Bill 9 Has Passed – A First Glimpse into Québec's New Immigrants Selection Process

July 03, 2019

Bill 9 was passed by l'Assemblée nationale du Québec on June 16, 2019.

Bill 9, entitled *Loi visant à accroître la prospérité socio-économique du Québec et à répondre adéquatement aux besoins du marché du travail par une intégration réussie des personnes immigrantes* (Bill 9), was passed by l'Assemblée nationale du Québec on June 16, 2019.

The passage of Bill 9 will have significant repercussions for all foreign nationals who have applied or intend to apply for permanent residence status in the province of Québec. The primary goal of Bill 9 is to select immigrants to more effectively address Québec's unique labour market needs. Not only will Bill 9 affect over 50,000 individual applicants, it will dramatically impact their prospective employers, many of whom are desperately seeking to hire highly-skilled foreign nationals.

Practically speaking, the passage of Bill 9 will allow the Ministère de l'Immigration, de la Diversité et de l'Inclusion (MIDI) to favour applicants for permanent residency who speak French or have specific, in-demand skills and qualifications, the view being that the new criteria will better facilitate their integration into the Québec labour market, and society in general.

Indeed, Bill 9 provides for the reform of the selection process for foreign nationals to obtain a *Certificate of Selection from Québec* (CSQ) in order to better align it with the Québec labour market's needs. Applicants will now need to submit a Declaration of Interest through the new Arrima portal, after which, if they meet the selection criteria devised by MIDI – the details of which are currently unknown – they will be issued an invitation to submit an official application for obtaining a CSQ under the Regular Skilled Worker Program. According to the MIDI, the delays for the selection and treatment of applications will be significantly reduced, from three years to six months.

Most significantly, Bill 9 effectively terminates all CSQ applications submitted to the MIDI before August 2, 2018, and for which a decision has not been made as of February 9, 2019, except for applications whose sole purpose is to add a family member of the foreign national to the application. It is estimated that this will affect close to 18,000 applications currently in process. Application fees paid for the applications

terminated in accordance with Bill 9 will be refunded to all applicants, who are now encouraged to submit a Declaration of Interest through Arrima.

Bill 9 will also allow the implementation of a new self-service employer portal, to come within the next months, through which Québec employers will be able to directly access the Declarations of Interest of potential candidates and contact them directly to make an offer of employment, therefore facilitating their arrival in Québec.

Finally, Bill 9 sets the stage for new regulations to be passed in the future, including new conditions associated with permanent residency that may seriously affect all foreign nationals who want to apply for a CSQ, as well as all employers who want to hire foreign nationals.

Employers would be well advised to identify any foreign workers that might be impacted by the passage of Bill 9 and prepare for further delays in the treatment of applications while the changes brought by Bill 9 are being implemented. The experts in BLG's Business Immigration Group can help you prepare and deal with those changes.

By

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