AND REMUNERATION WHEN THE APPLICANT DOES NOT OWN A BUSINESS (See Chapter 8 for management contracts)

To support the declarations in Part 2 of the Investor Appendix, a candidate must provide a certificate from the employer:

- for each employment position as a manager;
- for each employment position from which he drew a sizable remuneration which, in a significant manner, was the source of an investment, property acquisition, or current savings.

6.1 This certificate must give the title and contact information of the signatory and detailed information on:

<input type="checkbox"/>	<input type="checkbox"/>
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- the contact information and nature of the business during the term of employment;
- the duties and responsibilities of the candidate ;
- the income of the candidate (broken down by salary, benefits, commissions and bonuses) with, if applicable, an explanation of the basis for calculating commissions and bonuses.

To support the declaration of exercise of management responsibility for an employer, the certificate from this employer must also be accompanied by pertinent documents to judge the financial performance and profitability of the business.

If the enterprise is still in operation, the certificate must be on official company letterhead of the employer with full contact information (including Web site, if any).

Attach to the certificate all pertinent documents confirming the signatory's authority and supporting the different information it contains.

7. MANAGEMENT EXPERIENCE, REMUNERATION AND VALUE OF THE BUSINESS OF THE CANDIDATE AS SHAREHOLDER OR AS OWNER OF A PRIVATE OR PUBLIC BUSINESS

To support the declarations in Part 2 of the Investor Appendix, a candidate must provide the documents listed below:

- For each employment position as a manager; **and**
- For each employment position from which he drew a sizable remuneration which, in a significant manner, was the source of an investment, property acquisition, or current savings.

	SENT	
	YES	NO
<p>7.1 The business registration and confirmation from local government of the business registration issued:</p> <ul style="list-style-type: none"> • upon the creation of the business; • upon its privatization; or • when the applicant became a shareholder; and • at the date of the last renewal. <p>For candidates originating in Iran, these registrations must be accompanied by the industrial, commercial or professional practice permit issued by the competent authority.</p> <p>For candidates originating in the People’s Republic of China:</p> <ul style="list-style-type: none"> • these registrations must be accompanied by the registrations for local and national taxes; • if a candidate owns a company involved in a Chinese-foreign joint venture agreement or is involved in a wholly foreign-owned enterprise (WFOE), the candidate must provide the notarized copy of the Certificate of Approval (COA) issued by the Ministry of Commerce (MOFCOM). 	<input type="checkbox"/>	<input type="checkbox"/>
<p>7.2 The list of shareholders where applicable, or, for candidates originating in 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"> - upon the creation of the business; - upon its privatization; or - when the applicant became a shareholder; and - following any increase in capital; • copy of the documentation (E.g.: AIC file establishing 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 changing 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"/>
<p>7.3 <u>For an incorporated company or a company that is itself a shareholder of one or more companies:</u></p> <p>All the financial statements concerned, or a consolidated financial statement in the case of a holding company owning 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"> • a balance sheet, statement of profit and loss, and statement of distributed profits for each year; 	<input type="checkbox"/>	<input type="checkbox"/>

	SENT	
	YES	NO
<ul style="list-style-type: none"> • a chartered accountant's opinion on the reliability of the information; • notes by the accountant on accounting methods, covering among other things: <ul style="list-style-type: none"> - appraisal principles and methods used; - booking of sales; - inventory evaluation; - identification (typing) of fixed assets and evaluation of their annual depreciation; • informational notes on among other things: <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. <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 company revenue.</p>		
<p>7.4 <u>For an unincorporated sole proprietorship:</u></p> <ul style="list-style-type: none"> • a statement of results (profit and loss) for the last (5) five years prepared by a chartered accountant; • a detailed appraisal of the net value of the sole proprietorship prepared by a firm specialized in appraising company 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 • statement of bank account(s) of the company and the candidate 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>7.5 <u>For applicants originating from Iran or Egypt:</u></p> <ul style="list-style-type: none"> • proof of the declaration of employees to social insurance. 	<input type="checkbox"/>	<input type="checkbox"/>

8. MANAGEMENT EXPERIENCE AND REMUNERATION OF A CANDIDATE WHO HAD A MANAGEMENT CONTRACT		
<p>In order to support the declarations in Part 2 of the Investor Appendix, a candidate who exercised management responsibilities or drew a significant remuneration 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	
	YES	NO
8.2 Notarized copie of the registration of the contracting company (and of 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 execution or of the 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 <u>In the event that the contract is terminated:</u> <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 activity); • 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 <u>If the contract is still in force:</u> <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 preceding the end of the last completed fiscal year and meeting the requirements referred to in Point 7.3; • 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 preceding 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 7.2. 	<input type="checkbox"/>	<input type="checkbox"/>

APPENDIX 1

WHERE TO SUBMIT THE APPLICATION

Québec Immigration Office (BIQ) in Damascus

If you are a foreign national of one of the following countries, you must submit your application to the BIQ in Damascus:

Afghanistan, Azerbaijan, Bahrain, Bhutan, Cyprus, Egypt, India, Iran, Iraq, Jordan, Kuwait, Lebanon, Maldives, Nepal, Oman, Pakistan, Qatar, Saudi Arabia, Sri Lanka, Sudan, Syria, Turkey, United Arab Emirates, Yemen.

Québec Immigration Office in Damascus
c/o Canadian Embassy
38, Autostrade Mezzeh
P.O. Box 3394
Damascus
SYRIA

Telephone: (963.11) 611.6851 or 611.6692
Fax: (963.11) 613.1600
Web site: <http://www.immigration-quebec.ca/damas>

Québec Immigration Office (BIQ) in Hong Kong

If you are a foreign national of one of the following countries, you must submit your application to the BIQ in Hong Kong:

Australia, Bangladesh, Myanmar (Burma), Brunei, Cambodia, China, Korea, Fiji, Hong Kong, Indonesia, Japan, Laos, Macao, Malaysia, Micronesia, New Caledonia, Papua-New Guinea, New Zealand, Philippines, French Polynesia, Singapore, Taiwan, Thailand, Viet Nam.

Québec Immigration Office in Hong Kong
c/o Consulate General of Canada
10th Floor, Tower 1, Exchange Square
8 Connaught Place, Central
HONG KONG

Telephone: (852) 2810.7183
Fax: (852) 2845.3889
E-mail: biq.hkong@micc.gouv.qc.ca
Web site: <http://www.immigration-quebec.ca/hongkong>

**Service de la sélection (services aux gens d'affaires)
Direction de l'immigration économique
Ministère de l'Immigration et des Communautés culturelles
Montréal**

If you are a foreign national of Europe, the Maghreb, Africa or the Americas, you must submit your application to Montréal.

Service de la sélection (services aux gens d'affaires)
Direction de l'immigration économique
Ministère de l'Immigration et des Communautés culturelles
Édifice Gérald-Godin, 3rd floor,
360, McGill, Suite 3.05
Montréal (Québec) H2Y 2E9
Canada

Telephone: 514 873-7309
Fax: 514 864-1450

APPENDIX 2

FEES PAYABLE AND PAYMENT METHOD

The fees payable to examine an application for a selection certificate are calculated based on the immigration class of the candidate and the number of accompanying family members. These fees are not refundable.

INVESTOR	\$ CAN
Principal applicant	3 850 \$
Spouse	150 \$
Each dependent child	150 \$

Payment method

Payment must be made in Canadian currency by bank draft, certified cheque or bank or postal money order payable to the Minister of Finance of Québec. It must be valid for a period of six (6) months

Notes:

- Bank transfers made to the account of the Minister of Finance of Québec are refused.
- Personal or company cheques are refused.
- Cash is refused.
- Your banking institution must make sure that the cheque is drawn on a Canadian bank and cashable at no charge by our departments.
- These fees are not refundable nor are they deductible from fees charged by the Canadian Visa office.