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# Article: Update On Express Entry Immigration To Canada By Edward C. Corrigan and Selvin Mejia

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## Update On Express Entry Immigration To Canada

*by Edward C. Corrigan and Selvin Mejia*

On January 1, 2015 the Federal Conservatives introduced significant changes to Canada's economic immigration program. Formerly called the Skilled Worker program the new program was re-branded as Express Entry which included Skilled Workers, the Federal Skilled Trades program, and the In-Canada Experience Program. Canada modelled its revamped economic immigration program on New Zealand's.

There is also an Atlantic Immigration program. In addition there is a separate Live-In Caregiver program where individuals can apply for Permanent Residence after two years employment in this category.

### **EXPRESS ENTRY**

The initial object of the changes was to create a list of Applicants where the Federal Government could select the best and the brightest from the list of Applicants. The Express Entry was supposed have applicants who had an approved Labour Market Impact Assessment (LMIA) and a valid job offer from an approved Canadian Employer. Under the Comprehensive Ranking System (CRS) candidates were award 600 points for having an approved job offer. Applicants would have achieved a point score of around 1,000 with the 600 points for having a valid offer of employment under the CRS.

The provinces in Canada were also allowed to select Applicants according to their economic needs and these applicants that were selected through the respective provincial nominee programs by a province were awarded 600 points to be added to their score. Ontario also has a program where graduates from an Ontario University with a Master's or who were in a PhD. program would be approved and awarded 600 points which virtually assured that they would be approved and provided with an invitation to apply. There is a quota that governs this graduate program.

### **LABOUR MARKET IMPACT ASSESSMENTS**

Things did not go according to plan with Federal Express Entry. Very few Applicants were able to attain an approved LMIA. Employers were not prepared to apply for LMIA's which had no guarantee of success and involved substantial expense as a \$1000 fee was required to make a LMIA submission and a great deal of time to meet the Service Canada criteria for approval. Accordingly the total points most applicants had were in the 400 to 500 range. Most applicants did not have a valid approved offer of employment.

Immigration Refugee and Citizenship Canada (IRCC) has provided a tool to help you calculate an applicant's Comprehensive Ranking System (CRS) score The CRS is a points-based system that we use to assess and score your profile and rank it in the Express Entry pool. It's used to assess an Applicant's skills; education; language ability; work experience and other factors.

The latest round of invitations under Express Entry Program was issued on July 25, 2018. The number of invitations issued was 3,750. The CRS score of lowest-ranked candidate invited was 441. This score is far below what Immigration was initially expecting.

The CRS tool for assessing skilled immigrants (Express Entry) is found at the following link<http://www.cic.gc.ca/english/immigra...d/crs-tool.asp>

### **PROVINCIAL NOMINEE PROGRAMS**

The province of Ontario issued invitations to Express Entry Candidates on March 26, 2018 under the Human Capital Priorities Stream (HCP) to 779 applicants with CRS scores between 351 and 446. Again the CRS score was far below what was originally expected.

Ontario also has other programs which require investment and job creation.

Each province has its own Provincial Nominee Program. All provinces have different criteria for selecting Applicants.

Quebec has its own program with a heavy emphasis on speaking French. Quebec also still has an Investor program and Entrepreneur programs. These programs are presently on hold by the Federal Government.

## **CHANGES TO THE EXPRESS ENTRY PROGRAM**

The Liberal's won a majority government on October 19, 2015 ending 9 years Conservative rule in Canada. On November 19, 2016 the Liberals announced a set of changes for the "Express Entry" Program.

These included the following:

Applicants can earn a total of 50 points if they have a valid job offer in a NOC 0, A or B occupation

- Applicants can earn a total of 200 points if they have a valid job offer in a NOC 00 occupation.

The addition of an extra 200 points under the CRS calculations under Management Experience category helped to off-set the low age limit of 29 years for qualified Applicants. Under the Conservative government Applicants who were older than 29 lost points under the age category. By awarding 200 points for Management Experience the new government was trying by recognizing the value of experience to offset the points lost under the Age Category.

A job offer now only need to be for a minimum of one year from the time the Applicant becomes a Permanent Resident of Canada.

Applicants were awarded more Comprehensive Ranking System (CRS) points for post-secondary studies in Canada.

- 15 points for a one- or two-year diploma or certificate

- 30 points for a degree, diploma or certificate of three years or longer, or for a Master's, professional or doctoral degree of at least one academic year.

An LMIA was also no longer be needed for certain qualifying job offers to receive CRS points as well as points for arranged employment under the Federal Skilled Worker Class. Many people in Canada on an LMIA exempt work permit will be able to carry that LMIA exemption under Express Entry, including those working under:

- the North America Free Trade Agreement (NAFTA)

- a Federal-Provincial agreement

- Mobilité Francophone or

- are an intra-company transferee

- or under an International mobility program

As long as the Express Entry Applicants' meet certain criteria, such as at least one year of work experience from the same employer who is providing their job offer, they were exempt from the LMIA process. This provision is a great benefit to Applicants working in Canada on a Post-Graduate Work Permit, or the In-Canada Experience Immigration category or legally working under the above noted categories.

## **CRS POINTS TOTAL REDUCED**

On May 31, 2017 the Immigration Refugee Citizenship Canada (IRCC) Minister made the following announcement:

Foreign nationals who, on **May 31, 2017** have been assigned a total of **413** points or more under the Comprehensive Ranking System were invited to make an application for Permanent Residence under Express Entry. However, this CRS total score varies and the Applicant must still be selected by Canada Immigration.

## **MORE CHANGES TO EXPRESS ENTRY**

On June 6, 2017 the Minister Hussein made the following announcements and made further changes to the Express Entry program.

- 15 additional points for at least one sibling (brother or sister) living in Canada who is a citizen or permanent resident if they are 18 years old or older and are related to you by blood, marriage, common-law partnership or adoption and have a parent in common with the applicant.

- There are additional points awarded if the Applicant scored NCLC 7 or higher on all four French language skills.
- 15 additional points if you scored CLB 4 or lower in English (or if you didn't take an English test)
- 30 additional points if you scored CLB 5 or higher on all four English skills
- it is no longer mandatory to create a Job Match account with Job Bank if the Applicant does not have a job offer or nomination from a province or territory.

This means that a profile does not have to be posted on the Service Canada Job Bank but it still maybe advisable to post a profile as it might attract the attention of a province or an employer.

### **DEPENDENTS AGE LIMIT CHANGED**

On May 3, 2017 the Government of Canada also announced changes to increase the maximum age of a dependent child from 18 to under 22. The new age limit of "under 22" came into effect on October 24, 2017. The change raised the age for dependents from "under 19" to under 22 years. The increased age was applied to new applications for all immigration programs.

Children who are 22 years of age or older and who were dependent on their parents due to a physical or mental health condition were to be considered dependent children. The new government did not re-introduce the exemption for children who are over the age of 21 but were full time students.

### **TIME FOR FILING APPLICATION REDUCED**

It is important to note that as of June 26, 2018, the amount of time applicants had to submit an application for permanent residence changed from 90 to 60 days.

Canada's selection process for new Immigrants and especially Economic Immigrants intends to be a merit based process that serves its economic, social and demographic interests. Due to the low birth rate in Canada it needs immigrants in order to support the economic and social system in Canada, Canada needs many Immigrants including skilled trades and other blue collar workers. The United States and other countries are looking at Canada's merit based selection process.

Canada is seen as a desirable place to live with none of the social and political problems that plague many countries around the World. Canada's merit based selection while not perfect helps keep Canada being a country where people want to live and raise their families.

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### **About The Author**

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