



CAPIC's Submission Regarding the Proposed Amendments to O. Reg 422/17

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CAPIC has examined the summary of proposed amendments to regulations under the Ontario Immigration Act, 2015 to redesign the Ontario Immigrant Nominee Program's (OINP) Streams ("the Summary").¹ Input regarding the Summary 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). As front-line authorized representatives, CAPIC members routinely engage with the OINP across the full lifecycle of applications, including eligibility assessment, selection, compliance, audits, and enforcement actions. This operational exposure provides CAPIC with practical insight into how regulatory design choices translate into real-world outcomes.

Below is CAPIC's submission, which addresses the questions in the Summary from a broad perspective, as we were unable to locate the text of the proposed amendment.²

Introduction

Overall, the consolidation of the Job Offer Streams and the proposed modifications appear appropriate and well-considered. However, the eligibility requirements are ambiguous, and the selection process for candidates is unclear.

Analysis and Recommendations

CAPIC's analysis addresses the OINP Streams' questions as outlined in the Summary, then covers the Employer Portal questions in the latter part of this section.

Analysis

1. The key strengths of the proposed approach for the new streams

The proposed amendment has three key strengths:

¹ Ontario Regulatory Registry, "Proposed amendments to regulations under the Ontario Immigration Act, 2015 to redesign the Ontario Immigrant Nominee Program's (OINP) Streams," posting date Dec. 2, 2025, [online](#).

² The Summary is posted on the Ontario Regulatory Registry without a section that leads to the full text of the proposed amendment. We checked current [O. Reg. 422/17: General](#), and found no proposed amendment there as well.



- Simplifying the Job Offer Streams helps candidates navigate each stream's eligibility and selection criteria if they are clear and transparent.
- The introduction of three new streams in Phase 2, which do not require a job offer, represents a constructive development, particularly for priority healthcare occupations. This initiative will be effective if the eligibility criteria are established based on the accurately assessed needs of Ontarians.
- Restoring the Entrepreneur Stream could benefit Ontario's economy, provided that it is pragmatically structured.

2. Potential limitations or risks with the proposed approach

CAPIC found one limitation with the public consultation method for the amendment and three potential risks in the proposed approach.

(1) Limitation

In the absence of the complete text of the amendment, CAPIC is unable to fully assess the scope of the proposed changes. Several key elements in the Summary are unclear; below are two examples:

- Unspecified criterion relative to the pathway for construction trade workers in which union support would be used in lieu of a job offer.
- Whether the secondary school education requirement for TEER 4-5 occupations has been unintentionally left out of the Summary, or if it is intended to be an elimination as a result of the amendment.

Given that CAPIC chose to give input conservatively, our contribution might be somewhat restricted. The absence of the proposed amendment text limits stakeholders' ability to assess legal, operational, and compliance implications, which could increase the risk of unintended consequences at the implementation and enforcement stages.

(2) Risks

a. No transition clause allowing consistency

CAPIC observed that the proposed amendment does not include a transition clause, which we understand is usually standard practice in immigration policy changes. However, the recent policy changes, both at the federal³ and provincial

³ For example, at the federal level, three Ministerial Instructions were announced about restrictive processing on December 20, 2025. See the Department of Citizenship and Immigration, "Canada Gazette, Part I, Volume 159, Number 51: GOVERNMENT NOTICES," announced December 20, 2025, [online](#).

levels,⁴ have been drastic. In the absence of a transition provision offering permanent residency pathways to highly skilled workers contributing to Ontario's economy, as well as international graduates from eligible Ontario educational institutions under the current O. Reg 422/17, Ontario risks losing well-educated individuals with strong English or bilingual abilities and valuable work experience in some in-demand occupations.

Transition provisions do not impede policy reform; rather, they ensure proportionality by preventing unintended disruption to individuals and employers who have reasonably relied on existing regulatory frameworks. While the consolidation of immigration streams represents a constructive progression, human capital factors remain strong indicators that are worth retaining.⁵

b. No proactive measures to curb immigration fraud

CAPIC is concerned about job scams and other immigration fraud due to the lack of proactive efforts to prevent these issues.

Job scams have emerged as a significant concern throughout Canada. When Bill 30, Working for Workers Seven Act, 2025 was introduced on May 28, 2025,⁶ one of the quick facts that brought forth was an increase in job opportunity fraud. It shows that "losses in Ontario amounted to \$14.86 million due to job scams – the highest among all provinces in Canada."⁷

A common scam involves giving jobs to foreign nationals to help them obtain permanent residency, even though there is not an actual labour shortage among Canadian citizens or permanent residents. Some big corporations have been relying on foreign workers⁸ while unemployment rates remain high across Canada.⁹ The practice conflicts with the primary objective of immigration stated in [s. 3\(a\)](#) IRPA, which is "to permit Canada to pursue the maximum social, cultural and economic benefits of immigration." Experience has shown that fraud risks increase where employer-driven pathways rely heavily on post-nomination enforcement, wherein verification mechanisms are not built into program design, and compliance oversight is largely reactive rather than preventive.

⁴ Ontario, "Express Entry: Skilled Trades Stream – Suspension and Return of Applications," announced November 14, 2025, [online](#).

⁵ Parisa Maboubi, "Immigration Reform Begins with Simplifying the System," C. D. Howe Institute, posted October 8, 2025, [online](#).

⁶ Labour, Immigration, Training and Skills Development, "Ontario introduces Seventh Working for Workers Act," Ontario News Release, released May 28, 2025, [online](#).

⁷ *ibid.*, Quick Facts.

⁸ Matt Lundy, "How Canada became a hotbed for low-wage foreign labour," The Globe and Mail, updated November 13, 2022, [online](#).

⁹ Ari Rabinovitch, "'Warning lights are flashing,' economist says as unemployment hits 7.1%," Global News, updated September 5, 2025, [online](#).

Concerning OINP, the suspension and return of applications under the OINP Express Entry: Skilled Trades Stream were due to its vulnerability to systemic misrepresentation and/or fraud.¹⁰ The most recent OINP audit shows that 54% of enforcement actions in 2022 and 2023 were from public tips, and 67% of cases involved administrative penalties being recommended were after the applicants had already received their nomination.¹¹

Without proactive measures, with the OINP being granted more flexibility on OINP administration as Bill 30, Working for Workers Seven Act, 2025 received Royal Assent on November 27, 2025,¹² genuine applicants could be negatively impacted the most.

c. Lack of measurement for the outcome of the OINP

Candidates who have received a job offer from a qualified employer are generally viewed as possessing the potential for successful economic integration in Ontario, with their skill sets regarded as valuable assets to the local labour market. Nevertheless, the most recent audit on the OINP concluded that “neither the outcomes for nominees nor their economic benefit to Ontario are effectively measured or reported.”¹³ Without a systematic outcome measurement, it is difficult to assess program effectiveness, recalibrate selection criteria, or identify emerging risks which limits the government’s ability to manage the OINP based on evidence and results.

(3) Recommendations regarding the application process under the proposed approach

Firstly, to help prevent fraud, education of the OINP programs is critical. It is important to make sure the application process is clear, consistent, and follows publicly available service standards that are accessible to the general public.

Secondly, in worker streams, aspects of human capital such as language skills or tenure with supporting employers, are taken into account during the selection process, even if they are not mandatory criteria.

¹⁰ *Supra*, note 4.

¹¹ Office of the Auditor General of Ontario, “Performance Audit Ontario Immigrant Nominee Program, Independent Auditor’s Report,” accessed December 18, 2025, [online](#), p.4.

¹² Legislative Assembly of Ontario, “Bill 30, Working for Workers Seven Act, 2025,” accessed December 23, 2025, [online](#).

¹³ *Supra*, note 11, p.1.



Thirdly, with respect to the Entrepreneur stream, CAPIC has submitted a detailed [submission](#) on the restructuring of federal programs, which may serve as a useful reference for Ontario.

(4) Other new streams to be considered and developed

CAPIC suggests looking at certain sectors that are being overlooked at the federal level. For example, trained cooks, chefs, butchers, or bakers with many years of authentic Ontario experience working for Ontario employers who are essential to the operations of their businesses or restaurants. A program for foreign agricultural workers in Ontario that is similar to IRCC's Agri-Food Pilot would also be worth exploring.

(5) Employer portal technical issues

CAPIC members noted that the Employer Portal is not user-friendly. Below are a few issues that frustrate portal users:

- Restrictions on modifying, revising, or amending a job offer: For instance, adjustments to proffered wages are adjusted and implemented annually – be it through unions or the ESDC Job Bank. Employers need to make the necessary updates in response to these changes. Under the current portal setting, employers must withdraw the original job offer and issue a new one, which further requires the candidate to create a new Expression of Interest (EOI). A comparable situation arises when it becomes necessary to revise a job offer due to increases in annual wages.
- Challenging navigation: Creating an employer portal and submitting a job offer is both complex and takes a considerable amount of time.
- The timelines are too short: employers have 14 days to complete a job offer, which may leave nominees only 3 days to submit their applications, as applications are only made available after the employers have submitted their Job Offers to the OINP.
- Technical support is unavailable: At present, responses from the OINP Technical Team are essentially nonexistent. CAPIC members have reported continuing problems with the portal, including one case where they have been trying to rectify an employer account since September 2025.

Recommendations

The recommendations below respond directly to the consultation limitations, fraud risks, outcome measurement gaps, and operational challenges identified in the analysis above. CAPIC recommends the following:



- Enhance the public consultation process: Incorporate a hyperlink that provides direct access to the amendment text, enabling stakeholders such as CAPIC and interested members of the general public to submit more informed and substantive contributions.
- Consider the transition clause: Assess the transitional pathways available to high-skilled foreign nationals employed in Ontario and international graduates from currently eligible Ontario institutions to retain talent.
- Develop proactive fraud prevention measures: Have some proactive measures in place to prevent job scams and other fraud.
- Set up an OINP outcome barometer: Set up a means for monitoring the outcome to allow measured calibration in the future.
- Redesign the Entrepreneur Stream: Please refer to our outline for redesigning the Entrepreneur Stream below (Annex I).
- Improve the functionalities of the OINP employer portal: Allow reasonable job offer modifications without the need to withdraw and create a new job offer, make it user-friendly to both employers and their representatives, provide a reasonable deadline within which to submit the Job Offer post-ITA, and have a service standard for the Technical Team.

Conclusion

While the actions proposed in the Summary are positive, CAPIC needs further clarification and more information to conduct a comprehensive study. CAPIC stands ready to collaborate with the Government of Ontario to redesign the OINP streams and application process and welcomes the opportunity to participate in structured consultations, pilot initiatives, or implementation of working groups to support effective program design, implementation, and ongoing evaluation.

About CAPIC

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

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

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Annex I

Proposal for OINP: Streamlining Entrepreneurial Pathways and Process Improvements

This proposal introduces two pathways shaped by Ontario's real-world challenges and unmet opportunities.

1. Two streams with distinctive features

(1) Community Business Needs Stream

This stream tackles long-standing local business gaps that have never been directly addressed, enabling communities to pull in the entrepreneurial talent they need. This stream may also address some of the succession gaps of many existing businesses that may not have succession plans in place.

Communities identify their local business needs and forward them to the Province by providing a list of all participating communities and their business needs. Entrepreneurs submit proposals for which communities would engage in their first review. Participating communities would play an advisory role in identifying the needs and assessing proposals, while final nomination and program integrity decisions would remain with the Province. This is a bottom-up approach based on real community needs, of which communities will play a role in directly addressing. In other words, community-driven entrepreneurship leads to closing existing gaps within that community.

(2) Ontario Resilience Entrepreneur Stream

This stream responds to Ontario's experience with economic shocks by driving investment into strategic sectors that strengthen provincial resilience and future-proof growth.

This stream follows Premier Ford's plan for Ontario's economy to have more resilience that focuses on such identified sectors as AI, mining, and advanced manufacturing. It is a strategic top-down approach targeting provincial economic adaptability and competitiveness.



2. Two categories under each stream

Both Streams may have two categories: One for proposed businesses (“Proposed Business Category”) and another for established businesses (“Established Business Category”).

The Proposed Business Category helps Ontario identify new opportunities to meet the economic demands of the local community, including successful businesses that lack successors. The Established Business Category can retain foreign entrepreneurs who have been operating successful businesses in the province under legal status for at least two years, and whose contribution to Ontario is easily verified.

3. High-level processes

The following application process should be considered for the Proposed Business Category:

- Proposal assessment: Business proposals go to participating communities or relevant industry associations for initial review.
- Invitation to apply: Once acknowledged as being feasible, an EOI can be registered by the potential nominee, and a full application would be launched by OINP invitation.

The following application process should be considered for the Established Business Category:

- Business assessment: The economic contribution by the established businesses is to be assessed by both the community in which they are located and local industry associations. The selection criteria may include a minimum job creation and retention for Canadians/permanent residents in Ontario who are not related to the entrepreneurs, the verifiable investment amount, the business location, years of operation, and the type of industry, etc.
- Invitation to apply: Once the business operation has been verified against the selection criteria, an EOI by the potential nominee can be registered, and a full application would be launched by OINP invitation.

4. Further contribution

CAPIC could also provide input on enhancing the efficiency and effectiveness of the entrepreneurial application process, as well as reviewing OINP’s past process framework to offer recommendations for improvement from a complementary and alternative perspective.