

Immigration Interpretation Bulletin #1

How New Immigration Rules Affect

Human Resource Professionals

March 1, 2012

Over the past few months, many changes have been made to how various groups can conduct business with Citizenship and Immigration Canada (CIC). This Interpretation Bulletin has been created to explain clearly what these new rules mean to Human Resource (HR) Professionals.

Immigration Advisory:

How does Bill C-35 affect HR Professionals:

Bill C-35 made it an offence for anyone other than an Authorized Representative to offer immigration services for a fee. Authorized Representatives include: members in good standing of ICCRC (known as Regulated Canadian Immigration Consultants – RCICs), lawyers in good standing with a provincial or territorial law society and notaries who are members in good standing of the Chambre des notaires du Québec. For a list of RCICs, please visit this link - <http://www.icccrc-crcic.ca/public/membershiplistFull.cfm>.

What are the penalties?

Bill C-35 doubled the penalties from \$50,000 to \$100,000 and/or imprisonment of up to 2 years for conviction by indictment. Bill C-35 doubled the penalty from \$10,000 to \$20,000 and/or imprisonment for up to six months on summary conviction.

What HR Professionals and their staff may do without being an Authorized Representative:

Conduct job interviews; make offers of employment; review job applications; provide translation services; provide courier services; provide information on medical services; make travel arrangements.

What HR Professionals may not do unless they are an Authorized Representative:

Explain/provide immigration advice; complete immigration forms; communicate with CIC/Canada Border Services Agency on a client's behalf; represent clients in an immigration application or proceeding.

NOTE: HR professionals may still complete Labour Market Opinion applications to Human Resources and Skills Development Canada

How does ICCRC handle complaints?

ICCRC takes all complaints seriously. If we receive a complaint that an HR Professional is contravening these rules, ICCRC will collect further evidence, build a case, and submit it to the CBSA or the RCMP.

For more information, please review:

Bill C-35 - <http://www.cic.gc.ca/english/department/media/backgrounders/2011/2011-06-28a.asp>

IP9 – Use of Representatives - <http://www.cic.gc.ca/english/resources/manuals/ip/ip09-eng.pdf>