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## Ontario Provincial Nominee Program (PNP) Update

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***The Ontario Provincial Nominee Program (PNP) has introduced two new programs that will operate through the Canadian federal government's new "Express Entry" application system. This article summarizes the current state of the Ontario PNP in light of these changes.***

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On 1 January 2015, the Canadian Federal Government unveiled a brand new "Express Entry" application system for potential economic immigrants seeking Canadian permanent residence. One of the many questions surrounding Express Entry was how the existing provincial immigration programs would fit into the revamped federal structure.

Ontario is one province that has recently clarified its role within the new Express Entry landscape. In the past, Ontario supported permanent residence applications from skilled workers, international students and investors meeting certain eligibility criteria who intended to reside in Ontario. Now, those same programs continue to exist, but a new "Express Entry" category has been added to the mix effective 3 June 2015.

### **Category 1: Opportunities Ontario Paper-Based Applications**

Express Entry has not affected the application process for the following Ontario PNP programs, all of which lead to Canadian permanent resident status:

- a) **Foreign Worker Category**: A foreign skilled worker with a full-time job offer from a pre-screened Ontario employer can be issued an Ontario provincial nomination certificate through this category. The foreign worker must have two years of relevant work experience in the past five years, or the relevant mandatory licensing for an occupation that is regulated in Ontario. Upon securing an Ontario provincial nomination, a paper-based application is submitted to the federal government (Citizenship and Immigration Canada) for final adjudication.
- b) **International Students with a Job Offer**: This program allows graduates of Ontario post-secondary education programs with full-time job offers in Ontario to apply for permanent residence.
- c) **M.A and PhD Graduates**: Graduates of Ontario Master's and PhD programs can apply for permanent residence through the Ontario PNP upon completion of their program of study if they intend to join the Ontario workforce after graduation.
- d) **Investors**: Companies investing in Ontario may use this program to obtain Canadian permanent residence for their essential foreign employees to ensure the long-term success of the investment.

Applicants who qualify for the Ontario PNP in one of these categories can continue to apply through the paper-based process.



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### **Category 2: Ontario Express Entry**

This second category is new. An important point is that candidates cannot apply directly to Ontario for support under Express Entry. Instead, candidates follow the standard Express Entry process of uploading a profile to Citizenship and Immigration Canada's online system. Candidates MUST meet the basic eligibility requirements for either the Canadian Experience Class (CEC) or the Federal Skilled Worker Program (FSWP). If those basic requirements are not met, a candidate will not be able to upload their profile. The Ontario provincial government has access to active Express Entry profiles. Ontario will go into the system and issue "Notifications of Interest" to Express Entry candidates who fit into either of the following two streams:

- a) **Human Capital Priorities Stream**: Ontario will only issue "notifications of interest" to candidates with an Express Entry points total of 400 or higher who indicate an intent to reside in Ontario. Ontario has not provided further details on how it will select candidates under this stream.
- b) **French-Speaking Skilled Worker Stream**: To be issued a "notification of interest" under this stream, a candidate must have language scores of a minimum of CLB 7 in French and a minimum of CLB 6 in English. They must also have the equivalent of a Canadian university degree or higher, and an intent to reside in Ontario.

Once a candidate receives an Ontario "notification of interest", he or she will be able to apply for Ontario nomination through the online system. If the Ontario nomination is then approved, a supplementary 600 points is added to the candidate's profile. This high points total will result in automatic issuance by the Federal Government of an Invitation to Apply for Permanent Residence at the next round of invitations to apply.

An overall cap of 5,200 Ontario provincial nominations is in place for 2015. This cap applies across all of the above-listed programs. Of those nominations, 2,700 must come from the Express Entry categories, leaving a very limited number of spaces for the paper-based (Category 1) applications.

At this early stage, it is difficult to say whether the new Express Entry categories will have any significant impact. The candidates who qualify for an Ontario "notification of interest" will likely already be candidates with strong points totals, so they should already be candidates with a good chance of selection for an Invitation to Apply without Ontario's support. Ontario may struggle to find a sufficient number of qualified candidates to meet their Express Entry quota. On the other hand, the new programs may offer a welcome boost to some candidates with an interest in Ontario who otherwise might sit in the Express Entry pool for months or years without an Invitation to Apply.

We would be happy to speak to you about economic immigration to Ontario. Please contact us to set up a consultation appointment.

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