



CAPIC's Submission Regarding Bill C-12: Strengthening Canada's Immigration System and Borders Act

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Table of Contents

Introduction.....	3
Analysis and Recommendations.....	3
Analysis	3
Recommendations	6
Conclusion	6
About CAPIC	6
Contact Us.....	7



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CAPIC has examined the text of Parts 5 to 8 of Bill C-12: Strengthening Canada's Immigration System and Borders Act (Bill C-12) and related materials, including Hansard debates on Bill C-12, CIMM Meeting 10, and briefs submitted by other organizations to the CIMM. Input regarding Bill C-12 was collected from CAPIC members who are authorized representatives pursuant to paragraph 91(2)(c) of the *Immigration and Refugee Protection Act*, SC 2001, c-27 (IRPA).

The Minister of Public Safety stated that the two main themes of Bill C-12 are “securing the border” and “combatting transnational organized crime, illegal fentanyl and illicit financing.”¹ By doing so, it is expected that Bill C-12 “would keep Canadians safe by strengthening immigration and border security.”²

Introduction

CAPIC is aware that Bill C-12 is a bill introduced with parts taken from Bill C-2, Strong Borders Act (Bill C-2). Bill C-2 sparked worries about how it might affect personal freedoms and privacy in a negative way. In this submission, CAPIC primarily focuses on Part 7 of Bill C-12, which deals with immigration processing. However, CAPIC also expresses caution about privacy and refugee protection issues raised due to the proposed ministerial and cabinet authorities in Part 5 and the new ineligibility and processing rules for asylum claims proposed in Parts 6 and 8.

Analysis and Recommendations

Analysis

1. Aspects worth examining regarding the broad power over individual information sharing and changes to asylum processing rules

Part 5 seeks to give the Minister of Citizenship and Immigration³ the power to share personal information without needing the individuals' consent and allows

¹ Gary Anandasangaree, “Sponsor’s speech,” Major speeches at second reading, House of Commons, Sitting 39, October 20, 2025, [online](#).

² *ibid*.

³ The name of the Department of Citizenship and Immigration remains unchanged in both the *Department of Citizenship and Immigration Act*, SC 1994, c. 31 (“the Department Act”) and IRPA. In this submission, to avoid confusion, we will use Immigration, Refugees and Citizenship Canada (IRCC) when referring to this Department unless it refers to the Department Act or cites provisions of Bill C-12 or IRPA.



the executive branch to create regulations about this matter without parliamentary oversight. To achieve an appropriate balance, CAPIC recommends considering two factors:

- (i) In what ways have limitations on individual information sharing adversely affected border security and the safety of Canadians?
- (ii) To what extent does the implementation of Part 5 fulfill the two stated objectives?

Concerning the new asylum processing rules that intend to control surges in asylum claims⁴ and streamline the decision-making process, legal concerns have been raised and analyzed by multiple organizations.⁵ From the perspective of achieving the two objectives, CAPIC presents four questions for consideration: What underlying factors are driving the ongoing rise in refugee claims regarding Canada?

- (i) How can the one-year bar for ineligibility curb fake claims without jeopardizing genuine claims?
- (ii) In what way may the new rules effectively resolve the underlying issue?
- (iii) Would it cause an unprecedented increase in pre-removal risk assessments, which could worsen the persistent backlog⁶ issue at IRCC?

2. Potential unintended consequences of the proposed broad powers to the cabinet to stop accepting, suspend, or terminate applications, to cancel, suspend, or vary immigration documents

CAPIC acknowledges that measures are needed to address sustainability and integrity challenges facing Canada's immigration system. The Budget 2025 further reduced the immigration levels,⁷ which sets the framework for sustainability. Through observing the debates at the House of Commons and the CIMM meeting concerning Bill C-12, CAPIC understood the reason for these proposed broad cabinet powers: (i) to address immigration fraud, and (ii) to tackle emergency circumstances like COVID-19.⁸

CAPIC submits that operational measures can be implemented to address immigration fraud and cautions that the proposed broad cabinet authority may

⁴ According to Statistics Canada, as of September 24, 2025, the number of asylum claimants, protected persons and related groups is 497,443. See Statistics Canada, "Estimates of the number of non-permanent residents by type, quarterly," released September 24, 2025, [online](#).

⁵ For example, the briefs submitted to the Standing Committee on Citizenship and Immigration concerning Bill C-12. See CIMM, "Subject matter of Bill C-12, an Act respecting Certain Measures Relating to the Security of Canada's Borders and the Integrity of the Canadian Immigration System and Respecting Other Related Security Measures," October 30, 2025, [online](#).

⁶ As of September 30, 2025, the number of applications in the IRCC backlog is 958,850.

⁷ Government of Canada, "Budget 2025," released November 4, 2025, [online](#), pp. 95-98.

⁸ CIMM, "Studies and Activities Subject Matter of Bill C-12," Meeting 10, October 30, 2025, [online](#).



lead to unintended consequences. Outlined below are two examples, among others.

(1) Open more room for legal challenges on the grounds of the breach of procedural fairness

This year, as of the date of September 30, 2025, out of a total of 24,711 proceedings commenced before the Federal Court (“Court”), immigration accounts for 21,581.⁹ Because of the unprecedented increase in seeking judicial review concerning immigration matters, the Court issued an order to allow extension of time to file an Applicant’s Record.¹⁰ Another Court Order shows that the record number of such judicial review applications started in 2022.¹¹

One common ground that applicants contend IRCC decisions is failing to observe procedural fairness. If Bill C-12 is enacted, it will give the cabinet powers to stop accepting, suspend, or terminate applications, to cancel, suspend, or vary immigration documents. Nevertheless, decisions made by officers in accordance with cabinet orders are still subject to procedural fairness scrutiny and challenges. Such issues may further inundate the Court. In addition, decisions set aside by the Court will return to IRCC for redetermination, which will add more workload to IRCC, a contributing factor to persistent backlogs.

Regarding circumstances comparable to COVID-19, the existing regulatory authority of the cabinet and ministers appeared adequate. During the pandemic, the cabinet amended the *Immigration and Refugee Protection Regulations* to bring in mandatory quarantine and other measures;¹² the Minister exercised ministerial powers for application processing.¹³

(2) Inadvertently increase the vulnerability of immigrants

CAPIC suggests that maintaining transparency and consistency in legal frameworks and policies is instrumental in mitigating immigration fraud.

⁹ Federal Court, “Statistics (September 30, 2025), Activity Summary – January 1, 2025 to September 30, 2025,” accessed November 5, 2025, [online](#).

¹⁰ Federal Court, “Practice Direction and Special Order Proceedings under the *Immigration and Refugee Protection Act* and the *Citizenship Act* Backlog in processing applications for leave and judicial review,” May 14, 2025, [online](#).

¹¹ Federal Court, “Practice Direction and Special Order (amended May 25, 2023) Proceedings under the *Immigration and Refugee Protection Act* and the *Citizenship Act* Termination of Administrative Practice: Deemed Discontinuance and Simplified Process for Extension of Time,” May 25, 2023, [online](#).

¹² [SOR/2020-91, s.6](#).

¹³ For example, IRCC, “COVID-19 update: IRCC resuming processing of online applications for visitor visas and eTAs, but travel restrictions remain,” announced June 30, 2020, [online](#).



Although a one-size-fits-all approach may look like a quick fix, it has the potential to penalize victims of unauthorized practitioners (UAP) and create more uncertainty. Most immigrants do not fully understand Canadian immigration. When suspension, cancellation, or termination may occur suddenly through a cabinet order, immigrants may find it nearly impossible to predict changes to their status—even if they possess valid immigration documents. This places them in a more vulnerable position, which UAPs may seek to exploit for their own benefit.

Recommendations

Based on the analysis, CAPIC recommends refraining from giving the cabinet broad powers.

To address immigration fraud, CAPIC suggested operational measures¹⁴ in 2023, which include the following to close the loopholes in the current system:

1. A separate use of the representative form for authorized representatives.
2. A question about the use of representatives in all immigration application forms: “Have you been assisted by any third party with this application?”
3. A warning about the consequences of misrepresentation by using a UAP in all immigration application forms.
4. A condition of not dealing with UAPs for Visa Application Centers (VACs) in the arrangement between the Government of Canada and the VACs.

Conclusion

CAPIC agrees on the goals of Bill C-12: Safety, integrity, and efficiency. Nevertheless, the proposed measures should not compromise fairness in Canada’s immigration system.

CAPIC stands ready to collaborate with the Government of Canada, IRCC, and Public Safety Canada to ensure that the legislation both protects Canadians and preserves Canada’s reputation as a fair and rules-based destination for newcomers.

About CAPIC

The Canadian Association of Professional Immigration Consultants (CAPIC) is a non-profit professional organization representing the interests of Canadian Immigration Consultants.

¹⁴ CAPIC, “CAPIC’s Recommendations for Safeguarding the Integrity of the Canadian Immigration System,” submitted September 21, 2023, [online](#).



The organization advocates for competency, ethical conduct, and consumer protection in the immigration consulting industry. CAPIC's mission is to lead, connect, protect, and develop the profession, serving the best interests of its 4,400 members. It is the only association recognized by the Government of Canada as the voice of Canadian immigration and citizenship consultants. CAPIC is a major stakeholder consulting with federal and provincial governments and their respective departments on legislation, policy, and program improvements and changes.

All CAPIC submissions are publicly available on the CAPIC [Advocacy](#) web page to facilitate communication between CAPIC and our 4,400-strong membership and the general public.

Contact Us

www.capic.ca

Hui Zhang: Stakeholders@capic.ca