CIC Announces Temporary Pause on Most Federal Skilled Worker Applications and All Federal Immigrant Investor Applications

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On June 29, 2012, Citizenship and Immigration Canada ("CIC") published Operational Bulletin 438 ("OB 438"), which provides guidance on the recently issued Ministerial Instructions that came into force on July 1, 2012.

OB 438 states that a temporary pause has been placed on new applications filed under the Federal Skilled Worker Program ("FSWP"), excluding applications received under the PhD eligibility stream and those with a qualifying offer of arranged employment. The effective date of the temporary pause was July 1, 2012. As of that date, the only FSWP applications that will be accepted are those filed by:

a) Skilled workers with a valid offer of arranged employment.

b) International students enrolled in a PhD program at a provincially or territorially recognized private or public post-secondary educational institution in Canada who:

1. Have completed at least two years of study towards a PhD;
2. Are in good academic standing at the time they apply;
3. Are not recipients of an award requiring them to return to their home country to apply their knowledge and skills; OR

International students who graduated from a PhD program at a provincially or territorially recognized private or public post-secondary educational institution in Canada who:

1. Graduated no more than 12 months before the date their application is received;

2. Did not receive an award which required them to return to their home country to apply their knowledge and skills (or did, but have satisfied the terms of the award).

A maximum of 1,000 applications from the PhD eligibility stream will be considered for processing each year. Applications will be considered in the order they are received.

The first cap year for the PhD stream began on November 5, 2011, and will end on October 31, 2012. Unless otherwise indicated in a future Ministerial Instruction, the cap will be automatically reset on November 1, 2012.