

# **BUSINESSPEOPLE**

## **IMMIGRANT INVESTOR PROGRAM**

**List of documents to submit in support of  
an Application for a Québec Selection Certificate**

**September 2011**

*Immigration  
et Communautés  
culturelles*

**Québec** 

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# INTRODUCTION

## 1. Purpose

The purpose of this document is to simplify the presentation of documents required for the examination of an Application for a Québec 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 meets the selection conditions and criteria determined 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 applicant is responsible for determining which documents will enable the Minister to examine his application. This section of the Act also states that the applicant must submit to the Minister any document that the Minister deems to be pertinent.

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/she meets the requirements of the Regulation in the framework of examining his application (s.9). If a selection interview is necessary, the notice to appear at the interview states which documents the applicant must submit in support of his application (s. 8).

## 3. Definition of investor

The Regulation respecting the Selection of Foreign Nationals defines an investor as a foreign national at least 18 years of age who:

- has experience in management 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, either for an international agency or for 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 CAN\$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/she has signed an investment agreement with a broker or trust company authorized to work with the Immigrant Investor Program that calls for an undertaking to make an investment of CAN\$800,000 for a term of five (5) years. A list of financial intermediaries authorized to work in the Immigrant Investor Program is available at the following website: [www.immigration-quebec.gouv.qc.ca](http://www.immigration-quebec.gouv.qc.ca);
- that, he/she assumed, for at least two (2) years in the five (5) 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/she qualifies under the selection grid (eligibility criteria and passing score).

#### **4. Presentation of the list**

This list identifies the documents generally needed to meet regulatory requirements. It also contains information specifically applicable to candidates served by the Québec Immigration Office in Hong Kong or in other territories covered by the Service aux gens d'affaires (SGA) in Montréal.

The "Sent" box should be checked off for each required document enclosed with an application for a Québec Selection Certificate, for both the principal applicant and spouse or de facto spouse included in the application. This checked list must be attached to the documents.

**The spouse or de facto spouse who is included in the application must submit the required documents in cases where the principal applicant has access to all or part of the spouse's net assets to reach the threshold of CAN\$1,600,000.**

The principal applicant must contribute his or her assets, in whole or in part, to the attainment of the net worth threshold which cannot, under any circumstances, rest solely on the assets of the accompanying spouse or de facto spouse.

For faster processing of a file, the documents required from the principal applicant and, if applicable, the spouse or de facto spouse included in the application should be arranged according to the order in which they appear on the list and identified by a tab bearing the 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 provided in Appendix 1 of this list, depending on the country of the foreign national. Details on the payment of fees and payment method are provided in Appendix 2.

All the documents requested in this list are necessary for the review of the application. If essential documents are not submitted, or if they are not accompanied by other required documents, the application and fees will be returned to the applicant.

#### **6. Presentation of documents**

Photocopies of documents must be of excellent quality or they will not be accepted. For some documents, the original document or a notarized copy is required when the application is submitted. If an applicant is unable to present certain documents, he/she must provide an explanation as well as substitute documents, where applicable. The explanation and substitute document should be inserted where the documents they are replacing would have appeared.

#### **7. Translation**

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

#### **8. Updating the application**

Files submitted by applicants in the investor subclass are considered to be complete when the Application for a Québec Selection Certificate (QSC) is submitted. Before the Ministère examines the file, applicants will be asked to update their file to document any new facts or changes in the value and distribution of declared net worth.

**No update will be accepted after this stage. It is not acceptable for an applicant to submit documents late if he/she could have presented it when filing his/her application.** If the examination of any applicant's file, or the interview, reveals assets or economic activities that were never reported in his immigration application, the examination of the file or the interview could be suspended and a letter of intent to reject on grounds of misleading information could be sent to the applicant.

## **9. Presenting documents at the interview**

The originals of all documents are required at the interview, if applicable. If the applicant can justify why an original document is not available, he/she 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 applicant may submit any other certified document. The Ministère will determine its validity and admissibility.

## **10. 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 be used. If an applicant uses the services of an intermediary, he/she must send a detailed power of attorney mandating a representative. The power of attorney used in dealings with the federal government cannot be used to apply for a Québec Selection Certificate.

## **11. Accuracy of information given**

The applicant is responsible for the accuracy and veracity of the documents and information submitted with the Application for a Québec Selection Certificate and for any information or document provided on his/her behalf by a person who he/she mandates.

The Ministère may consult third parties to verify the veracity of the documents submitted. A false declaration could result in the rejection of an application and the refusal to examine any other application for a certificate from this applicant for a period of five years.

## DOCUMENTS TO BE SUBMITTED

<b>1. ESSENTIAL DOCUMENTS</b>	
	<b>Sent</b>
1.1 Completed Investor - Application for a Québec Selection Certificate bearing the original signature of the principal applicant, and an application for each person aged 22 or older included in the application, bearing the original signature of this person and the principal applicant.	<input type="checkbox"/>
1.2 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"/>
1.3 The declaration of the broker or trust company concerning identity checks and steps 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"/>
1.4 Fees payable to examine the DCS.	<input type="checkbox"/>
1.5 Narrative document for the principal applicant and, if applicable, the spouse or de facto spouse included in the application (see narrative document for instructions).  ▪ If the candidate lacks the linguistic skills to read this document in French or English, present a certified translation in the candidate's mother tongue.	<input type="checkbox"/>  <input type="checkbox"/>
<u>Where applicable:</u>	
1.6 Photocopie 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"/>
1.7 Detailed power of attorney granted to a lawyer or consultant, bearing the original signature of the principal applicant.	<input type="checkbox"/>
<b>IDENTIFICATION OF FAMILY MEMBERS WHO ARE INCLUDED IN THE APPLICATION</b>	
1.8 Evidence of family status: certificate of marriage, death of a spouse, divorce, adoption, legal custody or birth of a dependent child, the Appendix "Declaration by spouse or de facto spouse" bearing the original signatures of declarers, copy of the family booklet or, where applicable, household register.	<input type="checkbox"/>
1.9 Photocopies of passport pages bearing the photograph and identity (valid for at least 12 months) of the principal applicant and accompanying family members included in the application and, where applicable, the national identity card of the principal applicant and spouse if they do not have a passport. For candidates living in a country other than their country of origin, valid proof of residence status.	<input type="checkbox"/>
<b>EDUCATION</b>	
1.10 Diplomas of the principal applicant, if any.	<input type="checkbox"/>
<b>2. ACCOMPANYING DEPENDENT CHILDREN</b>	
2.1 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"/>

2.2 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"/>	
<b>3. STAY AND FAMILY IN QUÉBEC</b>		
	<b>Sent</b>	
	<b>PA</b>	<b>Spouse</b>
3.1 Proof of stay in Québec: for business (principal applicant only), study or work	<input type="checkbox"/>	<input type="checkbox"/>
3.2 Proof of family residence in Québec	<input type="checkbox"/>	<input type="checkbox"/>
<b>4. SHORT-TERM NET ASSETS (SAVINGS, INVESTMENTS, STOCKS, ETC) AND PROPERTY</b>		
4.1 Documents supporting the declarations made in the “net worth” section of the Investor Application for a Québec Selection Certificate concerning short-term net assets and property, including: <ul style="list-style-type: none"> <li>▪ proof of banking transactions carried out in the six (6) months prior to the filing or, where applicable, the latest update of the Investor-Application Form;</li> <li>▪ mortgage and personal loan agreements, if any, and current balance of these loans;</li> <li>▪ proof of payment of the purchase price and taxes for real estate;</li> <li>▪ purchase agreement and property title or, where applicable, current registration in the official land register, and in the case of commercial property, the purchase agreement stating, where applicable, the value of commercial right;</li> <li>▪ <b>if the value of land or property is used to meet the CAN\$1,600,000 threshold:</b> professional valuation report prepared by an individual or corporation accredited by competent authorities (Ministère de la Justice or other government authority). This report must be accompanied by a copy of the expert’s licence confirming that he or she is officially authorized to perform real estate valuations;</li> <li>▪ certificate confirming the current surrender value of insurance;</li> <li>▪ copy of statements of securities transactions, or investor book, where applicable, accompanied by the history of changes in the portfolio;</li> <li>▪ others.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
<b>5. EMPLOYED APPLICANTS (SEE SECTION 7 FOR MANAGEMENT CONTRACTS)</b>		
- <b>Compensation</b> - <b>Management experience of the principal applicant</b>		
To support the declarations made in the narrative document, applicants must provide a certificate from the employer: <ul style="list-style-type: none"> <li>▪ For each management position and for each job from which he/she drew substantial compensation which contributed significantly to an investment, a purchase of property or his current savings.</li> </ul>		
5.1 This certificate must state the title and contact information of the signatory and detailed information on: <ul style="list-style-type: none"> <li>▪ contact information (including website) and nature of the business during the time of employment;</li> <li>▪ duties and responsibilities of the applicant;</li> <li>▪ applicant’s income (broken down by salary, benefits, commissions and bonuses) with an explanation of the basis for calculating commissions and bonuses, if applicable.</li> </ul> Attach relevant documents to the certificate that confirm the signatory’s authority and support the information presented in the certificate.		

**6. APPLICANTS WHO ARE SHAREHOLDERS OR OWNERS OF A PRIVATE OR PUBLIC BUSINESS**

- **Compensation and value of the enterprise**
- **Management experience of the principal applicant**

To support the declarations made in the narrative document, applicants must provide the documents listed below:

- for each job in a management position; **and**
- for each job from which they drew substantial compensation which contributed significantly to an investment, a purchase of property or their current savings.

		<b>Sent</b>	
		<b>PA</b>	<b>Spouse</b>
6.1	Contact information for the enterprise including website address	<input type="checkbox"/>	<input type="checkbox"/>
6.2	Business registration and confirmation of business registration from local government or publication in the Gazette officielle: <ul style="list-style-type: none"> <li>▪ when the enterprise was created;</li> <li>▪ when it was privatized;</li> <li>▪ when the shareholder structure changed;</li> <li>▪ at the date of the last renewal;</li> <li>▪ at the time of business cessation, if applicable.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
	<p><b>For applicants originating from countries under the responsibility of the Service aux gens d'affaires:</b></p> <ul style="list-style-type: none"> <li>▪ these registrations must be accompanied by the industrial, commercial or professional licence to practice issued by the competent authority.</li> <li>▪ in countries that require it, the applicant must provide the latest corporate tax return (validated by the competent tax office or officially remitted to tax authorities and validated by them) along with the company's tax registration certificate or card.</li> </ul> <p><b>For applicants originating from the People's Republic of China:</b></p> <ul style="list-style-type: none"> <li>▪ these registrations must be accompanied by the registrations with local and national tax offices;</li> <li>▪ if an applicant owns a company involved in a Chinese-foreign joint venture agreement or is involved in a wholly foreign-owned enterprise (WFOE), the applicant must provide the notarized copy of the Certificate of Approval (COA) issued by the Ministry of Commerce (MOFCOM).</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>



		Sent	
		PA	Spouse
6.3	<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"> <li>▪ the complete auditor's report on capital, including an explanation of non-monetary investments issued: <ul style="list-style-type: none"> <li>– when the enterprise was created;</li> <li>– when it was privatized; or</li> <li>– when the applicant became a shareholder; and</li> <li>– following any increase in capital.</li> </ul> </li> <li>▪ 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 amending the initial auditor's report;</li> <li>▪ the appraisal report prepared by an accredited independent expert when a significant investment was booked as an intangible asset.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
6.4	<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"> <li>▪ balance sheet, statement of profit and loss, and statement of distributed profits for each year;</li> <li>▪ a chartered accountant's opinion on the reliability of the information;</li> <li>▪ notes on accounting methodology, covering: <ul style="list-style-type: none"> <li>– evaluation principles and methods used;</li> <li>– accounting for sales;</li> <li>– inventory evaluation;</li> <li>– identification (typing) of fixed assets and evaluation of their annual depreciation.</li> </ul> </li> <li>▪ informational notes on: <ul style="list-style-type: none"> <li>– revenue from non-principal business activity;</li> <li>– long-term investments of the company;</li> <li>– intangible assets, equity reserves and/or capital surplus;</li> <li>– tax law applicable to the business.</li> </ul> </li> <li>▪ copy of the chartered accountant's licence and complete contact information.</li> </ul> <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"> <li>▪ prospectus prepared for the initial public share offering and annual reports for the last five (5) years, if applicable.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>

		Sent	
		PA	Spouse
6.5	<p><u>For an unincorporated sole proprietorship</u></p> <ul style="list-style-type: none"> <li>▪ a statement of results (profit and loss) for the last five (5) years prepared by a chartered accountant;</li> <li>▪ 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);</li> <li>▪ 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.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
6.6	<p><u>For applicants who acquired their management experience in a professional enterprise:</u></p> <ul style="list-style-type: none"> <li>▪ 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.</li> </ul> <p>For applicants originating from countries where these documents are available:</p> <ul style="list-style-type: none"> <li>▪ proof of the declaration of employees to social insurance (certified) or to any other organization or ministry, or employer's public liability insurance.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>7. APPLICANTS WHO HAD A MANAGEMENT CONTRACT</b></p> <ul style="list-style-type: none"> <li>- <b>Compensation and value of the enterprise</b></li> <li>- <b>Management experience of the principal applicant</b></li> </ul>			
<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>			
7.1	<p>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"/>
7.2	<p>A notarized copy of the registration of the contracting company (<b>and the sub-contracting unit if it is registered separately from the contracting company</b>) and of the confirmation from the local government of these registrations at the time of the contract performance <b>or</b> 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.</p>	<input type="checkbox"/>	<input type="checkbox"/>

		Sent	
		PA	Spouse
7.3	<p>If the contract was terminated:</p> <ul style="list-style-type: none"> <li>▪ a certificate issued by an authorized signatory describing the contracting company (brief history of the company, and, <b>for Chinese companies</b>, its participation in the reform, field of operations, etc.);</li> <li>▪ a profit and loss statement of the sub-contracting unit throughout the contract period.</li> </ul> <p>These documents must be accompanied by:</p> <ul style="list-style-type: none"> <li>▪ pertinent documentation from the period that can confirm the authority of the certificate signatory and performance of the subcontracting unit presented in the certificate;</li> <li>▪ current contact information for the signatory.</li> </ul> <p><b>For applicants originating from the People's Republic of China who managed a sub-contracting unit in the construction field</b>, 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"/>
7.4	<p>If the contract is still in force:</p> <ul style="list-style-type: none"> <li>▪ 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;</li> <li>▪ 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.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
7.5	<p>For applicants originating from the People's Republic of China who acquired the assets of a privatized collective business:</p> <ul style="list-style-type: none"> <li>▪ notarized copy certifying the conformity of the copy of the privatization application form approved by the authorities;</li> <li>▪ the initial evaluation report of the privatized company meeting the requirements referred to in Point 6.3.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
<b>8. APPLICANTS WHO RECEIVED A DONATION OR AN INHERITANCE</b>			
Amounts received by donation less than six (6) months before submitting the Application for a Québec Selection Certificate are not eligible.			
8.1	<p>Donation</p> <ul style="list-style-type: none"> <li>▪ 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.);</li> <li>▪ documents attesting to the transfer of sums or assets received (e.g., proof of bank deposit).</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
8.2	<p>Inheritance</p> <ul style="list-style-type: none"> <li>▪ 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.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>

## APPENDIX 1

### WHERE TO FILE THE APPLICATION

#### QUÉBEC IMMIGRATION OFFICE IN HONG KONG

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

Afghanistan, Australia, Bangladesh, Brunei, Burma (Myanmar), Cambodia, China, Fiji, Hong Kong, India, Indonesia, Japan, Korea, Laos, Macao, Malaysia, Maldives, Micronesia, Nepal, New Caledonia, Papua-New Guinea, New Zealand, Pakistan, Philippines, French Polynesia, Singapore, Sri Lanka, Taiwan, Thailand, Vietnam.

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

Telephone: 852-2810-7183

Fax: 852-2845-3889

E-mail: [quebec.hkong@micc.gouv.qc.ca](mailto:quebec.hkong@micc.gouv.qc.ca)

Website: [www.immigration-quebec.gouv.qc.ca/en/biq/hong-kong/index.php](http://www.immigration-quebec.gouv.qc.ca/en/biq/hong-kong/index.php)

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

If you are a foreign national from Europe, the Middle East, the Maghreb, Africa or the Americas, you must file your application at the following address in Montréal:

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<sup>e</sup> étage  
Montréal (Québec) H2Y 2T8  
CANADA

Telephone: 514 864-9191

Fax: 514 864-9522

## APPENDIX 2

### FEES AND PAYMENT METHOD

The fees for examining an Application for a Québec Selection Certificate are calculated based on the applicant's immigration class and the number of family members included in the application. These fees are non-refundable.

Fees are payable when the application is submitted. A variety of payment methods are accepted by the Ministère. **They also vary depending on your country of residence and the place where you file your application.** For information on fees, consult this website:

<http://www.immigration-quebec.gouv.qc.ca/en/immigrate-settle/businesspeople/applying-business-immigrant/official-application/fees.html>

Cheques must be payable to the Minister of Finance of Québec and bear the applicant's name in block letters on the reverse side.