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flash Alert

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Canada – Faster Permanent Residency Application System Starts January 1
by KPMG Law LLP, Canada (a KPMG International member firm)

Starting in January 2015, the much anticipated Express Entry program will come into effect and will apply to all economic immigration streams for permanent residence (PR) in Canada.¹

This online application management process is intended to decrease processing times and eliminate the current backlog of economic PR applications, by allowing Citizenship and Immigration Canada (CIC) to determine who is able to apply for PR, and when they can apply.

Why This Matters

Express Entry is anticipated to improve overall processing times by adding a mandatory first-step before a potential candidate can apply for PR. Employers, global mobility managers, and immigration professionals can anticipate that Express Entry will help to facilitate faster and more efficient service to potential skilled immigrants. It will also allow employers, and the federal and provincial governments to be more flexible and responsive to changing economic conditions and priorities throughout Canada.

Nonetheless, the new system creates uncertainty around various aspects of the traditional PR process, including issues such as the points' assessments for work experience and age, the expiry of documents, as well as the "lock-in" date for the age of dependents.

An Overview of the Express Entry Program (Two-Step Program)

Beginning in January 2015, the following two-step process will take effect on the intake of all economic PR applications.

Step 1: Express Entry Profile

At the first stage, potential candidates will submit an online Express Entry profile. Potential candidates will be assessed according to a skills-based ranking system. At this stage, skills will be self-declared based on appropriate test results. The ranking will be based on the following considerations:

- Language proficiency;
- Education;
- Canadian work experience; and
- Other factors that lead to success in Canada (not yet defined by CIC).

Candidates who meet the criteria are entered into the Express Entry Pool and are ranked against one another. CIC and the provinces/territories will have access to all candidates in the pool. Only the highest-ranked candidates and those with qualifying offers of arranged employment or provincial/territorial nomination certificates will be invited to apply for PR. Candidates who do not have offers of employment from Canadian employers or nomination certificates from a province/territory must register with the Job Bank.

Employers can seek a match with a candidate through the Job Bank, private sector job boards, or recruiters, and apply for a Labour Market Impact Assessment (for PR purposes) without a fee.

Step 2: Invitation to Apply

Candidates who rank among the top in the pool will receive an Invitation to Apply for PR. Candidates will have 60 days to submit an electronic application for PR through one of the four existing programs:

- Federal Skilled Worker Program;
- Federal Skilled Traders Program;
- Canadian Experience Class; or
- A portion of the Provincial Nominee Program.

When an employer offers a job to a candidate, the candidate will promptly receive an invitation to apply for PR. CIC has made a commitment to process up to 80 percent of complete applications within six months. Candidates in the Express Entry Pool who do not receive an invitation to apply for PR after 12 months may resubmit their profiles and re-enter the pool if they still meet the criteria.

Applicants who have completed their English or French language exam, and have one year of work experience in Canada, still have time to apply for PR under the Canadian Experience Class before the end of December 2014.

Applicants who have received their educational accreditation, and completed their English or French language exam, still have time to apply for PR under the Federal Skilled Worker Program.

Applicants with nomination certificates from a Provincial or Territorial authority should file their application before December 31, 2014.

KPMG Law LLP Note

We strongly encourage employees and employers to immediately initiate the PR application process, where there is an employee intention to indefinitely reside in Canada. KPMG Law LLP in Canada is prepared to receive and use PR applications and process those applications until December 1, 2014, for filing before January 1, 2015.

There are less than 60 days before the roll out of this entirely new process, and still, much remains unclear. CIC has released minimal information regarding the online intake system, and it is unclear how candidates will be ranked in comparison to one another in the applicant pool.

KPMG Law LLP will provide updated information as it becomes available to help employers and candidates prepare for this new world of PR processing.

This article is excerpted, with permission, from "Last Chance to File for Permanent Residence Before Express Entry Starts" in *e-Alert* (2014/10), a publication of KPMG Law LLP in Canada, a tax and immigration law firm affiliated with KPMG LLP, the KPMG International member firm in Canada.

Footnote:

- 1 For further information, see the CIC Web site at;
<http://www.cic.gc.ca/english/immigrate/express/express-entry.asp>.

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For additional information or assistance, please contact your local GMS or People Services professional or one of the following immigration professionals with KPMG LLP Law in Canada:

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