



The Honourable Sean Fraser  
Minister of Immigration, Refugee, and Citizenship  
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May 16, 2023

**RE: Bill C-47 – Amendments to the *College of Immigration and Citizenship Consultants Act***

Dear Minister Fraser:

We write concerning amendments to the *College of Immigration and Citizenship Consultants Act* (the “*College Act*”) proposed in Bill C-47, the *Budget Implementation Act, 2023, No. 1*.

Specifically, the Canadian Association of Immigration Consultants (CAPIC), a non-profit association representing immigration and citizenship consultants across Canada, writes on behalf of its members regarding proposed amendments to the mandate of the College of Immigration and Citizenship Consultants (the “College”), which CAPIC finds deeply concerning.

The current mandate of the College under the *College Act* is set out in section 4, as follows:

**Purpose**

- 4 The purpose of the College is to regulate immigration and citizenship consultants in the public interest and protect the public, including by
- (a) establishing and administering qualification standards, standards of practice and continuing education requirements for licensees;
  - (b) ensuring compliance with the code of professional conduct; and
  - (c) undertaking public awareness activities.

Bill C-47 proposes to expand the College’s mandate by adding the following subsection:

- (a.1) establishing and providing training and development programs for licensees;

CAPIC recognizes the importance of the College’s role in setting standards of competency for immigration and citizenship consultants, including educational requirements, to effectively carry out its purpose of regulating consultants in the public interest and protecting the public. However, expanding how the College may achieve this purpose, through establishing and providing training and development programs, raises serious concerns.

CAPIC opposes expanding the College’s mandate for several reasons. Namely, the provision of training programs by past regulators led to inadequate training, a conflict of interest on the part of the regulators that offered training for a fee in exchange for membership (or licensee) status, and overall mistrust in the regulators which contributed to their dissolution. Such expansion also goes beyond the government’s proposed changes to the *College Act* set out in its [2023](#)

[budget](#), which were limited to improving the College's function as a regulator by "implementing a more effective complaints and discipline process, improving overall governance and enhancing protection from unethical or fraudulent representation."

Before the College received statutory authority in 2019, immigration consultants were regulated by the Immigration Consultants of Canada Regulatory Council (ICCRC), which was itself preceded by the Canadian Society of Immigration Consultants (CSIC). ICCRC and CSIC were both independent, federally incorporated not-for-profit organizations operating at arm's-length from the federal government and responsible for regulating paid immigration consultants.

Both ICCRC and CSIC were found to suffer from serious governance and accountability issues and did not adequately protect the public by the Standing Committee on Citizenship and Immigration (CIMM) in its [2017 report](#): *Starting Again: Improving Government Oversight of Immigration Consultants* (see pp. 3, 6, 13). CSIC offered continuing professional development (CPD) training, that was seriously inadequate. Registered consultants, who must complete 16 hours of CPD training per year, were required to attend the CPD training offered by the CSIC to maintain their membership status, even when the training failed to offer accurate or updated instruction by knowledgeable educators.

In a [2008 report](#) by the CIMM regarding the CSIC regulatory framework in place at that time, CIMM highlighted concerns by immigration consultants, including that "[m]any members had little choice but to pay \$800 each to buy an outdated educational video in order obtain sufficient continuing professional development points to maintain their CSIC memberships." (See p.3).

ICCRC, which succeeded CSIC, offered mandatory practice management courses but not CPD training following the recommendations in the 2008 CIMM report. In light of the previous recommendations, the College Act in its current format gives the mandate of the College concerning accreditation and training in s. 4(a) as "establishing and administering qualification standards, standards of practice and continuing education requirements for licensees," and NOT "providing training and development programs for licensees" in the intended amendment of s. 4 of the College Act.

The provision of CPD training mandated by a previous regulator (and their adherence to being the only CPD provider) has historically created conditions where educational programming is poorly developed and maintained, immigration consultants are improperly trained, and the public not adequately protected. The deterioration in the education of licensees was a key concern during the CIMM's review of Bill C-97 which introduced the College Act, given that it resulted not only in a lack of trust between consultants and their regulator, but between the industry as a whole and the public. Immigration education prior to licensing has been enhanced with the approved providers of immigration training and education to Queen's University and University of Montreal.

In addition, the same regulatory body should not be responsible for both *setting* CPD training standards and *providing* CPD programs that purport to meet those standards for a fee, especially where attendance at the regulator's programming is required to maintain membership status. This results in a significant conflict of interest for the regulator. It creates the real risk that the regulator will favour and mandate attendance at its own training programs over those offered by independent, accredited CPD providers, even when those providers, are better positioned to deliver the appropriate level of education through qualified immigration professionals. The College has since revised competency training requirements and requires accredited CPDs to have mandated competency elements within their training programs.

The development of the legislation shows that the College's mandate was framed as it reads now for a reason. The proposed amendment to section 4 of the *College Act* ignores the repeated failures of a past regulator to offer CPD education effectively as well as the significant conflict of interest that it could incur. CAPIC stresses the danger of expanding the College's mandate as proposed in Bill C-47. Ongoing CPD education should not be established or provided by the College – it should be outsourced to independent CPD providers that meet the College's standards.

We trust that you will consider the above concerns and further request a meeting with you or relevant staff on the noted matters.

Yours Truly,



Dory Jade, C. Dir.  
Chief Executive Officer  
CAPIC-ACCPI