



Canadian Association of
Professional Immigration Consultants

L'Association Canadienne des
Conseillers Professionnels en Immigration

CAPIC Submission Concerning Canada's Immigration System

**Order, Fairness, and Effectiveness: Practical
Recommendations**

March 13, 2026

Table of Contents

Table of Contents.....	2
Introduction.....	2
Analysis and Recommendations	4
1. Fraud prevention	4
2. Backlog reduction.....	6
3. Digital portal efficiency	7
4. Enforcement enhancement.....	9
Conclusion	10
About CAPIC	10
Contact us.....	10

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Introduction

CAPIC appreciates the initiative taken by the Standing Committee on Citizenship and Immigration (CIMM) to study Canada's immigration system with the objective of improving its order, fairness, and effectiveness. The Committee's First Report, adopted September 16, 2025, signals a timely and important parliamentary focus on the structural and operational challenges facing immigration administration in Canada.¹

The Canadian Association of Professional Immigration Consultants (CAPIC) celebrated its 20th anniversary in 2025. Founded in 2005 through the merger of the Association of Immigration Counsel of Canada (AICC) and the Organization of Professional Immigration Consultants (OPIC), CAPIC has spent two decades as the national professional association for immigration consultants – advocating for the profession before Parliament, IRCC, the IRB, and provincial governments. CAPIC's sustained engagement with this Committee has produced tangible results, including the creation of the College of Immigration and Citizenship Consultants Act (2019), a Federal Statute CAPIC first recommended to CIMM in 2017.

CAPIC represents over 4,000 Regulated Canadian Immigration Consultants (RCICs) and Regulated International Student Immigration Advisors (RISIAs) who process immigration applications and interact with IRCC's digital platforms and operational procedures on a daily basis. This front-line perspective positions CAPIC to identify practical gaps in the system that may not be visible at the policy level.

CAPIC has been actively conducting research and providing input to both Immigration, Refugees and Citizenship Canada (IRCC)² and the Immigration and Refugee Board (IRB)³ in support of a fair, balanced, and effective immigration system that maintains its integrity. Drawing on the day-to-day experience of our

¹ CIMM, "First Report-Standing Committee on Citizenship and Immigration (CIMM) 45th Parliament, 1st Session," released September 23, 2025, [online](#).

² For example, see CAPIC, "CAPIC's Recommendations for Following IRPA to Optimizing Digital Platform Modernization at IRCC," posted December 13, 2023, [online](#).

³ For example, see CAPIC, "CAPIC's Feedback on IRB Consultations on RPD and RAD Rules – Modernizing Asylum Processes and Proceedings at the IRB," posted August 7, 2025, [online](#).

membership, the following recommendations address four areas where concrete improvements can enhance the order, fairness, and efficiency of the system:

1. Fraud prevention
2. Backlog reduction
3. Digital portal efficiency
4. Enforcement

In addition, CAPIC suggests that predictability in immigration program administration is essential for maintaining confidence in the system. Significant policy or program changes should, where possible, be communicated with reasonable advance notice. Greater predictability helps applicants, employers, and authorized representatives (ARs) plan appropriately and reduces disruption for individuals who rely on existing pathways when making important life and business decisions. Transparency in immigration policy and operational guidance is equally important. Program Delivery Instructions, operational manuals, and policy updates should be easily searchable and publicly accessible. Clear and timely communication of policy changes helps applicants and ARs prepare complete applications, reduces errors, and promotes consistent decision-making across visa offices.

Analysis and Recommendations

1. Fraud prevention

The practices of unauthorized practitioners (UAPs) are among the most serious threats undermining Canada's immigration system.⁴ Their activities harm vulnerable applicants, erode public confidence, and impose costs on the system. To address this significant concern, coordinated action among all stakeholders is essential. CAPIC proposes the following recommendations.

(1) Clear public communications about authorization for Canadian immigration practice

- (a) Use "authorized representatives" (ARs) stipulated by s. 91(2) of the *Immigration and Refugee Protection Act*, SC 2001, c. 27 (IRPA) and "non-authorized representatives" (non-ARs) instead of terms such as "paid representatives" or "unpaid representatives." This terminology clearly

⁴ See Nicholas Keung, "Indian education agent arrested, charged in fake-admission-letter scandal in Canada," Toronto Star, updated July 19, 2023, [online](#). See also Kerry Campbell, "Everybody knows' PNP immigrants were bypassing P.E.I., accused told investigator," CBC, updated January 9, 2019, [online](#); *Ge v. Canada (Citizenship and Immigration)*, 2017 FC 594; Eric Rankin, "Biggest immigration fraudster in Canadian history left \$900K fine unpaid," CBC News, updated June 29, 2018, [online](#); *Beiene*, May 15, 2010 (Chairperson's Delegate), [online](#).

distinguishes ARs from any third parties—including UAPs—who provide immigration advice regardless of whether they charge a fee.

- (b) Use “immigration and citizenship consultant” and any variations of this designation exclusively for licensees, namely, RCICs or RISIAs, of the College of Immigration and Citizenship Consultants (CICC) as per ss. [2](#) and [77](#)(a) pursuant to the *College of Immigration and Citizenship Act*, SC 2019, c. 29, s. 292 (the College Act).⁵ Consistent use of this designation protects the public by preventing confusion that creates opportunities for UAP activity.

(2) Close the loopholes in the current system

- (a) A separate use of representative form for ARs: IRCC follows IRB's approach by creating separate representative forms for ARs and non-ARs. The AR form should include a note requiring compliance with the Code of Professional Conduct, while the non-AR form should contain a clear warning about the criminal offence of unauthorized practice.
- (b) A question to detect misrepresentations at the outset: Include in all immigration application forms a question asking, “Has any third party helped you with this application?” This proactively addresses attempts by UAPs or their clients to claim victim status after the fact.
- (c) A warning of the consequences for using a UAP in all immigration application forms: Include in all immigration application forms a clear warning about the consequences of using unauthorized practitioners. This approach can make the enforcement of inadmissibility on misrepresentation grounds more efficient by addressing honest-mistake or procedural-fairness arguments proactively.
- (d) A warning regarding criminal charges against UAPs in IRB representation notices: Adding such a warning to the IRB’s “Notice of representation without a fee or other consideration” can deter UAP appearances before the Board.
- (e) Verification of non-ARs at IRB proceedings: UAPs frequently exploit clients with limited language skills. The IRB’s interpretation services during proceedings can serve as an effective tool to detect unauthorized practice.
- (f) Requirements for outsourcing organizations: Require VACs not to deal with UAPs in the arrangement between the Government of Canada and the Visa Application Centers (VACs).

⁵ CAPIC has been actively reaching out to government agencies and media outlets for the proper use of the designation of immigration and citizenship consultants. It is more for the public protection, as improper use of the designation spreads confusion among the general public and thus offers more room for UAP practice. For example, see CAPIC, “Request to replace “immigration consultant” with UAP when referring to Maneet ‘Mani’ Malhotra,” posted May 7, 2024, [online](#). See also CAPIC, “Request to Clarify: Individual Under Investigation in Recent Article is Not an Immigration Consultant as per the College Act,” posted November 11, 2024, [online](#).

(3) Restrict immigration and refugee legal practice to ARs

- (a) Limit international student and foreign worker recruitment to ARs, ensuring protection for vulnerable individuals and streamlining administrative procedures. Currently, foreign worker recruitment licences are administered by provinces and territories; restricting this activity to ARs would improve administrative efficiency and consumer protection.
- (b) Not-for-profit organizations, including settlement agencies, that provide immigration or refugee legal advice and services should ensure that such services are delivered by, or under the direct supervision of, authorized representatives. This safeguard protects clients while preserving the important role settlement organizations play in supporting newcomers.

(4) Enhance the enforcement against UAP practice

- (a) Establish a CBSA and relevant police authority task force dedicated to cracking down on UAP activities across Canada.
- (b) IRCC, IRB, Employment and Social Development Canada (ESDC), and provincial immigration offices report suspected UAP activity to CBSA or local police through clearly defined referral protocols.
- (c) The Government of Canada pursues international cooperation to address UAP activities conducted outside Canada, given that many UAPs operate from abroad.
- (d) IRCC, IRB, and ESDC establish policies designed to promote the reporting of UAPs and immigration fraud, making it easier for applicants and practitioners to flag suspicious activity.

2. Backlog reduction

Lack of effective communication channels between IRCC officers and authorized representatives contributes significantly to an increased workload for immigration officers. The absence of a standardized reconsideration process is also a contributing factor to the backlog. To address this issue, CAPIC recommends the following measures.

(1) Provide ARs with a direct communication channel

- (a) IRCC should establish a dedicated communication channel between immigration officers and ARs to resolve minor issues efficiently—instead of returning or refusing applications for correctable reasons. This approach would reduce the likelihood of applications proceeding to re-submission, reconsideration, or judicial review, directly contributing to backlog mitigation. A structured inquiry mechanism modelled on the IRB's existing liaison practices would be an effective starting point.

(2) Introduce a mechanism for minor issue corrections

- (a) Where applications contain minor omissions or technical errors, officers should have the ability to request clarification or additional documents within a reasonable timeframe. This approach may reduce unnecessary refusals, repeated applications, and administrative burden on officers while promoting fairness. The recent Federal Court decision, *Green v. Canada (Citizenship and Immigration)*, 2026 FC 315, underscores this concern: the Court set aside an IRCC refusal of a permanent residence application where the representative had failed to submit the applicant's passport. While this was not a minor error per se, the Court found a miscarriage of justice in the rejection decision, highlighting the importance of proportionality in application handling.

(3) Makes the reconsideration procedure public and standardizes the process

- (a) Where delays or refusals are caused by minor issues or errors not made by applicants, applicants typically contact their Member of Parliament or submit inquiries through the IRCC web forms. Even though IRCC has internal manuals, in the absence of a publicly available guide and a defined service standard, applicants may, out of concern, submit multiple inquiries, thereby increasing the administrative burden on immigration or visa officers. Publicizing a reconsideration guide and implementing a service standard would reduce redundant inquiries and repeated reconsideration requests.

3. Digital portal efficiency

IRCC's digital modernization efforts have improved service delivery in several areas. However, significant gaps remain in portal functionality that create unnecessary delays, increase the administrative burden on both applicants and officers, and contribute to the backlog. CAPIC recommends the following measures.

(1) Ensure ARs have equal portal access

- (a) Currently, ARs do not have the same online functionality as applicants using the client portal. For example, citizenship certificates requested by ARs must be submitted by mail or through the client's portal rather than through the representative's own portal. This creates unnecessary delays, adds postal costs, and undermines the purpose of the authorized representative system established under s. 91 of IRPA. CAPIC recommends that the representative portal provides at a minimum the

same functionality available to applicants through the client portal, enabling ARs to submit, track, and manage all application types on behalf of their clients through a single, unified interface.

(2) Enable Express Entry profile data retention and renewal

- (a) When an Express Entry profile expires after one year, all data must be re-entered from scratch. There is no option to retrieve, update, and resubmit the existing profile information. This wastes significant time of practitioner and applicant, increases the risk of data-entry errors, and generates avoidable follow-up inquiries when discrepancies arise between successive profiles. IRCC should allow expired Express Entry profiles to be renewed or cloned with updated information rather than requiring a complete re-entry. This approach is consistent with IRCC's stated goal of reducing redundant administrative burden and would contribute directly to backlog reduction by decreasing processing errors and the reconsideration requests they generate.

(3) Make all application categories available online

- (a) Not all immigration and citizenship application types are currently available for online submission. Paper-based applications require manual intake processing by IRCC officers, contributing to longer processing times and higher backlog volumes. IRCC should ensure that every application category under IRPA and the Citizenship Act is available for online submission, both through the client portal and through the authorized representative portal, with full functionality. Universal online availability would reduce processing times, improve data accuracy, and align with the Government of Canada's broader digital service delivery objectives.

(4) Standardize digital processes across application streams

- (a) The current system requires different procedures for different application types, with inconsistent interfaces, document upload requirements, and status-tracking capabilities across streams. This fragmentation forces ARs to maintain familiarity with multiple, sometimes contradictory, digital workflows. IRCC should work toward a standardized digital application interface across all immigration and citizenship streams, with consistent document checklists, upload procedures, and real-time status tracking accessible to both applicants and their ARs.

(5) Ensure the stability of digital portals

- (a) From time to time, digital portals become inaccessible or malfunction. For example, ARs have experienced 403 error codes when attempting to

access applications through the APR portal. When such technical issues persist, applicants and ARs are forced to resort to IRCC web forms or the call centre—causing unnecessary anxiety for applicants and generating additional workload for both ARs and IRCC officers. IRCC should implement robust monitoring, rapid-response protocols, and status-communication mechanisms to minimize disruption when portal outages occur.

4. Enforcement enhancement

Compliance with IRPA is fundamental to a fair and orderly immigration system. Without robust compliance measures, individuals who follow the law may find themselves at a disadvantage relative to those who circumvent it to pursue Canadian immigration objectives. Canada's immigration system depends on the trust of applicants, employers, and the public. That trust must be actively maintained through consistent, proportionate, and transparent enforcement. CAPIC offers the following suggestions.

(1) Examine the issue of overstaying and strengthen measures to address it

- (a) Ensure ss. [11](#)(1) and (1.01) and [20](#)(1)(b) of IRPA are consistently applied when assessing temporary residence applications and conducting port of entry examinations, to reduce the risk of overstaying by foreign nationals.

(2) Support compliance with applicable IRPA provisions to protect the Canadian labour market

- (a) Promote accountability where LMIA's or job offers are improperly bought or sold, to maintain the integrity of the Canadian immigration system. Both parties involved in such transactions should be held accountable under the applicable provisions of IRPA.
- (b) Encourage the consistent and appropriate application of s. [124](#) (1)(c) of IRPA to address employers who engage in non-compliant practices, ensuring the labour market integrity framework is enforced equitably and effectively.

Conclusion

Improving the order, fairness, and efficiency of Canada's immigration system requires close cooperation among all parties involved: the government, regulators, authorized representatives, settlement organizations, and the public. CAPIC stands ready to collaborate with CIMM, IRCC, and the IRB in promoting an immigration system that is effective, transparent, and worthy of public trust.

CAPIC notes that several of its recommendations, particularly those addressing fraud prevention, enforcement against UAPs, and system integrity, are consistent with the objectives of Bill C-12: Strengthening Canada's Immigration System and Borders Act. CAPIC provided its input on Bill C-12 to this Committee in October 2025 and reaffirms its support for legislative measures that close gaps exploited by bad actors, while preserving access to immigration pathways for genuine applicants.⁶

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 4,000 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 4,000-strong membership and the general public.

Contact us

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⁶ CAPIC, "CAPIC's Submission Regarding Bill C-12: Strengthening Canada's Immigration System and Borders Act," posted October 20, 2025, [online](#).