



Blaneys on Immigration

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This newsletter is designed to highlight new issues of importance in immigration related law. We hope you will find it interesting, and welcome your comments.

Feel free to contact any of the lawyers who wrote or are quoted in these articles for more information, or call the head of our Immigration Law Group, Ian Epstein at 416.593.3915 or iepstein@blaney.com.

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CIC BEGINS ISSUING WORK PERMITS TO APPLICANTS UNDER THE SPOUSE OR COMMON-LAW PARTNER CLASS

Henry J. Chang

On December 22, 2014, Citizenship and Immigration Canada (“CIC”) announced a one-year pilot program to issue open work permits to applicants under the Spouse or Common-Law Partner in Canada (“SCLPC”) class before they have received approval in principle. The SCLPC category applies to spouses and common law partners of Canadian citizens or permanent residents, who are already in Canada and seeking permanent residence within the country.

Prior to this date, applicants under the SCLPC would not be able to seek an open work permit until they had received approval in principle for their permanent residence application. As it is taking approximately seventeen months for SCLPC applicants to receive approval in principle, the ability to seek an open work permit immediately represents a significant benefit for such applicants.

Applicants who have already submitted an application for permanent residence under the SCLPC but have not yet applied for an open work permit are instructed to apply for their open work permits by mail through the Case Processing Centre in Vegreville, Alberta. However, if the applicant has already received approval in principle, he or she

can also apply online. New SCLPC applicants should complete their permanent residence and open work permit applications and submit both to the Case Processing Centre in Mississauga, Ontario.

CIC began issuing open work permits to eligible SCLPC applicants who had already filed prior to December 22, 2014. It also mentioned that applicants who filed on or after that date would have their open work permit applications processed within four months of receipt.

After one year, CIC will re-assess the pilot program and determine whether it should be continued. ■

UPDATE ON EXPRESS ENTRY

Henry J. Chang

I previously reported that, since Express Entry began on January 1, 2015, Citizenship and Immigration Canada (“CIC”) had issued two rounds of Invitations to Apply (“ITAs”). An ITA allows a foreign national to submit their application for permanent residence under one of the following categories:

- 1) The Federal Skilled Worker (“FSW”) Class;
- 2) The Canadian Experience Class (“CEC”);
- 3) The Federal Skilled Trades (“FST”) Class; or



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- 4) Members of the Provincial Nominee Class who fall within the Express Entry Stream of a Provincial Nominee Program ("PNP").

Express Entry applicants were selected to receive an ITA based on how many points they were assigned under the Comprehensive Ranking System ("CRS").

Since my previous report, CIC has now issued two additional rounds of ITAs, bringing the total to four since Express Entry commenced. A summary of all four Express Entry rounds to date appears below:

- 1) In Round #1 (January 31, 2015), CIC issued 779 ITAs. Applicants in this round were required to receive at least 886 CRS points.
- 2) In Round #2 (February 7, 2015), CIC issued 779 ITAs. Applicants in this round were required to receive at least 818 CRS points.
- 3) In Round #3 (February 20, 2015), CIC issued 849 ITAs. Applicants in this round were required to receive at least 808 CRS points.
- 4) In Round #4 (February 27, 2015), CIC issued 1187 ITAs. Applicants in this round were required to receive at least 735 CRS points.

It would appear as though CIC is slowing increasing the number of ITAs that it issues in each round. It is also lowering the minimum CRS score that applies in each round.

This is definitely a step in the right direction. However, the total number of ITAs being issued is still relatively small, given the fact that Express Entry applies to all cases filed under the FSW, CEC, FST, and Express Entry Stream. Also, even with a minimum score of 735 CRS points, an applicant cannot receive an ITA unless he or she either: (1) has arranged employment, or (2) has a nomination certificate issued under the Express Entry stream of a PNP.

Hopefully, future rounds will allow for a greater number of ITAs and a minimum score below 600 CRS points. ■

BLANEYS PODCAST

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Blaneys Podcasts are available for download at <http://www.blaney.com/podcast>. Topics to date include Powers of Attorney, Canada's Anti-Spam Legislation, Termination of Employment and Family Law. In the newest podcast, Steve Popoff discusses the approaches to succession planning for the transitioning or winding up of a business.

New podcasts continue to be posted so check back regularly for the latest topic. Podcasts are also available for download on [iTunes](#). ■

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