



CAPIC REPORT ON ONTARIO PNP LEGISLATION MEETING

Date: 12th January, 2016, at 10am

Location: Toronto, HQ Ministry of Citizenship, Immigration and Trade

Duration: 1 hour

Participants Ontario PNP: Alice Young, Director Immigration Policy Branch
Suzanne Skinner, Manager Program Development & Integrity
Christopher Pearce, Project Lead Policy & Intergovernmental Relation
Akbar Katawazy
Rachel DeVries
Larissa Hretchka

Participants CAPIC: Gerd Damitz, Past President
Deepak Kohli, Secretary, Donald Igbowke, Director Education (Weather-related delay)

TOPICS

- **Ontario Feedback on CAPIC's Submission, December 03rd 2015**

The main concerns CAPIC named were *section 15, Ontario Immigration Act –provide the director with any information he specifies-, and section 21 (1) –collection of personal information-*.

There is no intention by Ontario PNP to go against the client-solicitor privilege, or to request information against rules set by the regulator. Instead, Ontario will work with the regulators, including ICCRC, for a 3rd party agreement, which would specify which information would not jeopardize the practitioner's obligations towards client and regulator.

CAPIC recommends this approach/third party agreement with ICCRC to align with the federal government effective regulation, saving taxpayers money and yet ensuring that Immigration consultants are accountable.

Further, it is worthwhile to mention that we received the confirmation that the reason that the 'provision for searching practitioner's premises' was dropped from the act was CAPIC lobbying efforts.



- **CAPIC feedback with Ontario PNP response on Ontario Regulation, Approvals under the ON PNP & Administrative penalties**

Section 3 (2) 1, Approval of an Employment Position: CAPIC requested to change the years of a business being active from 3 years to 1 year to include start-up companies, especially as there is another safety threshold of revenues. However, Ontario would like to continue on mature companies to ensure job stability.

Job offer requirements for Foreign Worker & International Students: CAPIC suggested to differentiate the requirements of reasonable recruitment efforts between both streams, as students would be disadvantaged otherwise even with a lower wage requirement. The argument will be considered and possibly reflected in subsequent policies.

Section 6, Foreign Workers with job offer: This category also targets Trades as there is no language or points requirements.

Section 7, International Students with job offer: Ontario will consider applications from International students from all of Canada. Only if the number grows exponentially Ontario will consider to restricting it to Ontario only.

Section 10, Human Capital Priorities: CAPIC suggested to streamline the paragraph as there is redundancy with requirements already implied to in the Federal requirements. However, the ON PNP legal counsel prefers to have as much details as possible even if there is repetition. Subparagraph 5 aims at CEC applicants, who have to do credential assessments of foreign degrees even in the Federal Express Entry, if applicable anyway for maximizing their points.

Section 11, French-Speaking Skilled Worker: They are NOT subject to the requirement of 400 CRS points, set by Ontario PNP, but have to prove language in both French & English.

- **CAPIC feedback with Ontario PNP response on Ontario Regulation, Selection Program**

Section 5, Amount: CAPIC suggested to correct the formula for penalties, which was immediately accepted

Section 6, (4), serving of notice: CAPIC indicated that an e-mail receipt would not be sufficient as suggested by some Federal case law. Ontario PNP will review this section.

CAPIC hopes that this report will be helpful for your business with respect to the Ontario PNP, and wishes you all the best and success.