

CICIP Meeting
November 20, 2009
Government Conference Centre – Rideau Room
Ottawa, Ontario

Participant List

Co-Chairs:

Réналd Gilbert (Director General – International Region) Co-Chair, CIC
David Chalk (V.P. – Immigration Québec) Co-Chair, AQAADI

IR:

Jennifer Carlile
Kent Francis, Director
Shannon Fraser, Director
Mark Floyd, Director
Tim Gorham, Manager
Stephen Hum
Metahara Mamo
Annie Pageau
Isabelle Seguin de Plazas

OMC:

Andrew Brown, Director
Jae Wong Chung, Manager
Melanie Debeljak
Theresa Harvey, Director
Bill Hawke, Manager
Lynn Hehir, Manager
Brendon Rafferty, Manager
Elizabeth Tan-Vezina

BIOMETRICS PROJECT:

Lesley Soper, Director

IMMIGRATION BRANCH:

Sandra Harder, Acting Director General
Heidi Smith, Director

SIO:

Alain Bilodeau, Deputy Director
Kathy Champagne
Bill Farrell, Director
Laura Tanner

CPR

Paul Armstrong, Director General
Patricia Nicoll, Director

OTHER CIC:

Andrea Asbil (Strategic Communications)

Gary Dubinsky (Counsel)
René Coté, Director (BCL)

HRSDC:

France Asselin
David Charter
Norm Faulkner
Mario Rondeau
Steven West

AQAADI:

Joseph Allen
Anh Thu Duc Tran, V.P.

CAPIC:

Tarek Alam, Quebec-President
Gerd Damitz, National Treasurer
Phil Mooney, President

CBA:

Chantal Arseneault, Vice-Chair
Stephen Green, Chair
Baerbel Langner, immediate Past Chair
Joshua Sohn, Treasurer
Kevin Zemp, Secretary

CIPRC:

Howard Greenberg, Lawyer, Past Chair CBA,
Immigration Section
Peter Reikai - Lawyer, Specialist in Immigration
Law
Catherine Sas
Robin Seligman, Lawyer, Past Chair CBA,
Immigration Section

CMI:

Eric Katz
Ron McKay
Tadeusz Kaweck
Imran Qayyum, Chair CMI

Meeting Minutes:

OUTSTANDING ISSUES FROM THE LAST CICIP MEETING (May 1, 2009):

- 1) **What are the present rules for ARCs in terms of length of validity and entry conditions (single/multiple/permanent)? What about for people who issued an ARC in the past?**

An Authorization to Return to Canada (ARC) is determined on a case by case basis. The rationale for granting an ARC will depend upon the situation, and consequently, the length of validity and entry conditions will vary accordingly. An ARC can be granted for return to Canada as a permanent resident, for one-time visit, or for occasional entries for a specified purpose (e.g.: medical treatments, work-related activities) over a prescribed period depending upon the case.

The ARC section within OP1 is currently being reviewed to ensure that it provides clear and accurate guidance to officers.

- 2) **Practitioners are concerned that H&C cases with risk have a disproportionately high refusal rate at CIC-Etobicoke. Concerns that an H&C “Risk Assessment Unit” is staffed by PRRA officers with the alleged result of higher refusal rates.**

All H&C files that come to CIC-Etobicoke from Vegreville are triaged by the supervisor who determines whether or not there are sufficient H&C factors to make a decision. The applications that are determined not to have enough H&C factors are transferred to PRRA.

Once the supervisor reviews the file, it goes either into a three year inventory of H&C applications at CIC-Etobicoke or a large inventory at the PRRA office.

When an officer receives the file, whether at PRRA or in CIC-Etobicoke, H&C factors are considered once again by that officer.

- 3) **What measures are being undertaken to improve the efficiency and accessibility of the Call Centre? Practitioners state that they cannot get through.**

In June 2008, the Call Centre phone system was upgraded to make it more user-friendly. A new “Menu” options feature allows clients to either obtain basic information on application status or to obtain pre-recorded details on topics they select. Clients can navigate through this self-serve menu and, if need be, ask to speak to an agent.

The Call Centre already has 26 new agents in training and another new group of 16 agents started on 2 November 2009. The Call Centre will be nearly fully staffed, thus increasing accessibility for clients. As call volumes are higher on Mondays and Tuesdays, clients are encouraged to contact the Call Centre later in the week.

- 4) **Where should renewal applications for an open work permit be sent to at CPC-Vegreville?**

Operational Bulletin (OB) 87 refers to changes to queues at CPC-Vegreville. Initial open work permit applications should go to the “New” queue. Renewals should go to the “Renew” queue. Extensions for same employer and extensions for a new employer should be mailed to the following address:

Extensions for same employer:

CPC Vegreville
Work Permit
6212-55th Avenue, Unit 202
Vegreville, AB
T9C 1X6

Extension for new employer:

CPC Vegreville
Work Permit
6212-55th Avenue, Unit 555
Vegreville, AB
T9C 1X6

5) Who do we contact at CPC-Vegreville if dependents are missed on a work permit?

Contact the Call Centre for any errors; however, dependents are not listed on the primary temporary resident document. If dependents would like to work while in Canada, a separate work permit must be sought. Otherwise, they are issued their own documents (study or visitor) and are not included on the worker's permit.

6) Should the 120 day window be extended for C-50 cases for applicants to send complete applications to missions?

OB 120 refers. Visa offices are instructed to strictly enforce the 120 day rule as the deadline is essential to manage these cases efficiently and to keep processing times down to 6-12 months. Nevertheless, all requests for extensions must be properly considered, documented in CAIPS notes and answered. Applicants are advised not to apply until they are prepared to submit all documentation required.

7) Does the Central Intake Office (CIO) require the Schedule 1 information for non-accompanying family members?

The Schedule 1 form is required from all family members (accompanying or not) who are 18 years of age or older.

8) What will the RCMP do with collected biometric data? How will they store it? Will it be shared?

RCMP will store prints in their existing repository. The length of storage is to be determined. The RCMP will run prints against their existing databases. Hits will be shared with CIC visa officers and CBSA POE.

9) With the move towards e-Applications, how will practitioners be able to access electronic files with electronic attachments?

A Third Party Portal is being developed for use by paid authorized representatives who are members of the Chambre des notaires du Québec, the Canadian Society of Immigration Consultants (CSIC), and the Canadian Bar Association (CBA). The portal will provide member access to the available e-Applications which they can submit on behalf of their clients.

10) What is the status of Canadian – European Union negotiations with regards to potential Temporary Foreign Worker (TFW) mobility?

The first round of Canada-EU Comprehensive Economic and Trade Agreement (CETA) negotiations were held in Ottawa on the week of October 19th and the second round is scheduled for the week of January 18th in Brussels.

The Scope Paper developed jointly between Canada and the EU envisages provisions for the movement of persons. Specifically, it states, “recognizing the mutual interest in facilitating the legitimate movement of persons related to bilateral trade and investment, the Group was of the view that provisions on such mobility should be included in any agreement.”

During the first round, discussions centered on the approaches taken by the EU and Canada in their proposed chapters on Temporary Entry/Presence as well as their respective domestic regimes. The parties reviewed and compared both texts including general articles, as well as the specific categories of business persons which highlighted similarities and difference in approaches and identified requirements for intercessional work.

In summary, the parties recognize that we bring two very different approaches to the table, and that discussions on overall architecture of these provisions will be an important element in future discussions.

11) What is the possibility of an LMO exemption for persons who have applied for permanent residence under the Canadian Experience Class and who require work permit extensions?

CEC applicants are not required to be in Canada at the time of application or during processing. CEC applicants in Canada whose temporary resident status is about to expire must apply for extension of their status if they intend to remain in Canada while the application is being processed. The decision to issue an extension or restoration of status will be made by the officer in CPC-Vegreville based on each individual case. Note that CEC applications are processed on a priority basis.

12) Will CIC consider increasing the Investor target?

The Annual Report to Parliament was tabled earlier in November and Canada will maintain its immigration levels between 240,000 and 265,000 for 2010. The current investor target will also be maintained. CIC is, however, currently exploring ways to improve efficiencies within the program with a view to increasing the number of investor admissions.

13) The lengthy processing delays for in-Canada spousal work permits that occur when files are transferred to a local CIC office for further investigation often causes problems. Is there a way that this process could be expedited?

Applicants in SCLP in-Canada class are eligible for work permits once an officer has determined that the applicant is a member of the class. In some cases, this cannot be determined until a CIC officer has reviewed the application. The review sometimes involves an interview with the applicant. Given the volume of applications, it can take quite a while before a positive determination is made. Applicants also have the option of applying to be sponsored as spouses/partners outside Canada. At some visa offices, these applications are processed much faster than SCLP in-Canada applications.

PRESENTATIONS (November 20, 2009):

Biometric Project - Lesley Soper

- **Update on the Biometrics Project Office:**
 - Main purpose of biometrics collection (fingerprints and photo) is to assess admissibility.
 - Project is currently in the mid-planning phase – implementation dates may change.
 - Implementation tentatively scheduled for end of 2011 for overseas applications.
 - Overseas, biometrics will be captured at either the visa office or a visa application centre (VAC). Contracted service providers (VACs) are necessary to handle large volumes of enrolment. Applicants must enrol each time a new application is made.
 - TRV-exempt clientele will be processed at the POE.
 - All collected biometrics (biographic information, fingerprints and photos) will be protected and transmitted via secure means.
 - The RCMP will be the repository of collected biometrics. Access to the repository will be strictly limited to the RCMP. Policy on retention of collected biometrics is currently in the development stage.
 - Only CIC visa officers, CBSA's POE officers, and a small number of designated CIC staff with the required security clearance will have access to biometric data. All data will be encrypted for security.
 - Data will be checked against existing Refugee and CPIC databases – Interpol and FBI will not have access to the data.

- Privacy Impact Assessment is currently being worked on.
- Recourse mechanisms for addressing possible biometrics matching errors are being developed.

Immigration Branch – Sandra Harder and Heidi Smith

- **Update on Bills / Regulatory Amendments:**

- Work is continuing on proposed amendments to R4 (bad faith relationships). CIC is aiming for pre-publication this fiscal year.

- **Foreign Workers Regulatory Package:**

Denial of Service penalty on employers who violate the terms of employment offered to temporary foreign workers:

- Responsibility for prosecutions under the Immigration and Refugee Protection Act (IRPA) rests with the CBSA and the RCMP. CIC and Service Canada will use administrative means of addressing abuses expeditiously at the work permit or Labour Market Opinion application stage.
- Employers will be placed on an “ineligibility list” posted on CIC’s external website and will be ineligible to hire workers for a two year period.
- CIC is not looking at penalize employers for minor changes in “stated” vs. “real wages”. Egregious violations, where there is evidence that the employer had no intent to honour the stated wages, will be targeted.
- Ultimately, it will be the officer’s decision on how to assess the facts presented in each case.

Maximum cumulative years of work in Canada:

- A Temporary Foreign Worker (TFW) who completes 4 cumulative years of work in Canada will not be eligible to return to Canada as a TFW for at least another 6 years.
- Maximum cumulative years of work will apply to all TFWs, excluding those exempted under the regulations (i.e.: foreign nationals who intend to perform work pursuant to an international agreement or work which would be applicable under Canadian interests).
- Operational guidelines are being developed to allow officers to make appropriate assessments on cumulative duration of work.
- Temporary Foreign Worker Program (TFWP) is meant to address immediate temporary labour and skills shortages. A maximum cumulative duration of work will avoid low-skilled temporary workers establishing in Canada for an indefinite period of time with temporary status.
- Provincial Nominee Programs (PNP) are potential program options for low-skilled workers who are interested in long term residency.
- Practitioners raised the issue of various groups who wish to work on temporary status beyond 4 years and who do not wish to become permanent residents, such as Anglophones in Quebec and expat managers of international companies who are rotated amongst international offices.

Genuineness assessment:

- Where an LMO is required, HRSDC conducts a Labour Market Impact assessment, a genuineness assessment, an assessment of consistency with applicable federal-provincial agreements, a significant difference assessment, and an assessment of specific live-in caregiver requirements (if applicable).
- Where an LMO is not required, CIC conducts the genuineness assessment, an assessment of consistency with applicable federal-provincial agreements, and a significant difference assessment on the employment offer.
- Visa officers have always had the ability to go back and examine elements of the case before deciding whether to issue a work permit.

- **Investors:**

- Large inventory found in Hong Kong (approximately 8000 files). New Delhi has also seen a considerable rise in number of investor applications.
 - Processing times in Damascus are longer than most missions, but are improving.
 - Visa offices with no investor targets process investor files as they are received.
 - Overall, processing times have been reduced by one year in the past three years.
 - Withdrawal rate is approximately 25%. Implementation of the Simplified Application Process has led to an increase in withdrawals.
 - CIC is looking to improve the investor program, including examining options such as centralized processing.
- **Third party intermediaries strategy:**
 - Minister Kenney has taken a keen interest in the issue of immigration fraud.
 - In March 2009, CIC launched a public information campaign to combat immigration fraud and warn about unscrupulous consultants.
 - CIC examined additional ways of combating fraud through consultations with stakeholders.
 - CIC is currently developing a response to the problem of immigration fraud.

Operational Issues and Updates (OMC)

- **Update on Citizenship Operational Issues, including adoptions – Jae Wong Chung:**
 - C-37 amendments to the Citizenship Act came into force on 17 April 2009.
 - CIC does not yet have statistics on the number of applicants pursuant to C-37.
 - Average processing time for proof of citizenship applications is 10 months for applicants residing in Canada and 13 to 14 month for applicants residing outside Canada.
 - CIC is expecting some temporary funding to reduce processing times for proofs. If funding is received, CIC will reduce processing times to 5 months for in-Canada applicants and 8-9 months for applicants residing outside Canada by 31 March 2010.
 - Average processing time for citizenship grant applications is currently 13 to 16 months.
 - No additional funding is expected for grant processing. CIC does not expect grant processing times to decrease in the near future.
 - Approximately 700 applications were granted under the citizenship adoption process in 2008.
 - Processing for Part 1 of adoption applications occurs in CPC-Sydney. Part 2 is completed by missions overseas and processing times are mission dependant.
 - In the first half of 2009, overseas missions and CPC-Sydney granted citizenship to approximately 650 individuals under the citizenship adoption process.
 - For approximately 100 adoption grant applications where both parents and children are in Canada, children may not have status or be on a VR or TRP. Families are reluctant to travel to missions for interviews, as adopted children may not be granted entry to Canada upon return; however, CPC-Sydney does not have any delegated decision makers. These cases are currently on hold.
 - Urgent cases in Canada waiting for processing can write to CIC for consideration.
 - Applicants in urgent situations and who need to come to Canada can apply for TRP or ask the department to accelerate citizenship processing.
- **Permanent Resident Processing – Theresa Harvey and Bill Hawke:**
 - Practitioners raised the issue of removals of in-Canada spousal applicants with enforcement issues by the CBSA in the Toronto area. CPC-Vegreville now puts PR applications into FOSS within 2 weeks; therefore the CBSA should be aware of these applications in progress.
 - Appeal allowed cases: CIC will look into the possibility of processing these before the actual file is returned to mission.
 - OP 1 manual on processing ARCs will be updated to provide clearer guidelines to missions.

Lock-in for over 22 years old dependent children:

- CIC recognizes that processing times for some applicants are measured in years.

- CIC has no plan to exempt applicants from continuing to satisfy definitions or meet requirements to become permanent residents.
- CIC has no intention of prioritize applications which include older dependent children.

Processing delays at local offices:

- There is a significant inventory of spousal applications in the GTA, of which only 26% have not yet received a first stage eligibility assessment.
- Once eligibility has been assessed, applicants are informed in writing that they may apply for a work permit.
- Depending on provincial requirements, applicants are often eligible for provincial health care benefits when the first stage eligibility assessment is rendered.
- Large majority of cases that have not yet received a first stage assessment are not straight forward. Approximately 81% of these cases do not satisfy either the eligibility requirements of spouse or common law partner or admissibility requirements.
- H&C applicants who do not satisfy R124 (b) would likely be covered under the spousal public policy.
- Guidelines on processing H&C were published in July 2009. Delays in publishing these guidelines contributed in large part to the inventory in FCH category.
- Additional resources are not currently available to expedite the processing of the existing inventory.
- H&C processing is currently being looked at in terms of efficiency.

C-50 update:

- When C-50 came into force on 27 February 2008, there were approximately 630,000 persons with applications in the federal skilled workers category awaiting finalization. By the end of September 2009, there were fewer than 425,000 persons - a reduction of 33%.
- CIC has no plans at the moment to resume sending “letters of continued interest” for pre C-50 inventory.
- For C-50, the majority of applications received in 2009 are being assessed for experience in one of the 38 occupations (SW1).
- Remaining applicants are almost evenly split between arranged employment offers (SW2) and temporary foreign workers or international students (SW3).
- Positive final determination of eligibility rates for SW2 and SW3 are roughly 2.5 times higher than SW1.
- Approximately 20% of applications are returned to applicants by the CIO because they are incomplete.
- Final eligibility is determined by the overseas visa office. The CIO only conducts a preliminary eligibility assessment.
- Visa offices have received sufficient numbers of applications to meet final disposition targets for 2009.
- No processing fees are required for Canadian-citizen spouses and children.
- No priority is given to the CIO or Buffalo for C-50 processing.

• **Temporary Resident Processing – Brendan Rafferty and Lynn Hehir:**

- CIC is still in the process of developing appropriate wording associated with the privacy notice and consent sections of the IMM1249 (Application to Change Conditions, Extend my Stay or Remain in Canada). CIC officials are working with legal, ATIP, and program specialists to determine what text will be used. This issue should be resolved before the end of the calendar year.
- CIC is required to consult with the provinces and territories, specifically for the Off-Campus Work Permit Program, to determine what impact any changes to the privacy notice will have.

Centralized Operations and Updates:

- **C-50 – Centralized Intake Office (CIO) – Patricia Nicoll:**

- Negative Eligibility Assessments:

- The CIO provides reasons for negative eligibility assessments in their letters to applicants. Clients' representatives receive lengthy emails.
- Negative eligibility assessments at the CIO are low (in the 10 to 12% range).
- An incomplete application that is returned is not a refusal.
- Applicants may address any concerns regarding eligibility assessments in writing to the CIO.

- Document checklist:

- IMM 5612 contains the complete list of items that the CIO requires in order to determine if an application should be referred to a visa office for a final determination of eligibility assessment.
- Applicants should follow the instructions in the kit regarding the forms and the limited documentation requested on the document checklist.
- Applicants can attach an additional sheet of paper if the space provided in Schedule 1 or Schedule 3 is not sufficient.
- The CIO will not make requests for additional information, so submissions should include all documentation required for an officer to make a determination.

- Visa Office checklist:

- Applicants and their representatives should remember that the checklist is a guide. CIC tries to ensure that checklists are as comprehensive as possible, but the onus lies with applicants to produce evidence that supports their statements in their application.
- Applicants must be prepared to produce evidence within the 120 days window.
- Visa officers have been instructed to make selection decisions as quickly as possible after a final positive determination of eligibility for processing.
- Visa officers will not be seeking additional evidence from applicants before making selection decisions except in certain limited situations when visa officers may allow an applicant the opportunity to undergo language testing.

- **Centralized Processing Region – Paul Armstrong:**

- CPC-Vegreville encounters many challenges with respect to the Use of a Representative form.
- CPC-Vegreville is experiencing an overall increase in application intake. CPC-Vegreville continues efforts to find solutions to address this increasing inventory.
- CPC-Vegreville processed 30,000 more temporary resident applications this year than the same period last year.
- Factors contributing to processing delays include incomplete application kits, unsolicited correspondence and submissions, and case enquiries.
- Information on current processing times may be found on the CIC website at www.cic.gc.ca.
- Implied status processing time is 27 days including mail time.
- Information on what constitutes implied status can be found in CIC operations manuals.

Service Improvement Initiatives Update – William Farrell:

- **e-Applications:**

- Since June 2008, approximately 8000 Work Permit e-Applications under the Off-Campus Work Permit program were processed. 82% of applications received in this category during the last month were e-Applications.
- Since February 2009, approximately 12,000 Study Permit e-Applications from students within Canada have been processed. In the last month, 42% of all SP applications were e-Applications.
- As of 19 December 2009, virtually all TR applicants within Canada may choose to submit an e-Application for any TR line of business. The only exception relates to Co-op Program Work Permit applications.

- An enhancement to MyCIC will allow any applicant, including those without FOSS IDs, to have access to the e-Application option as of 19 December 2009.
- The advantages of choosing e-Application include faster processing times. Currently, Study Permit e-Applications processed by CPC-Vegreville are completed in 8 days, while paper applications are nearing 80 days. This differential is not sustainable once all lines of business are available as an e-Application, though it is expected that processing times for e-Applications will remain more attractive.
- A limited overseas release of e-Application for Study Permits from selected visa and medical examination-exempt countries will be implemented towards June 2010. A limited overseas release for International Youth Program Work Permit e-Application for centralized processing at CPC-Vegreville is scheduled for December 2010.
- A Third Party Portal for authorized paid representatives is being developed to allow representatives to submit e-Applications on behalf of their clients.
- Until the Third Party Portal is available, applicants can be represented but must submit own e-Application, with the Use of a Representative form and the representative's covering letter attached electronically. Alternatively, the representative may continue to submit a paper application on behalf of the client.
- Release of the Third Party Portal is scheduled for June 2010. Development of the business requirements for the Portal to follow the stabilization of the Work Permit line of business.

Visa Office Operations and Updates – Kent Francis:

- **Temporary Resident Issues:**

- There is no inventory of temporary resident files. These files are processing virtually immediately upon receipt at missions.
- Practitioners expressed frustration with the lack of detailed reasons for temporary resident refusals. TRV form letters include the main reasons for refusals, as well as a box indicating other reasons. International Region will review temporary resident check box refusal letters but it is unlikely they will be changed due to time restraints on visa officers.

Dual Intent:

- OB 131 went to missions in July 2009 to remind all officers of the implications of dual intent on decision making.
- Applicants must first and foremost clearly demonstrate to the visa officer that he/she intends to respect the requirement of their temporary resident status and leave Canada by the end of the period authorized for their stay.
- New York's refusal letter has been updated to better reflect possibility of applying for permanent resident status through in-Canada programs.

Visa Imposition on Mexico:

- Staffing:
 - Large numbers of locally engaged staff were hired to process the increased number of applications.
 - The number of visa officers was increased through re-assignment and extensive ongoing temporary duty assignment.
 - Mexico office now has sufficient officers and support staff to process the volume of applications received.
- Processing times:
 - Over 70% applications are received by mail / courier services.
 - Mail-in applications are processed within 3 to 4 days.
- Impact:
 - CIC is considering relocating the visa office to larger quarters to accommodate the increased staff.
 - The Canadian Government has signed a contract for a network of visa application centres (VACs) in key cities in Mexico. The VAC in Mexico City is now in

operation and VACs in Monterrey and Guadalajara are tentatively scheduled to come on-stream this month and in January respectively.

Visa Imposition on Czech Republic:

- Staffing:
 - Additional resources were assigned to Vienna to cope with the increased demand.
- Processing times:
 - Dependent largely on the method by which the application is submitted to Vienna.
 - Mailed / couriered applications are processed within 3 working days.
 - In-person applications in Vienna are processed the same day.
 - The Canadian Embassy in Prague will maintain a drop-box until December 31, 2009. Visa applications submitted through the Canadian Embassy in Prague will be forwarded to Vienna and processed within 12 working days.
- **Permanent Resident Issues:**
 - To maximise utilisation of available resources, some pre C-50 files are being transferred to other missions for processing (i.e.: some New Delhi files are being processed in Warsaw and some Damascus files are being sent to London and Warsaw). As of October 2009, 34% of the pre-C50 inventory had been cleared, including withdrawals, refusals, and issuance of visas.
 - For normal processing, missions only transfer files for program integrity purposes and not the applicant's travel plans. Most requests are refused.
 - Requests for H&C and substituted evaluation should be accompanied with reasons and supporting evidence.
 - In cases where visa offices are updating documentation on file, CIC will look into providing applicants more than the current 30 days to comply with the requested additional documents.

Hong Kong Spousal Refusals:

- In the past 3 years, the high rate of spousal refusals in Hong Kong has been due to the detection of fraud specific to the region. Refusals are not reflective of arranged marriages.
- Since January 2006, 40% of Hong Kong's refused spousal cases have gone to appeal. Almost half of the appeals are withdrawn or abandoned by the sponsor.

VFS Beijing:

- VFS has signed a contract where it agrees to protect information. Personal information has the same level of security as at the Beijing mission.

Processing times on Appeal Allowed cases:

- Security:
 - Appeal files have a classification of Protected B due to the personal information on file.
 - Diplomatic bag is the preferred option of transporting appeal files to and from missions.
 - Missions sometimes send appeal files to Canada via couriers to meet deadlines for scheduled hearings.
- Costs:
 - CIC and DFAIT have a MOU that allows for the transportation of files to and from overseas using diplomatic bag. These costs are covered by DFAIT.
 - Appeal files sent to Canada by courier are the responsibility of CIC.
- Service Standards:
 - DFAIT has doubled its diplomatic bag service to Accra within the past 5 years.
 - Decisions to increase the number of shipments are made by DFAIT as they are responsible for this service and the associated costs.
 - OMC/IR to explore the option of resuming the processing of appeal-allowed cases before the original file has arrived at mission by using file copies.
 - IR to remind missions that appeal allowed files should have priority.

Security check in CAIPS notes:

- Visa offices only initiate background checks. Specific background check procedures are established and maintained by CIC's processing partners and are not open to public scrutiny.
- Missions do not request status updates within the normal processing time of the request (may range from several weeks to many months).
- Missions follow up in cases with prolonged delays.

- **Communications with missions:**

Changes to e-mail communications:

- E-mail will become the preferred mode of communication with clients and representatives by missions for all aspects of processing. The e-mail address indicated on IMM008 will be used. Practitioners are encouraged to verify spam filters to ensure that messages are received.
- Practitioners expressed concerns about applicants/representatives not receiving e-mails. If a message is not delivered, the visa office should receive notification. In cases where the message is delivered but the applicant is no longer using the e-mail address, it is the applicant's responsibility to ensure the e-mail address is on file is current.

Communications via web portal:

- Enquiries sent electronically to missions' e-mail boxes automatically generate an acknowledgement of receipt.
- CIC is unable to include the text of the original e-mail at this time due to digital memory resource constraints. Representatives are encouraged to use the subject line as the identifier of an e-mail message.
- CIC continues to work on how missions will receive messages when e-applications are implemented overseas.
- Current service standards are established by each mission in order to respond to clients' inquiries. Response times vary from office to office based on workload and resources. Minimum requirement is a substantive reply within 28 days; however, missions are encouraged to achieve shorter service standards when possible.

Uses of a Representative Forms:

- Use of a Representative form must be completed for both the FC applicant and sponsor. The sponsor's representative is not considered the applicant's representative unless this form is received.
- Missions are encountering problems when the IMM5476 is not properly completed and/or when CIC is not advised of a change of representation.
- Missions request that clients with representatives do not e-mail the mission directly.
- Use of a Representative form should be attached to all correspondence to avoid delays.

NOTE: Port of Entry Issues – Greg Modler, CBSA was unable to attend the meeting

BREAKOUT GROUPS:

Breakout Group A: Processing Issues (Leaders: Brendan Rafferty, Tim Gorham, Bill Hawke)

- Providing individualized reasons for refusals may not be practical given the high volumes of applications being processed.
- Dual intent – OB provided scenarios to assist in applying policy.
- CIC is not lacking inventories to meet C-50 targets.
- CIC has been meeting with HRSDC to better understand and define the process of assessing an LMO, so that visa offices may have greater confidence in HRSDC's decisions. It is unclear how the new TFW Regulations will impact processing at this time.
- Better coordination is required between CIC and HRSDC to verify job offers.

- The CIO's current processing time is 60 days.

Breakout Group B: Websites and Representatives (Leader: Andrew Brown)

- Additional updates to the CIC website are required in order to help the public identify whether they would be better served by a representative or if the applicant can managed without a representative.
- Website should provide clients with a checklist of what they should be aware of when choosing a representative. It should reflect a balanced view of the roles of representatives. Current language is seen by practitioners as too negative.
- CIC should continue to explore alternative public protection measures against ghost representatives.
- CIC should add a question on the application form requesting information on who filled out the form.
- Identify Fraud affecting representatives exists but is not common. CIC will monitor the issue.

Breakout Group C: e-Applications Third Party Portal (Leaders: Laura Tanner, Alain Bilodeau, Kathy Champagne)

- A presentation was delivered on the possible look and function of the upcoming Representative Portal. Participants were asked to complete a survey regarding their current processes. Representatives were also given the opportunity to ask questions, comment and provide feedback either during the break-out session or by volunteering to participate in future discussions with CIC regarding the development of the Portal.
 - As of June 2008, applicants have had access to CIC's Online Application.
 - In 2010, authorized paid representatives who are members of a provincial or territorial law society, the Canadian Society of Immigration Consultants or the Chambre des notaires du Québec will have access to CIC's Online Application through the Representatives Portal.
 - Membership lists will facilitate identification and enrolment with the CIC website and ePass Canada.
 - Once logged into the Representatives Portal, available functionality may include options such as:
 - Update e-mail address;
 - View a client queue;
 - Start an Online Application;
 - View messages (an e-mail notification will be sent to alert representatives of new messages).
 - Representatives will have the ability to manage access for delegates through an Access Management Tool.
 - The Online Application will allow representatives to complete, pay for and submit an application electronically on behalf of a client for all lines of business available online.
 - If original documents are required, they will be requested by CIC (to be presented in person or mailed in).
 - CIC will continue to accept paper applications.

WRAP UP AND CLOSING REMARKS - R. Gilbert:

- CIC will prepare minutes and distribute it.
- The next meeting will be organized by Operation Management Coordination (OMC) Branch and the co-chair will be CAPIC.

Next meeting: 30 April 2010

SUMMARY OF ACTION ITEMS IDENTIFIED AT MEETING:

- How to deal with in-Canada classes with enforcement issues (OMC-PR)?
- “Urgent Criteria” OB for Work Permit renewals (OMC-TRV).
- Re-organize website to make Schedule 1 for pilot program more assessable.
- Discuss Implied Status rules for WP renewals with OHIP.
- Give break down of 2010 targets by mission (International Region).
- Inform ATIP that there is no expiration date for authorized representatives.
- Remind missions that files returned from the IAD should be a priority (International Region).
- Look into reducing processing times of appeal-allowed cases at visa offices by processing from copied files as opposed to waiting for diplomatic bags (International Region/OMC-PR).
- Look into providing permanent resident applicants with more than 30 days to update their documentation (International Region).
- Update website FSW instruction guide to inform applicants to include job offer letter for SW2.
- Look into improving communication of policy with CBSA.
- Look into Islamabad’s practices regarding requests for updated documentation from PR applicants (30 day deadline and inconsistent requests). (International Region).
- Look into practices at CIC Calgary with regards to processing PR card applications; appears that the office is refusing PR Card application if the applicant leaves the country on the basis that this constitutes “abandoning” the application.