CIC Begins Sending Invitations to Apply Under Express Entry

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As previously discussed, Citizenship and Immigration Canada ("CIC") implemented its Express Entry system on January 1, 2015. Since that date, CIC has issued two rounds of Invitations to Apply ("ITAs"), which invite selected Express Entry applicants to submit applications 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
4. Members of the Provincial Nominee Class who fall within the Express Entry Stream of a Provincial Nominee Program ("PNP").

On January 31, 2015, Minister of Citizenship and Immigration Chris Alexander (the "Immigration Minister") issued Ministerial Instructions ("MIs") regarding the first round of ITAs. The MIs stated that the total number of ITAs issued during the period between January 31, 2015 and February 1, 2015 would be 779. They also stated that only Express Entry applicants who had been assigned at least 886 points under the Comprehensive Ranking System ("CRS") would receive an ITA during the first round.

On February 7, 2015, Minister of Citizenship and Immigration Chris Alexander issued additional MIs regarding its second round of ITAs. These MIs stated that the total number of ITAs issued during the period between February 7, 2015 and February 8, 2015 would again be 779. They also stated that only Express Entry applicants who had been assigned at least 818 points would receive an ITA during the second round.

By setting the minimum CRS ranking above 600, CIC ensured that only those applicants who received an additional 600 points, either for arranged employment or for a nomination under the PNP Express Entry stream, were considered for selection in these first two rounds. This is a

disappointment for many Express Entry applicants who believed that they might receive an ITA even without these additional 600 points.

The total number of applicants who received an ITA during each round was also disappointingly low. Assuming that only 779 applicants receive an ITA under Express Entry each month during 2015, this means that CIC will only process 9,348 new applications under the FSW, CEC, FST, and PNP Express Entry Stream during the entire year. This clearly cannot be CIC's intention.

Despite these two disappointing rounds, it is still possible that applicants who have neither arranged employment nor a nomination under a PNP Express Entry Stream will still have an opportunity to receive an ITA sometime this year. The decision to issue ITAs only to applicants having more than 600 points during the first two rounds might have been a political decision, so that the Immigration Minister could initially claim that the Express Entry system was selecting only the best and brightest applicants. In addition, the decision to issue only 779 ITAs during each round may have been made so that CIC could initially process these cases within the six-month time frame that it has been promising.

Hopefully, future rounds will involve a larger number of ITAs and a minimum CRS ranking that is low enough to include applicants who do not have arranged employment or a nomination under a PNP Express Entry Stream.