

Nesrallah.Joseph

From: Lemire.Robyn
Sent: April 14, 2015 12:26 PM
To: ImmigrationRepresentatives
Cc: Kennedy.Elizabeth; Acheson.John; Kates.Adam; Giroux.Sophie; Imonikhe.Solomon
Subject: Approved Response - RE: Express Entry Questions - REP-2015-1975 - Due by May 5

Categories: cc

Following is the approved response to the below query:

Dear

Thank you for your email correspondence to Citizenship and Immigration Canada's Immigration Representatives mailbox. Please see the answers to your questions below.

At the Express Entry Registration Stage:

1. If an applicant does not claim points for his/her education (under any category other than FSW), do they **have** to provide an Educational Credential Assessment?

No, if a candidate does not claim points for his/her education, proof of studies is not required. However, please keep in mind that some candidates may require an Educational Credential Assessment (ECA) in order to meet the requirements of at least one of the programs included in Express Entry.

Note: there are two ways to receive program-specific points for education under the Comprehensive Ranking System. The applicant may provide proof of having completed a Canadian secondary or post-secondary educational program; or obtain an ECA.

2. If an applicant cannot obtain his transcripts (due to civil unrest in the country of origin or if the institution has lost/destroyed the transcripts), please can you advise how we would be able to overcome this?

If an applicant is unable to provide any of the requested documentation, they should provide a written explanation with full details as to why that documentation is unavailable and any documentation that would support his/her claim. If the application lacks any of the documents without a reasonable justification, it will be returned to the candidate, or in certain circumstances could result in the refusal of the application.

3. What would happen if an applicant obtained 600 points for a valid LMIA, received an ITA, and during the 60 day document collection process, the LMIA expired?

Candidates must have a valid Labour Market Impact Assessment (i.e. the assessment expiration date must not be reached, which is normally 6 months from the time of issuance) from the moment they claim they have arranged employment up until the moment they apply for permanent residence.

If a candidate realizes after having been issued an ITA that their circumstance has changed or the information in their profile, on the basis of which they were issued an ITA, is no longer accurate, the candidate must recalculate their Comprehensive Ranking System (CRS) score using the Express Entry calculator on the CIC website. Where there is a change in circumstance and the candidate goes forward with submitting an application for permanent residence (APR), he/she must ensure that the change in circumstance is properly reflected in his/her APR.

Per the Express Entry Ministerial Instructions, candidates are encouraged to decline an ITA if their change in circumstance negatively impacts their CRS score such that they no longer meet the minimum entry criteria of the federal immigration program to which they were invited to apply, or if their

recalculated CRS score falls below the lowest ranked candidate in their round of invitations. Candidates who cannot provide proof of the claims made in their profile, on the basis of which they were invited to apply, will be refused on A11.2 and assessed for misrepresentation. Cost recovery fees will not be refunded.

4. Would your answer to question 3 change, if we obtained a new LMIA before the 60 day period expired?

If a new LMIA is obtained between the issuance of an ITA and the submission of an application for permanent residence (APR), the candidate must simply update the information in his/her APR (i.e. update the LMIA number) before submitting his/her application.

5. If someone is applying under the CEC class, do they still need to show proof of funds (as this was not a mandatory requirement under the old process)?

Yes, the submission of proof of funds is mandatory for all applications through Express Entry to be considered complete, however, only those candidates who must meet the settlement fund requirement in accordance with regulatory requirements for a given program will be assessed against the settlement fund requirement. For example, an individual invited to apply under the Canadian Experience Class with or without a job offer must submit proof of funds with their application to meet R10 completeness check requirements, but would not need to demonstrate that they meet the settlement fund requirement when assessed against program eligibility criteria as there is no regulatory requirement for settlement funds under this class. Individuals invited to apply under the Federal Skilled Worker Class or Federal Skilled Trades Class who are not currently authorized to work in Canada and who do not also have a valid job offer from an employer in Canada would have to demonstrate that they meet the settlement funds requirement in accordance with regulatory requirements for those classes.

6. I understand that if someone is in Canada on an LMIA-exempt work permit, they can say "yes" the question of "Do you have a job offer in Canada", however, they would need to indicate "no" when asked if it is on the basis of an LMIA. Is that correct?

A candidate must only respond YES to this question ("Do you have a job offer in Canada") if he/she has a job offer in Canada, whether supported by a LMIA or not. When asked if a positive LMIA was issued for the current work permit, they should respond NO (if one was not obtained). These questions will allow the Express Entry system to assess whether the job offer is in fact supported by an LMIA or not; the difference being the issuance of additional points for a "qualifying offer of arranged employment" as defined in the Express Entry Ministerial Instructions.

For details, please see the Arranged Employment/Labour Market Impact Assessment page on the CIC website.

Once an ITA is issued and we begin collecting the documents required within 60 days:

1. When the PR application is submitted to CIC online, please can you advise if the CRS points are "locked in" (similar to a lock in on the age of dependant children)?

Yes, when an applicant submits an e-APR to CIC, the information in their application is "locked" and their CRS score at the time of application is recorded in GCMS.

2. What happens if a document is inadvertently missing?

Please see the following page on the CIC website for instructions on submitting a complete electronic application for permanent residence (eAPR): <http://www.cic.gc.ca/english/immigrate/skilled/apply-how.asp>

For further information, please see our Program Delivery Instructions for the 'Completeness Check' of the eAPR: <http://www.cic.gc.ca/english/resources/tools/perm/express/intake-complete.asp>

3. Is there a way to add to the application (we note that once submitted, we cannot add additional documents to the online PR application)?

After an electronic application for permanent residence is submitted, missing mandatory documents cannot be added. However, to notify CIC of changes to your application, visit our [Case Specific Enquiry Form](#) and follow the directions. More particularly, please inform us about any:

- Change in circumstances, such as the loss of a job offer or a Provincial or Territorial nomination;
 - Change in family composition, including new born children, adopted children, divorce, marriage etc;
 - Change of address, including change of e-mail address;
 - Change of immigration representative; and/or
 - Request to withdraw your application.
4. Will the officer refuse the application if there are missing documents, or will they ask for the documents (similar to the old process)?

Applications that do not contain the mandatory documents will be rejected as incomplete and fees will be refunded, accordingly.

5. If a client needs to obtain an FBI certificate (which currently takes 13 weeks, significantly longer than the 60 days allocated to supply the application submission after the ITA is issued), please can you advise how we can submit the results once the FBI certificate has been obtained?

If an applicant experiences delays in obtaining a police certificate within the 60-calendar-day timeframe allocated to submit a complete e-APR, he/she should submit a letter of explanation as part of his/her application and include proof of having requested a PC (e.g., a copy of the receipt obtained when he/she requested the PC from the prescribed authority).

6. How can a client provide the medical, when the DMP offices are often booked for beyond the 60 day period to submit the documents?

Applicants must undergo upfront medical examinations as part of their complete application. Exceptions are only made in rare circumstances (e.g., cancellation of appointment by panel physician at last minute without time to reschedule). In exceptional circumstances, CIC may accept proof that a medical appointment is scheduled, or a letter of explanation of best efforts (not a guarantee of acceptance).

7. For the CEC category, please can you confirm how many years of foreign work experience **proof** is required? Would it be the last 10 years or since the age of 18?

Proof of foreign work experience is NOT required under the CEC program. Applicants, however, must provide proof of at least **12 months** of full-time, Canadian skilled work experience (or the equivalent in part-time work experience) in one or more NOC 0, A or B occupations within the 36 months before the date of application receipt [R87.1(2)(a)]. Additionally, the applicant would be required to provide a complete history with respect to their work experience, education and other activities as part of their application for permanent residence for purposes of admissibility screening.

We hope this information will assist you. Once again, thank you for your email and for your interest in Express Entry.

Sincerely,

Immigration Representatives Inbox

From: Acheson.John
Sent: April 10, 2015 11:09 AM
To: Lemire.Robyn
Cc: Kennedy.Elizabeth; Kates.Adam; Kennedy.Elizabeth; Giroux.Sophie; Imonikhe.Solomon
Subject: RE: Express Entry Questions - REP-2015-1975 - Due by May 5

Robyn,

Wanna tackle this as a learning exercise? Adam can show you stock answers...

John Acheson
Assistant Director | Directeur adjoint
NHQ - Operational Management and Coordination | AC - Gestion opérationnelle et coordination
Citizenship and Immigration Canada | Citoyenneté et Immigration Canada
360 Laurier Avenue West Ottawa ON K1A 1L1 | 360 avenue Laurier Ouest Ottawa ON K1A 1L1
Office | Bureau NAR C955
John.Acheson@cic.gc.ca
Telephone | Téléphone 613-437-7154
Government of Canada | Gouvernement du Canada

From: ImmigrationRepresentatives
Sent: April 9, 2015 4:09 PM
To: Acheson.John; Kennedy.Elizabeth
Cc: Imonikhe.Solomon; Kates.Adam; ImmigrationRepresentatives
Subject: FW: Express Entry Questions - REP-2015-1975 - Due by May 5
Importance: High

Hello,

For your action, see inquiry below.

- Please provide a response approved by your manager directly to the ImmigrationRepresentatives mailbox, before the due date indicated in the subject line.
- The response will be sent directly to the representative from the ImmigrationRepresentatives mailbox. Please do not respond directly to the representative as we are tracking all messages received and responses sent out. This will encourage representatives to use the mailbox and not direct their request to the officers and provide a more efficient way of responding to clients.
- If you are unable to provide a response within the service standard please send a message to the ImmigrationRepresentatives mailbox and we will inform the representative.

Thank you kindly

Government of Canada | Gouvernement du Canada

From: ;
Sent: April 7, 2015 3:29 PM
To: Dal Bello.Loretta
Subject: Express Entry Questions

Dear Ms. Dalbello,

Thank you for taking my call today.

As discussed,
a couple of questions that are affecting our clients, and we were hoping that you could point us in the right direction to have them answered.

We have

At the Express Entry Registration Stage:

1. If an applicant does not claim points for his/her education (under any category other than FSW), do they **have** to provide an Educational Credential Assessment?
2. If an applicant cannot obtain his transcripts (due to civil unrest in the country of origin or if the institution has lost/destroyed the transcripts), please can you advise how we would be able to overcome this?
3. What would happen if an applicant obtained 600 points for a valid LMIA, received an ITA, and during the 60 day document collection process, the LMIA expired?
4. Would your answer to question 3 change, if we obtained a new LMIA before the 60 day period expired?
5. If someone is applying under the CEC class, do they still need to show proof of funds (as this was not a mandatory requirement under the old process)?
6. I understand that if someone is in Canada on an LMIA-exempt work permit, they can say "yes" the question of "Do you have a job offer in Canada", however, they would need to indicate "no" when asked if it is on the basis of an LMIA. Is that correct?

Once an ITA is issued and we begin collecting the documents required within 60 days:

8. When the PR application is submitted to CIC online, please can you advise if the CRS points are "locked in" (similar to a lock in on the age of dependant children)?
9. What happens if a document is inadvertently missing?
10. Is there a way to add to the application (we note that once submitted, we cannot add additional documents to the online PR application)?
4. Will the officer refuse the application if there are missing documents, or will they ask for the documents (similar to the old process)?
5. If a client needs to obtain an FBI certificate (which currently takes 13 weeks, significantly longer than the 60 days allocated to supply the application submission after the ITA is issued), please can you advise how we can submit the results once the FBI certificate has been obtained?
6. How can a client provide the medical, when the DMP offices are often booked for beyond the 60 day period to submit the documents?
7. For the CEC category, please can you confirm how many years of foreign work experience **proof** is required? Would it be the last 10 years or since the age of 18?