



Immigration Update

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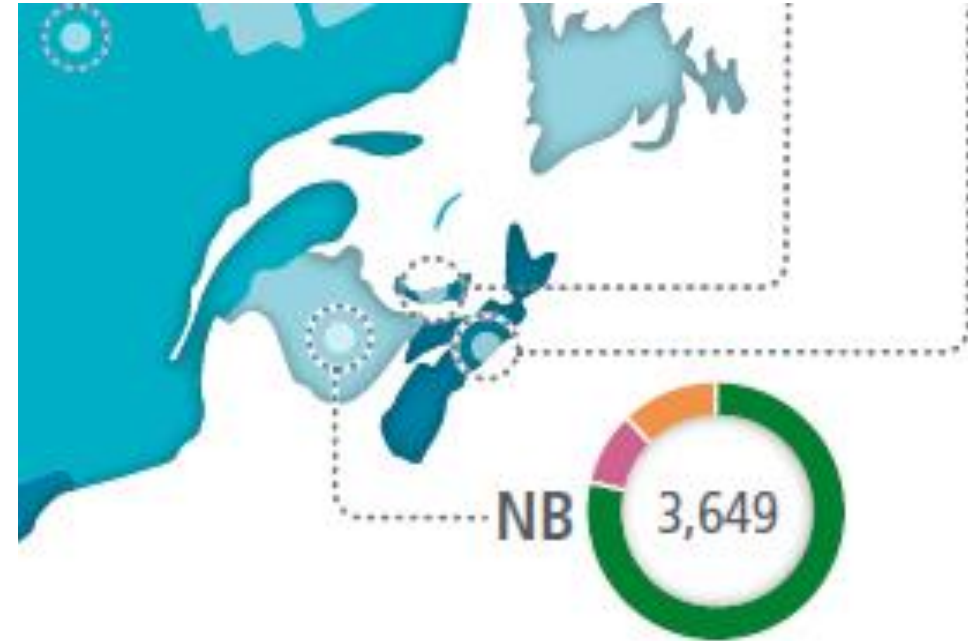
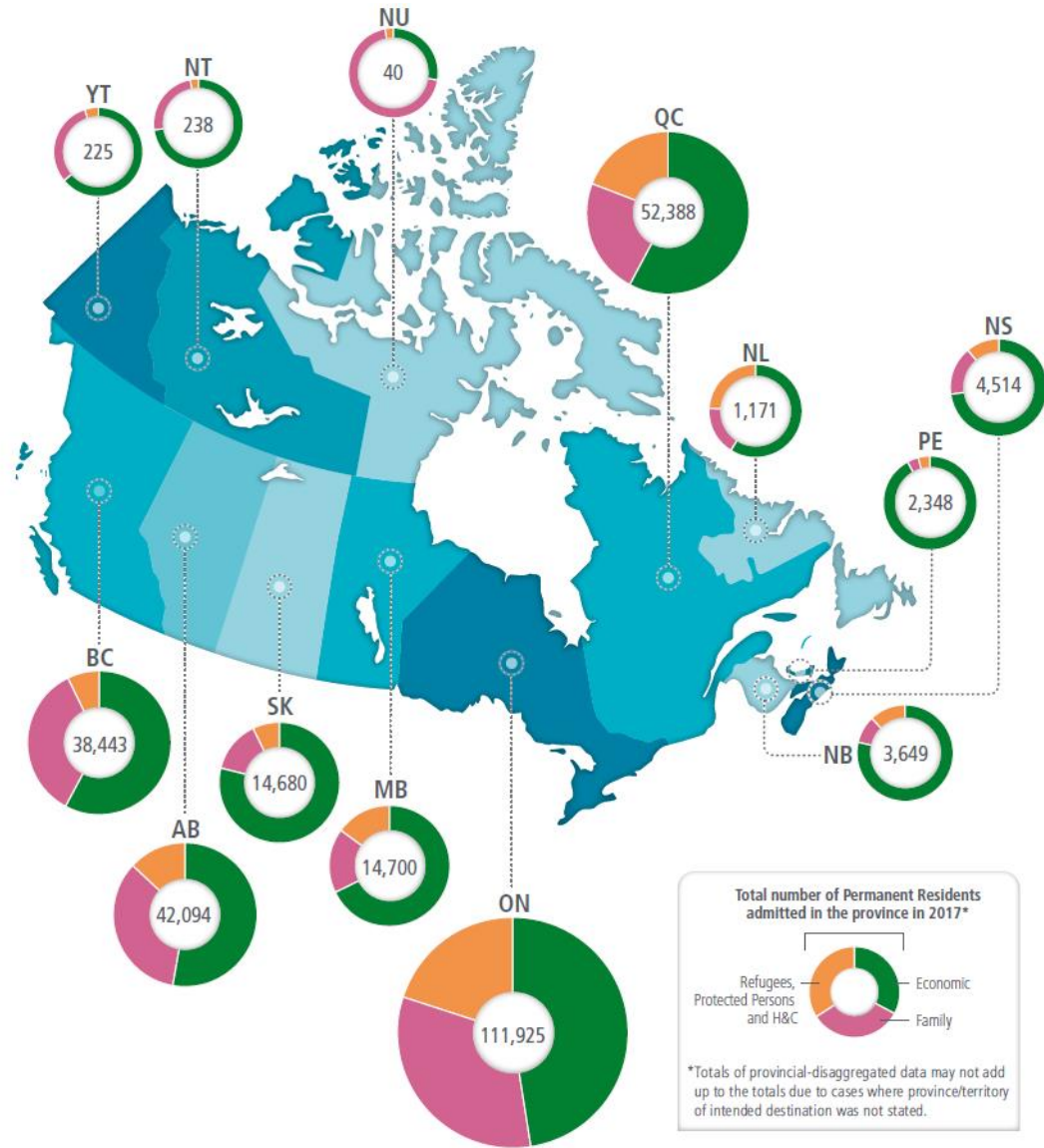
Overview

- Immigration trends
- Policy and programs impacting New Brunswick
- Employers hiring foreign nationals
- Criminality issues and enforcement



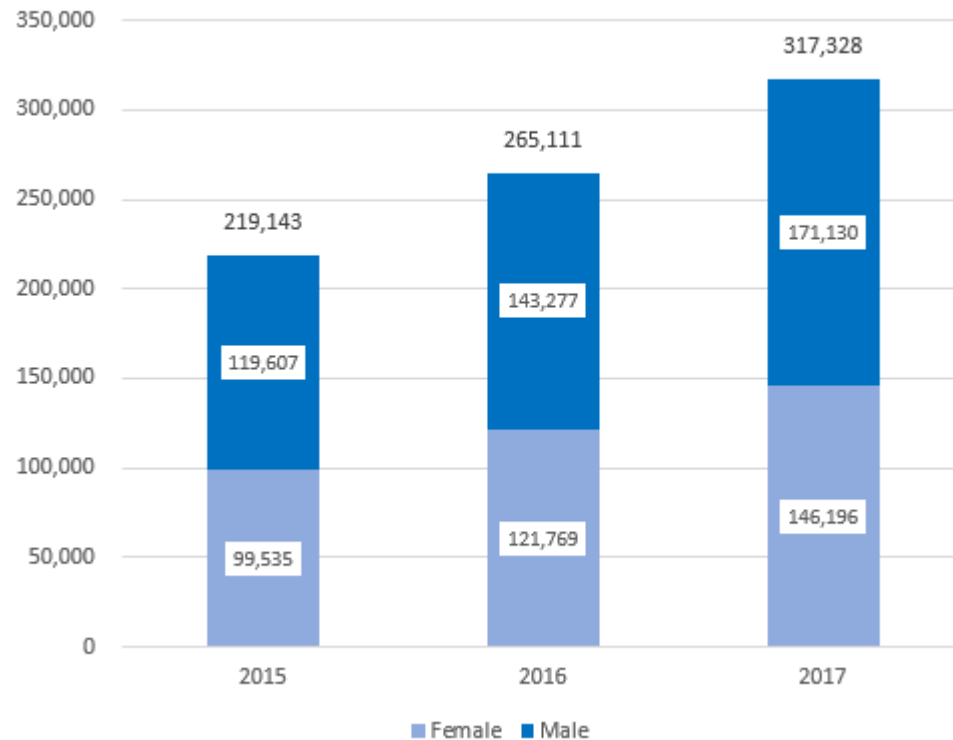
Immigration Trends

Immigration trends



Immigration trends

Study Permit Holders (2015-2017)



- In 2017, Canada transitioned 56,739 temporary residents into permanent economic immigrants, providing the workers needed where the jobs cannot be filled by Canadians. This was a significant increase of 13,551 from the previous year.
- In 2017, the number of invitations to candidates with a Canadian education credential increased to 30,600 (36% of all invitations sent) from 11,600 in the previous year, which is in line with Canada's aim to attract the most talented students. This increase is in step with the overall growth in Express Entry.

Immigration trends

2019–2021 Immigration Levels Plan

	2019	2020	2021
Projected Admissions - Targets	330,800	341,000	350,000

Projected Admissions - Ranges	Low 2019	High 2019	Low 2020	High 2020	Low 2021	High 2021
Federal Economic, Provincial/Territorial Nominees	142,500	176,000	149,500	172,500	157,500	178,500
Quebec-selected Skilled Workers and Business	To be determined	To be determined	To be determined	To be determined	To be determined	To be determined
Family Reunification	83,000	98,000	84,000	102,000	84,000	102,000
Refugees, Protected Persons, Humanitarian and Other	43,000	58,500	47,000	61,500	48,500	64,500
Total	310,000	350,000	310,000	360,000	320,000	370,000

2018 Annual Report to Parliament on Immigration

Immigration trends: NB

- There were 33,810 immigrants living in New Brunswick in 2016, accounting for 4.6% of the province's population (compared to 21.9% nationally)
- BUT... 9,325 of the 33,810 immigrants living in New Brunswick had immigrated between 2011 and 2016, representing 27.6% of the province's total immigrant population.
- 54.5% of those who had immigrated to New Brunswick between 2011 and 2016 (5,085 individuals) were part of the core working-age population (ages 25-54)



Programs and Policy Impacting NB

Programs and policy impacting NB

Economic programs:

- International Agreements
 - NAFTA/USMCA
- Atlantic Immigration Pilot Program (“AIPP”)
 - International graduate
 - High-skilled
 - Intermediate-skilled
 - Work permits under AIPP



Programs and policy impacting NB

Atlantic Immigration Pilot Program

"New Brunswick was always ahead of the game,"

"I think they understood faster than the other provinces the capacity the potential of this program to address the particular labour market and skills shortage right here in New Brunswick."

Quote from Minister of Immigration, Refugees and Citizenship referencing Atlantic Immigration Pilot Program, March 4, 2019

Programs and policy impacting NB

International students

- Study permits and off-campus work:
 - Full time during normal breaks
 - 20 hours per week during school year
- Post Graduate Work Permits
- International Graduate Stream (AIPP)



Programs and policy impacting NB

Francophone Mobility Program

- Work Permits for Francophone applicants
- Target Francophone communities outside Quebec
- Labour Market Impact Exempt





Employers Hiring Foreign Nationals

Employers hiring foreign nationals

124 (1) *Every person commits an offence who (c) employs a foreign national in a capacity in which the foreign national is not authorized under this Act to be employed.*

Immigration and Refugee Protection Act, SC 2001, c 27

Employers hiring foreign nationals

- Open work/employer specific permits
- Compliance audits
- Record keeping
- Employment standards

CANADA

PROTECTED WHEN COMPLETED / PROTÉGÉ UNE FOIS REMPLI - B

Application/Demande:
UCM/UC: _____

WORK PERMIT/PERMIS DE TRAVAIL

CLIENT INFORMATION/INFORMATION DU CLIENT

Family Name/Nom de Famille: _____
Given Name(s)/Prénom(s): _____
Date of Birth/Date de naissance: _____
Sex/Sexe: _____
Country of Birth/Pays de naissance: _____
Country of Citizenship/Citoyen de: _____
Travel Doc No./N° du document de voyage: _____ **PASSPORT**

ADDITIONAL INFORMATION/INFORMATION SUPPLÉMENTAIRE

Date Issued/Déposé le: 2015/04/29
Expiry Date/Date d'expiration: 2016/04/29
Case/Procédure de cas: 27
Employer/Employeur: ANY EMPLOYER
Employment Location/Emplacement de Travail: UNKNOWN
Occupation/Profession: OPEN
In Force/En vigueur: 2015/04/29

Conditions:

1. MUST LEAVE CANADA BY 2016/04/29
2. UNLESS AUTHORIZED, PROHIBITED FROM ATTENDING ANY EDUCATIONAL INSTITUTION, OR TAKING ANY ACADEMIC, PROFESSIONAL OR VOCATIONAL TRAINING COURSE.
3. NOT VALID FOR EMPLOYMENT IN BUSINESSES RELATED TO THE SEX TRADE SUCH AS STRIP CLUBS, MASSAGE PARLOURS OR ESCORT SERVICES.

Remarks/Observations:
TEMPORARY RESIDENT STATUS MAINTAINED AS PER R163(6).
APR PENDING

THIS DOES NOT AUTHORIZE RE-ENTRY/CECI N'AUTORISE PAS LA RÉ-ENTRÉE

THE FORM HAS BEEN ESTABLISHED BY THE MINISTER OF CITIZENSHIP AND IMMIGRATION - THIS DOCUMENT IS THE PROPERTY OF THE GOVERNMENT OF CANADA
FORMULAIRE ÉTABLI PAR LE MINISTRE DE LA CITOYENNETÉ ET DE L'IMMIGRATION - LE PRÉSENT DOCUMENT EST LA PROPRIÉTÉ DU GOUVERNEMENT DU CANADA

IMM 14 (25-09-2012) **Canada**



Criminality Issues & Enforcement

Enforcement and criminality issues

Inadmissibility due to serious criminality

36 (1) **A permanent resident or a foreign national** is inadmissible on grounds of serious criminality for
(a) having been convicted in Canada of an offence under an Act of Parliament **punishable** by a maximum term of **imprisonment of at least 10 years**, or of an offence under an Act of Parliament for which a term of imprisonment of more than six months has been imposed [...]

36 (2) A foreign national is inadmissible on grounds of criminality for
(a) having been convicted in Canada of an offence under an Act of Parliament **punishable by way of indictment**, or of two offences under any Act of Parliament not arising out of a single occurrence [...]

36 (3) The following provisions govern subsections (1) and (2):
(a) an offence that may be prosecuted either summarily or by way of indictment **is deemed** to be an indictable offence, even if it has been prosecuted summarily [...]

Immigration and Refugee Protection Act

Enforcement and criminality issues

Criminal inadmissibility

- Bill C-46 and Impaired Driving
- Conditional or absolute discharge

Enforcement

- Removal Orders/Deportation Orders
- Temporary Resident Permits and Restoration of Status
- Rehabilitation applications for criminal inadmissibility



These materials are intended to provide brief informational summaries of legal developments and topics of general interest.

The materials should not be relied upon as a substitute for consultation with a lawyer with respect to the reader's specific circumstances. Each legal or regulatory situation is different and requires review of the relevant facts and applicable law.

If you have specific questions related to these materials or their application to you, you are encouraged to consult a member of our firm to discuss your need for specific legal advice relating to the particular circumstances of your situation.

Due to the rapidly changing nature of the law, Stewart McKelvey is not responsible for informing you of future legal developments.