



Monday, April-10-17

MP Borys Wrzesnewskyj
Chair, Standing Committee of Citizenship and Immigration
111 Wellington St.
Ottawa, ON K1A 0A9

Good Afternoon Mr. Wrzesnewskyj,

On Monday April 3rd 2017, the Parliamentary Standing Committee on Citizenship & Immigration held its second meeting on the subject of Immigration Consultants. You will likely recall during this meeting that you heard testimony and recommendations on regulating our profession from representatives of the Canadian Bar Association (CBA).

As an advocate of the immigration consulting profession and President of Canada's leading professional association representing immigration consultants, we feel obligated to respond to the recommendations by CBA, and share some additional information with committee members.

As you will recall from our own testimony, CAPIC is very aware of the problem unauthorized immigration representatives pose not only for consumers, but to our profession's reputation. Unauthorized representatives exploit the trust of those looking to come to Canada, sometimes resulting in terrible stories of financial loss and deportation of the client.

The importance of regulating our profession is not lost on our organization. You will recall that, since 2010, there have been various actions taken to regulate immigration consultants, with varying degrees of success. Currently, the Immigration Consultants of Canada Regulatory Council (ICCRC) serves as the national regulatory body for our profession, designated by the Government of Canada as per Section 91(5) of the Immigration and Refugee Protection Act. Their role is to safeguard consumers of Regulated Canadian Immigration Consultants (RCICs) and Regulated International Student Immigration Advisors (RISIAs) who provide Canadian immigration and citizenship services.

As we discussed at committee, while much has been accomplished under this system, the problem of unauthorized representatives persists. We feel a step in the right direction to correct the problem of unauthorized representatives would be to have our profession self-regulated, under a Federal Statute. A Federal Statute would offer the opportunity to address provincial concerns and needs, while clarifying jurisdiction to avoid overlapping regulation. This would also strengthen the mandate of the regulator to the benefit of consumers.

The desire to address unauthorized representatives is one we share with the Canadian Bar Association, which in the past has equally supported the regulation of our industry, including the creation of legislation which could govern our profession. As a part of the CBA's submission on *Bill C-35, the Cracking Down on Crooked Consultants Act*, the Association noted: *"...if consultants are permitted to provide immigration services for remuneration, it is imperative that they are properly regulated."* (October 2010) Furthermore, the CBA had also stated *"... establishing a new non-share capital corporation in legislation to regulate consultants, with similar powers as provincial law societies."*



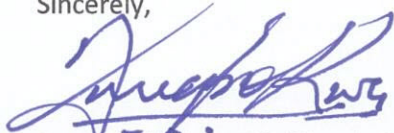
*This includes requisite statutory powers to investigate and prosecute discipline matters (i.e. audit, subpoena, seizure of documents)."*¹ As Committee members know, the current CBA submission confirms that a major problem facing the profession are Ghost Consultants, and that the regulator (ICCRC) does not have the necessary powers to address these cases.

We felt it was important to share these previous comments, as the outcome of Monday's testimony seems to suggest Regulated Canadian Immigration Consultants are the source problems within the profession. While we would not suggest that regulated immigration consultants are not capable of creating problems, it is false to suggest all problems stem from our regulated consultants. CAPIC acknowledges that things can be improved, but are not prepared to accept that our profession should not exist, or is beyond repair. In fact, the existence of a regulator - complete with an avenue to file formal complaints – is in our view a healthy improvement in the profession, which we should continue to champion.

As always, we would welcome the opportunity to discuss these matters further with you, along with our recommendation that self-regulation under Federal Statute be considered for the regulation of immigration consultants in Canada.

Thank you for your time and consideration.

Sincerely,



Donald Igboke, BA (Hons). MA. CIP. RCIC.
President

¹ Bill C-35, the Cracking Down on Crooked Consultants Act p. 2