

A PRACTICAL GUIDE TO CONSTITUENCY IMMIGRATION PRACTICE

by

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A PRACTICUM

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In Partial Fulfilment of the Requirement for the Degree
Master of Social Work

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A PRACTICAL GUIDE TO CONSTITUENCY IMMIGRATION PRACTICE

BY

SUSAN BARNESLEY

A practicum submitted to the Faculty of Graduate Studies of the University of Manitoba in partial fulfillment of the requirements of the degree of

MASTER OF SOCIAL WORK

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ABSTRACT

The purpose of this practicum project was to compile a manual that will provide a practical guide to immigration practice to assist political constituency office workers or other political aides or agencies in the provision of advice leading to the resolution of constituents' immigration problems. Special focus is given to issues while incorporating the need for ethno-cultural sensitive intervention and the values and dilemmas inherent in this type of practice.

The major findings of active political immigration practice have been a serious knowledge gap on the part of the service provider as to the immigration mandate, policies and procedures; the necessity of more ethno-cultural sensitive intervention; and the need to develop an awareness of the values and dilemmas inherent in this type of casework due to the involvement of sometimes conflicting agendas for intervention - problem solution as well as reelection concerns as the end views of good service provision. Therefore the need for a factual knowledge base to address these shortfalls in service provision was highlighted and the compilation of a procedural manual seemed the most effective way to fill this gap.

In terms of these issues, someone from a social work background brings a unique perspective to the political forum generally and constituency immigration practice in particular. Social work brings a systemic concern for the lines of effective interaction between the micro and macro systems - an ecological approach that is useful in political immigration practice

as well as the compilation of a service provider's manual for immigration practice. This project - **Practical Guidelines to Constituency Immigration Practice** - attempts to incorporate social work's practice of utilizing the use of a relationship skill in a process of interventive action - the relationship between a person and society as informed by the values and knowledge defined by the profession, and directed to some specific social agency purpose, as one manifestation of a larger purpose of individual and social welfare. Because of this training and skill, a case is made for the utilization of social workers in political immigration casework because of the good fit between political casework and social work practice.

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DEDICATED TO

MY CHILDREN

Jorme, Kelly and Kim Barnsley for teaching me the importance of reaching deep within myself and for inspiring me to do and be the best that I can.

TABLE OF CONTENTS

<u>PART 1</u> - SOCIAL WORK AND IMMIGRATION PRACTICE.....	1
CHAPTER I The Nature and Purpose of This Manual.....	2
A Social Work Perspective.....	3
Socio-Economic Impact of Immigration.....	6
Practicum Particulars.....	11
CHAPTER II The Necessary Skills.....	20
CHAPTER III Some Values and Dilemmas Incorporated in This Service.....	28
CHAPTER IV Ethno-Culturally Sensitive Intervention.....	49
Direct Intervention.....	50
Practice Assumptions.....	51
Problem Identification and Solution.....	54
<u>PART II</u> THE MANUAL.....	62
CHAPTER V The Immigration Legislation and Program.....	63
Overview.....	63
Development of the Immigration Act.....	65
Legislative Authority.....	67

The Need For Immigration Program Changes.....	69
Bill C-86 - Amendments to the Act.....	72
The Purpose of the Immigration Act.....	80
Functions of the Act.....	82
Highlights of the Act.....	83
The Immigration Plan (Levels).....	85
The Canada-Quebec Accord.....	94
CHAPTER VI The Role of Other Departments.....	97
Department of External Affairs	97
The Solicitor General's Office	98
Health and Welfare.....	99
Revenue Canada/Customs and Excise.....	100
Justice.....	100
Immigration and Refugee Board.....	100
Federal Court.....	101
Multiculturalism and Citizenship.....	101
CHAPTER VII The Manitoba Perspective.....	103
CHAPTER VIII Immigration Operations.....	107
Immigration Processing Fees.....	107
How EIC is Organized.....	108
The Role of Canada Immigration Centres.....	113
Immigration Operations Abroad.....	116
Processing Time Frames.....	117

Backlog Clearance Program.....	117
CHAPTER IX Immigration Selection and Admission.....	123
Family Class.....	124
Family Class and Adoptions.....	125
Independent Immigration.....	129
Independent Immigration Categories.....	134
(i) Assisted Relative.....	134
(ii) Business Immigrants.....	136
A. Self-employed Persons.....	137
B. Entrepreneurs.....	137
C. Investors.....	138
CHAPTER X Resettlement of Refugees From Abroad.....	141
Convention Refugees.....	142
(i) Annual Refugee Plan.....	142
(ii) How to Claim Refugee Status.....	146
(iii) Those Ineligible	149
(iv) Refugee Determination System.....	150
(v) Departure Notices and Removal Orders.....	155
(vi) Private Sponsorship of Refugees.....	156
Designated Classes.....	157
Special Humanitarian Measures.....	159

CHAPTER XI	The Role of the Adjudicator.....	161
	(INQUIRIES, HEARINGS AND DETENTION REVIEWS)	
CHAPTER XII	Settlement and Integration Services.....	165
	Transportation, Assistance and Admissibility Loans Program..	165
	Immigration Settlement and Adaption Program (ISAP).....	167
	Host Program.....	169
	Adjustment Assistance Program (AAP).....	170
	Language Training.....	171
	(i) Language Training for Newcomers (LINC)	
	(ii) Labour Market Training (LMT)	
CHAPTER XIII	Visitors.....	173
	Visitors to Canada.....	173
	Free Trade Agreement.....	176
	Student Authorizations.....	179
	Employment Authorizations.....	181
	Live-In Caregivers.....	183
CHAPTER XIV	What Happens at a Port of Entry.....	186
	Interviews and Examinations.....	186
	Security Deposits.....	187
	Inadmissible Classes.....	187
	Admissible Classes.....	188
	Minister's Permits.....	189
	Reasons for Exclusion or Refusal.....	193

Background Checks.....	194
Responsibilities of Transportation Companies.....	195
Controlling Illegal Immigration.....	196
Rights Related to Detention, Inquiry and Removal.....	197
Rights Related to Immigration Inquiries.....	198
Rights Related to Removal Order and Departure Notice.....	200
CHAPTER XV Safe Guarding Law and Order.....	202
Offenses and Punishments.....	202
Immigration Appeal Processes.....	205
Arrest and Detention.....	205
Conclusion.....	207
<u>PART III</u> USING THE MANUAL	
JOB DESCRIPTION AND PARTICULARS.....	211
CHAPTER XVI Introduction.....	211
Job description and Mandate.....	212
Referrals.....	214
Case load and Typology.....	215
(i) Sponsorship Enquiries.....	215
(ii) Visitor Visa Refusals.....	217
(iii) Information.....	219
(iv) Refugee Problems.....	221
(v) Investor/Entrepreneurial Programs.....	223

(vi) Adoption Difficulties.....	224
(vii) Student Visa Difficulties.....	226
(viii) Employment Problems.....	228
(ix) Other Duties.....	230
<u>PART IV</u> AFTERTHOUGHTS ON THE PRACTICUM PROCESS AND FOCUS..	233
CHAPTER XVII AFTERTHOUGHTS.....	234
REFERENCES.....	244

APPENDICES

APPENDIX A - Directory of Referrals and Contacts	248
APPENDIX B - Acronyms Guide.....	262
APPENDIX C - Glossary of Terms.....	264
APPENDIX D - Government Responses to Concerns with Bill C-86..	269
APPENDIX E - Designated and General Occupations List.....	296
Appendix F - Processing Fees, Times and Missions.....	309

CHARTS

Chart 1 - Proposed Levels for Streams.....	77
Chart 2 - Immigration Levels.....	90
Chart 3 - Top 10 Source Countries for Manitoba's immigrants....	105
Chart 4 - CEIC Organizational Chart.....	110
Chart 5 - Number of People Served by Immigration.....	115
Chart 6 - Regional Targets.....	143
Chart 7 - The Refugee Determination System.....	151
Chart 8 - Manitoba's Record of Contraventions	204

PART I

SOCIAL WORK AND IMMIGRATION PRACTICE

CHAPTER I

THE NATURE AND PURPOSE OF THIS MANUAL

The purpose of this manual is to provide a practical guide to immigration practice. It is designed to assist political constituency office workers or other political aides or agencies in the provision of service leading to the resolution of constituents' immigration problems. Special focus is given to issues while incorporating the need for ethno-cultural sensitive intervention and the values and dilemmas inherent this type of practice. The compilation of data for these guidelines was done in a federal constituency riding office in Winnipeg South, Manitoba, Canada, between April 1992 to April 1993.

Canada Employment and Immigration information gathering, indepth interviews with the Immigration Minister's staff, Immigration bureaucrats and public civil servants and active immigration casework are all part of the data collection techniques incorporated. The interview and informational data was summarized, analyzed and condensed into a format that was translated into practical guidelines for ethno-sensitive immigration practice in the political field.

While doing political immigration casework I identified the need for an immigration knowledge base that includes the mandate for immigration, an ethno-cultural sensitive intervention and the awareness of the values and

dilemmas inherent in this type of casework.

A SOCIAL WORK PERSPECTIVE

In terms of these issues, someone from a social work background brings a unique perspective to the political forum generally and constituency immigration practice in particular. Social work brings a systemic concern for the lines of effective interaction between the inner and outer life of people. Social work practice is concerned with the relationship between the person and society, informed by the values and knowledge defined by the profession, and directed to some specific social agency purpose. A social worker can better utilize the legislative and political process, which is composed of an infinite variety of interlocking systems and individuals, to help solve immigration problems for constituents accessing a constituency office. In a legislative process that is political precisely because the choices facing legislators are ill-defined, and rooted in conflict, a social worker brings to constituency practice skills in human relations, advocacy and mediation; a background often different from the occupational, economic and social backgrounds of legislators; the technical information regarding the community and the social problems of individuals, families and society as a whole; and a systemic viewpoint that incorporates the interactions of people in their environment. This allows for a more well-rounded perspective than the usual political staffer enjoys. This should translate into more efficient, effective and respectful client intervention. Also this should impact positively on the reelection prospects of the legislator due to effective constituency case management and constituent and community awareness of the issues. A social

worker in political case management will enhance the position of those in the social work profession by being able to bridge the existing gap between the leaders of the private sector of the economy, civil rights, poverty organizations and other grass-roots groups, and the public sector. This is accomplished by influencing politicians and political decisions.

In terms of my own professional development as a social worker, I feel that I will be able to incorporate the practical experience of writing a user's manual into any aspect of administrative practice. I am in a unique situation of being a social worker in a political milieu and have gained invaluable political and bureaucratic contacts and networks that will be useful in any future endeavours as a social worker. This allows me the advantage of being more effective as an advocate for social change in a world bound by policy and law makers that impact on the social work profession and its clients.

This study has also taught me that, inflexible though the immigration legislation is, social workers are trained to explore the realm of possibilities for options in a mandated program that is somewhat inflexible and procedurally-bound. This study was not meant to be an analysis of the law or procedures in immigration practice or an examination of the immigration program's shortcomings. Having said that, I believe a social worker is able to be analytical in this practice scenario and use that to advantage when dealing with politicians and bureaucrats. This may come to light when discussing broad policy changes that will impact on service provision, or when pointing out some of the

potential pitfalls of proposed change.

A final note on the evaluative piece that is often included at this level of post-graduate work. As this project is aimed at facilitating the gathering of information needed to enable a political constituency staffer to be effective, efficient and culturally sensitive as a provider of immigration service, the evaluation of this manual will be in how this information translates into meaningful service to the client. This is something that will be difficult to assess during the scope of this project. It has certainly assisted the author in getting a handle on a very complex and frustrating area of service provision. To share this expertise with those who are interested can only facilitate better service provision to the users of immigration service. As well, this information can be generalized to immigration work in any agency that deals with immigration concerns. In more general terms, it can be used as an example of how to compile a sound knowledge base for others who wish to take on the difficult task of creating a practical guide or manual for the purpose of enhancing service provision.

To conclude, I have attempted to fill a knowledge gap in immigration service provision to constituents accessing a political office for immigration assistance. To that end, I have compiled a intervention tool in the format of a practitioner's manual to facilitate effective and meaningful service provision to the client. I have also made a case for the utilization of social work skills and expertise in a political practise that is bound by a somewhat inflexible legislative mandate and

partisan politics.

SOCIO-ECONOMIC IMPACT OF IMMIGRATION

An important question to be asked is "Why is it important to provide effective and efficient service provision to meet the needs of immigrants and those who work on behalf of immigrants?". The answer can be found in the fact that on a global scale immigration has been a positive force over time and history because it links nations and people together. It also opens up trade opportunities, creates communication links and contributes to the cross-fertilization of ideas and cultures between countries.

Immigration is very important to Canada because it's immigration policy and program contributes to the economic prosperity of the country. It also enhances Canadian identity through the implementation of an immigration program that attempts to provide a fair, balanced, and cost-effective approach while supporting Canadian goals and objectives. Such fundamental principles as non-discrimination, family reunification, and humanitarian concern for refugees are entrenched in immigration legislation in conjunction with the promotion of Canada's economic, demographic and social goals and objectives.

Canadian immigration policy also attempts to link the movement of immigrants to Canada's population and market needs on a demographic and economic basis. The Canadian economy benefits from immigrants selected

over time and on the basis of excellence, to fill occupational skills that cannot be met by Canadians. Both the national and regional economies benefit as they both identify those skills needed in each jurisdiction. In this manner Canadian immigration policies will contribute to Canada's competitiveness in a globalized, knowledge-based and highly technological world economy.

Global economic trends favouring the greater movement of goods, capital and services highlight the need for an increased and less restrictive movement of people. Other factors which contribute to the mass migration of people in the 1990s are ethnic conflict, economic deprivation, political repression and other new and continuing realities of the post-Cold War world. Canada's immigration policy attempts to address these present-day realities so that the large-scale, uncontrolled movements of people will not destabilize international and national peace and harmony. As well, Canada has instituted an active and planned immigration program, and refugee protection systems, so that immigration can be managed in an effective, efficient and humanitarian manner. Canada is one of the few countries in the world today that operates a planned and active program in response to the challenges of mass movements of refugees and large numbers of immigrants.

The economic impact of immigration is reflected in its contribution to Canada's social and economic prosperity. Immigrants bring capital with them when they enter the country. They also increase Canada's population size which potentially reduces the costs of goods and services in some

sectors of the economy. Lastly, they contribute quantitatively and qualitatively to Canada's labour force over time.

There are short-term costs of migration to Canada. These are those associated with immigration selection, language training, settlement assistance and assistance to immigrants through mainstream social support systems until they adjust to the Canadian labour market and way of life.

The longer term economic contributions made by new Canadians are dependent on their ability to earn a living in Canada. Some of the disadvantages that immigrants may have to overcome when they land in Canada are the inability to speak English or French fluently; the lack of Canadian job experience and connections; the limited support of family and friends; and racism and discrimination. EIC statistics (1993) show that because foreign born persons in Canada are, on average, better educated, more often of working age and more likely to be situated in large urban centres where their skills are in demand in the labour market, they are less frequently unemployed or unemployable, less often on welfare and earn higher incomes than the average Canadian born person .

The net economic impact of immigration is dependent on how quickly newcomers adapt to the Canadian labour market and way of life. This is also determined by the speed with which the Canadian economy and society adjust to them. In this manner the social impact of immigration is intertwined with its economic impact. This has resulted in immigration becoming a fundamental element of a Canadian identity that is composed of

a mosaic of ethnic and cultural backgrounds.

Canada is officially committed to the concept of multiculturalism . This is a model of integration that allows immigrant groups to maintain their cultural identities and views integration as a two-way process involving accommodation and adjustment on the part of both immigrants and Canadian society (EIC, Immigration Consultations 1993). The underlying principle of this concept is that Canada be able to maintain a national identity while recognizing the rights of minority groups. This is accomplished by means of a "social contract" which consists "of agreed-upon values that allow Canadian society to function and evolve as a complete unit. It includes such things as fundamental rights, entitlements and responsibilities as specified in a constitution or charter of rights, and broader or more abstract values that are recognized and respected generally. The "social contract" is fluid and evolving, and intergroup and cultural conflict play a large role in its evolution." (page 6)

Overall, the majority of immigrants seem to integrate successfully into Canadian society. Those immigrants who seem to experience some difficulty with this is due to the formation of a persistent and ethnically-based underclass. Some of the reasons for the development of this underclass include the desire to preserve distinctiveness in cultural values, and a historical fact that certain ethnic groups enjoyed more prestige than others. According to EIC (1993) this has resulted in an explicit

stratification among certain ethnic groups and the segregation and ghettoization of others.

While there appears to be integration problems for some new Canadians, it is important to note that immigration has contributed more to the shaping of Canadian values and way of life than any other area of public policy. The contribution of immigrants has not changed over time, although the face of immigration has. Ninety-eight percent of Canada's population can trace its origins to other countries. As well, Canada currently is the largest immigrant receiving nation in the world on a per capita basis. This has contributed to a cultural diversity and an ethnic mosaic that is unique to Canada.

As an industrialized nation, Canada is a world leader in immigration policy. The reason for this is that it has an active and formal management program for immigration that attempts to accommodate the rising demand of immigration that is caused by political, economic and environmental instability around the world. Also immigration is the cornerstone of Canada's national heritage. It continues to make a primary and invaluable contribution to Canada's socio-economic well-being, cultural diversity and successful nation building. The reason immigration policy is such a major area of public policy is that it impacts on all Canadians socially, culturally and economically. That is why it is so important to address any and all concerns of immigrants, and those who work on their behalf, at a policy, group or an individual level.

PRACTICUM PARTICULARS

Because immigration has such a tremendous impact on the demographic, social, economic, and cultural makeup of Canada, it is important to address the concerns of immigrants, and those who work on behalf of immigrants and their families, in all levels of government. Of particular importance is the need to attend to these issues in a culturally sensitive manner even at the lowest level of political intervention - that being within a political constituency office of a Member of Parliament (M.P.). This practicum project evolved as a means of facilitating effective and culturally-sensitive immigration practice in constituency offices.

I. RATIONALE

While doing constituency immigration casework as a graduate student in my last year of the Master of Social Work program, this practicum project evolved partially to fulfil my own need to organize the myriad of legal, policy and procedural information on immigration. This would enable me to make some sense of the immigration program's complexities in order for me to assist constituents with their immigration difficulties at the bureaucratic, legal or political levels. My end-view was to provide good service to constituents - the voters who ultimately determine the election or reelection prospects of their Member of Parliament.

As a social worker I identified the need to highlight a more culturally sensitive a method for accomplishing meaningful service provision to constituents. This would be of assistance to anyone who had as little expertise in this field as I did when I was hired as a constituency assistant. I had grave concerns as to continuity of service provision to the constituent if the government changed hands or there were personnel changes. I also thought a social worker would bring a unique perspective to political immigration casework. This project was formulated with these objectives in mind. The following sets forth the details of this practicum project.

II. GOALS OF THIS STUDY

This manual was compiled as a practice tool for constituency personnel to assist them to offer more culturally-sensitive immigration service provision to immigrants, and those who seek to work on behalf of immigrants and their families. The goal of this study is to offer procedural guidelines that will assure continuity of good immigration practice to constituents regardless of the political affiliation, experience in the immigration field, legal expertise, or the helping skills of paid political staff. As such, the ease with which immigration difficulties can be solved should be enhanced to the benefit of the constituent, the practitioner, and ultimately to the elected Member of Parliament (M.P.).

III. THE GENERAL PROBLEM ENCOUNTERED BY THE CONSTITUENT

Continuity of service provision is at risk for a constituent who accesses a constituency office due to the everchanging political winds of fortune or staff changes. Governments do change. Also political personnel that have no background knowledge of the immigration program, it's policies and procedures, and have no training prospects, are expected to learn the particulars necessary to do immigration practice while dealing with a vulnerable client population. The helping skills, the training, and the ability to gather information and to build networking systems necessary in immigration casework, are not always deemed to be the most important employment criteria for political staffers doing immigration casework. An important employment prerequisite is often past political experience, in conjunction with present political connections and where-with-all. These factors contribute to the uncertainty or continuity of good service provision that is faced by any constituent who seeks immigration assistance from a constituency office.

IV. PRACTICUM OR RESEARCH QUESTION

The research question that evolves from this scenario is whether there a need in a constituency office to address the concerns of individuals and to provide for the continuity of good service provision to those attempting to overcome the complexities of immigration policies and procedures. Due to the importance of immigration to Canada, the voter, as part of the democratic process, is of paramount importance to the

formulation of immigration policy and the continuance of good government. Good service provision to address any constituent's concerns regarding immigration (or any other issue) results in there being two beneficiaries - the client through problem solution and the political process through political goodwill. Therefore it is important to keep the voter satisfied by the ongoing provision of an immigration service that is both effective and meaningful.

V. THE SIGNIFICANCE OF THIS PROJECT

The reason that this project is significant is that it attempts to set down immigration procedures in a straight-forward, concise, coherent and accessible manner to help facilitate good service provision in a political office. Previously most information garnered by constituency staff for immigration casework was provided in many different documents, pamphlets, and source booklets, as well as from immigration bureaucrats, officials and ministerial staff. What is unique to this project is that the author brings an important aspect to political casework, in that a social work perspective is incorporated with long-time political background. The realization that there is a need for a more ethno-sensitive approach, and the awareness of some of the values and dilemmas faced in this political scenario, come from a perspective that is not commonly found in political staff. This viewpoint sees good service provision as an end-view that is equally important to the well-being of the constituent and the reelection prospects of a M.P.

As well, a social worker in this milieu can be directly or indirectly influential with legislators who are in a position to direct and guide minor or massive social change within organized politics. It is an important venue within which to bridge the gap between a political action function and social work practice. This can be accomplished by incorporating social work's use of relationship skills in the process of interventive action as a means of affecting change in individuals, groups and social systems. The end result is the furthering of a constructive relationship between a person and society - in this case political systems (i.e. the legislative process) and institutions (i.e. the immigration bureaucracy). These institutions and systems are extremely complex, and composed of an almost infinite variety of interlocking systems and individuals. That is why it is important for a constituency immigration caseworker to have a sound immigration knowledge base that includes ethno-culturally sensitivity and social work skills in this political practice scenario.

VI. THE LIMITATIONS OF THIS STUDY

As with most projects of this scope there are practical limitations. The following is a outline of the overall limitations of this particular project. Firstly this study is meant to be a practical guide to assist constituency workers or other political aides or agencies in the procurement of provision of advice leading to the resolution of immigration issues. Secondly, all procedural information on immigration

provided in this project are either abstracts or information solicited as public documents in addressing immigration problems. A third limitation is that the author is not privy to cabinet documents and, as such, is constrained by all the detailed information. The fact that this study is also constrained and limited to the provision of general guidelines needed by agents or those involved with immigration matters is a further limitation. Lastly, this study is also limited and void in some instances of the detailed theoretical explanations and the extensive literature review often associated with projects of this type.

VI. THE ORGANIZATION OF THIS PROJECT

This manual is set up in the following manner. **PART I**, titled **Social Work and Immigration Practice**, includes the following: the intertwining of social work skills, ethno-cultural sensitivity and immigration intervention; the importance of meeting the needs of immigrants; the particulars of an immigration-focused practicum and practice; and some of the values and dilemmas incorporated in this work.

PART II, titled **The Manual**, discusses the immigration program, its mandate (The Immigration Act and Bill C - 86), the need for immigration changes in the 1990's, the function and highlights of immigration legislation, immigration levels, and the Quebec-Canada Accord. The role of other governmental departments such as External Affairs follows. Manitoba's immigration scenario precedes a discussion on immigration operations,

selection and admission, resettlement of refugees from abroad, and the role of the adjudicator in the immigration process. Following this is information on the settlement and integration services provided for immigrants once they settle in Canada. Visitor information next highlights student and employment authorizations as well as the Live-In Caregiver Program. Lastly the details concerning what happens at a port of entry, deportation and the alternatives, loss of permanent resident status, offenses and punishments, the immigration appeal process, and arrest and detention are outlined. These are the particulars regarding immigration that are needed to assess who may be asked to leave Canada and why.

Part III, titled Job Description and Particulars, incorporates the informational details into the practice scenario. It extends a description of what the job of constituency immigration caseworker entails, and the case typology.

PART IV, titled Afterthoughts on the Practicum Process and Focus, advances the author's afterthoughts on the process of this manual's formation and makes an argument for the utilization of social workers for casework in a constituency office.

Before introducing the legislative mandate that binds or relates to constituency immigration casework, and the particulars and details of a constituency assistant's job description, it is necessary to discuss the needed skills and the culturally-sensitive techniques incorporated in constituency service provision. It is important to note some of the values

and dilemmas that face a political staffer while doing this type of work.

The reason for this is two-fold. Firstly, immigration legislation, policies and procedures that provide the mandate for the immigration program do not provide for much inflexibly in terms of service provision that is bound by or connected to it. The second reason is centred around human rights and humanitarian issues that are part of service provision with the added complexity of it being provided in a political milieu.

This creates a practice scenario that is rife with value-laden and dilemma-creating situations for the political immigration service provider. Therefore the author has elected to include a discussion of these issues as they impact on this type of work before introducing the immigration mandate and job particulars. It is hoped that, by doing so, the worker may develop some critical and analytical framework to provide context to legislative and job-related realities.

CHAPTER II

NECESSARY SKILLS

Along with the necessary mandate knowledge for immigration work and duties one must perform as part of the job of constituency assistant, the caseworker should bring to the job the skills, knowledge and talents necessary to provide intervention. These include the following (in no particular order of importance).

Excellent verbal and written communication skills are the foundation of any client/worker interaction and intervention. It is useful in the formation of networks also. "Communication can be defined as an interactional process that gives, receives, and checks out meaning and occurs when people interact with each other" (Compton and Galloway, 1989, page 332). Of particular importance in constituency immigration casework, is a specialized form of communication called interviewing because it is contextually a very complex process. It is bound by, or related to, legislative, political, economic and cultural realities. It is also purposeful and directed in that it is necessary to secure information that the caseworker and client will find useful in problem solution. Because the constituent/client is the primary source of information on the problem, and immigration bureaucrats and civil servants are the primary sources for problem solution, communication skills are very important to the worker who mediates between the two.

It is important to note that there are many barriers to effective communication. One such barrier is anticipating what the other person is going to say or how he or she is going to act. This can happen whether the person is doing the interviewing or being interviewed. For example, this can happen when pre-existing stereotypes are allowed to shape and distort the communication process. For example, a client from a minority group may see a white caseworker as being in a position of power in an interventive process and act accordingly or the worker may perceive that he or she is in a position of power due to the possession of certain knowledge. This perception of power is very relevant to casework involving ethnic or minority groups.

A further barrier to effective communication is resistance on the part of the constituent/client to enter into the problem-solving process. For example, an immigrant may be fearful of involving himself or herself in the process because he or she may fear repercussions from the authorities - perhaps a former reality. Cultural norms may also interfere with an immigrant's willingness to enter into problem solution or active involvement with the problem. Therefore good interviewing skills will enable the caseworker to be aware of, and able to deal with, the barriers to communication when interviewing and dealing with clients. This will increase the repertoire of responses available to both the interviewer and the person being interviewed. Compton and Galloway's book on Social Work Processes (1989) offers some very good information on techniques utilized in the problem-solving model of intervention for further reference. Other suggested readings will be offered at the end of this chapter.

People skills such as empathy, the ability to be a good listener, warmth, and caring are important skills in any service provision. Empathy is a necessary part of any helping relationship. "Empathy is the capacity to enter into the feelings and experiences of another - knowing what the other person feels and experiences - without losing oneself in the process" (Compton and Galloway, 1989, page 291). Therefore an immigration caseworker must make an active effort to enter into the perceptual frame of the constituent/client. This highlights the need to be culturally sensitive, without losing personal perspective.

A constituency caseworker should also be aware that there are elements of authority and power in any helping relationship, especially one within the context of a political or bureaucratic framework. There is power that is delegated to the practitioner resulting from the constituent/client's perception that the worker has "the power to influence or persuade resulting from the possession of certain knowledge, experience and from occupying a certain position" (Compton and Galloway, 1989, page 296). Also there can be the perception of psychological imbalance of power because the constituent/client accepts the constituency assistant as a source of immigration advice and assistance. A worker must be aware of these issues concerning power and authority so that there is no abuse of power within the helping relationship or interventive process. It is particularly important to note these power and authority issues are compounded in interventions that involve minority groups. For example, a female constituent/client may perceive a male worker as being in a dominant position by virtue of her cultural background and experience.

Another skill that the caseworker should bring to the intervention process is the sense of genuineness and congruence. This means the constituency assistant must bring to this helping relationship a sense of acceptance and concern for the other person. As well, it is important that the worker exhibit a consistent and honest openness and realness. To accomplish this, the worker needs to have a honest self-knowledge (of who and what he or she really is), and a clear knowledge of the immigration law and procedures, as well as his or her own professional mandate and role. This includes the worker's commitment to the constituent's welfare and to the authority aspects of the worker's role or position.

It is important that a constituency assistant have some background or training in a field that enhances personal and helping skills that are necessary to deal with a vulnerable client population. For example, someone with a counselling or social work background is trained in these skills. If this is not a reality, then the caseworker should seek the knowledge needed to assist in acquiring these helping skills. Some suggested readings will be offered at the end of this chapter to assist in acquiring further information on this topic.

A constituency immigration caseworker should also have a strong background in immigration law, policy and regulations and the ability to interpret these in the course of immigration casework. This will allow the worker to offer accountable and credible service provision. The reason for this is that much of the immigration service provision offered in a constituency office is bound by, or related to, immigration legislation and procedures.

The constituency worker must also have the ability to conduct intervention work in a manner that is culturally sensitive and consonant with the behaviour of members of distinct ethnic groups and the expectations that they have of one another.

It is also important that caseworkers be able to examine their thinking with special care in an effort to acknowledge and deal with racial factors that are charged with highly emotional attitudes. This includes the knowledge that continued societal racism impacts on immigration service provision at all levels. Canada is a racist society and this covertly impacts on government policy that is bound by immigration legislation and the implementation of its program. Sometimes overt racism is something that is mentioned in the course of immigration casework as part of the client's experience of the immigration process. A constituency immigration worker should "not underestimate the extent of the impact of racist attitudes on individuals of all races because of the multivarious sources that subject all individuals to both explicit and implicit negative stereotypes" (Compton and Galloway, 1989, page 307). Therefore the caseworker must be able to recognize when social and cultural factors such as racism predominate or interfere with provision of service personally, or at the bureaucratic level. That is why it is important to be able to acknowledge that every Canadian (even those with the best of intentions) is continually influenced by a Canadian culture that is racist and unfamiliar with the complexities and difficulties of the lives of people from other cultures.

Likewise, a worker must be attune to the impact of sexist attitudes on the work that one does. Sexism, like racism, is deeply ingrained in many cultures and can influence the way one works or the attitudes one holds.

An important part of being culturally sensitive is the worker's awareness that the distribution and incidence of problems is often related to ethnic reality and the past that affects and gives shape to the present difficulties (Compton and Galloway, 1989). For example, there is a high incidence of religious persecution in India that results in an increase in the number of Sikhs that migrate to Canada. They often access the constituency office to have their M.P. intercede in the sponsorship of the families they left behind because they fear for their families' safety.

Another skill the constituency assistant must bring to the intervention process is the ability and flexibility to be sensitive to the diverse needs of all interested parties and groups served (the stakeholders). For example, the constituent/client, the politicians, the government in power, the bureaucrats and civil servants may all have differing agendas and needs that must be addressed in the course of immigration service provision. The political piece includes concerns regarding reelection and voter satisfaction while the bureaucratic piece involves the proper administration of a legislative mandate. The dilemma provided here is how to provide effective and meaningful intervention to the constituent/client in a meaningful manner while addressing the needs of the other stakeholders within this complex and ever-changing framework. This

requires much skill and ingenuity. The worker should have the ability to seek out all sources of information and to establish strong networking ties in the community within the immigration and the political bureaucracies in order to be effective as a problem-solver for immigrants and those who work on their behalf.

Part of what a constituency worker should bring to this job is strong mediating and advocacy skills. These are necessary because of the interplay between the client, the bureaucracy and the political arena and their varying agendas for immigration problem solution as mentioned previously. Much constituency casework involves acting as the go-between the constituent and the bureaucracy and advocating on behalf of the client.

A political immigration caseworker must also be aware that, as a constituency assistant, one wears two hats - one as a provider of service to immigrants and those who work on their behalf, and the other to work hard to increase their M.P.'s chances for reelection. A worker must be aware of the dilemmas this sometimes creates because of the differing agendas of the stakeholders involved in immigration service provision. The next chapter will elaborate on some of these issues.

A constituency assistant must display good judgement in every aspect of casework but particularly in dealing with the political issues it impacts on all the stakeholders when seeking solutions to particular case difficulties.

It is important to consolidate the personal skills one brings to the job with those that one acquires in the practice field. This means that some of these skills are innate, while others require upgrading of knowledge or on-the-job experience. The combination of educational background, political expertise and relevant job experience should be the most important factors considered when a constituency assistant is hired to do immigration or any other type of casework. The above suggested skills highlight some of the criteria needed to accomplish effective service provision to a vulnerable client population. Because the caseworker is in a position of power in relation to the constituent seeking assistance, great skill is needed to provide a balance between good practice techniques and sensitivity, empathy and good people skills.

There has been mention made in this discussion on practitioner skills regarding cultural sensitivity. To complete this perspective Chapter IV will offer a rationale for culturally-sensitive intervention and offer some helpful suggestions and techniques on how to incorporate this into constituency immigration practice.

For Further Reading

Benjamin, A. (1987). The Helping Interview: With Case Illustrations.

Boston: Houghton Mifflin.

Epstein, L. (1985). Talking and Listening: A Guide to the Helping

Interview. St. Louis: Times Mirror/Meghy.

CHAPTER III

SOME VALUES AND DILEMMAS INCORPORATED IN THIS SERVICE

There are many values and dilemmas that impact on the front-line work that one does within the constituency, the bureaucracy, and the political and the public domains. Some of these will be elaborated on because they provide an important context to immigration service provision on many levels. It would be impossible to discuss all the relevant values and dilemmas at this time, but a few of the important ones will be offered to give flavour to the myriad of difficulties in the sensitive field of immigration practice.

The first dilemma involves the fact that a Member of Parliament (M.P.) has the legislative authority to appeal to the Immigration Department, or to ask the Minister of Immigration directly to intercede on behalf of a constituent living in his/her federal riding. The process to overrule immigration policy or procedure is often couched in terms of humanitarian or compassionate grounds. This is covered under subsection 3(g), and 6(2) of the Immigration Act. The Privacy Act binds the M.P. and staff when dealing with specific immigration cases. The constituent must provide a written release to the Department of Immigration in order for constituency personnel to access personal immigration information that is covered under privacy legislation. Otherwise, government institutions that are bound by this privacy legislation could not divulge personal information concerning any particular case.

Secondly, Members of Parliament are subject to political fortune and this poses some difficulty to the constituent who is vulnerable to different political philosophies and policies as it impacts on immigration service provision. A M.P. has his/her own agenda to be reelected and all casework is directed towards this end-view. There is the potential for only those cases that are politically important (or dangerous) to a M.P. or the government to be the deciding factor in which immigration cases are prioritized or addressed.

A further dilemma concerns the fact that the government in power may have a very restrictive immigration policy or a political agenda that makes it difficult for anyone to immigrate. This increases the constituency immigration caseload as well as decreasing the likelihood of successful intervention. A case in point is a new immigration procedure to direct all sponsorship applications to an immigration centre in Vegerville by mail. In this instance all applicants must complete a mail-in application and all face-to-face contact with the immigration department will be lost to them. This may seem very frightening and impersonal to an immigrant seeking to be reunited with his or her family. The important element of human contact will be sacrificed in order to streamline the procedure in the name of efficiency. Again this will increase the need for more service provision by agencies such as constituency offices to offer assistance to those who find the immigration procedures to be extremely complicated at the best of times.

Also it is important to note that the impact of a credible, competent and

strong Minister of Immigration effects the immigration process quite differently than a weak or ineffective Minister. What one minister may see as important another may not. As this minister has the power to override some bureaucratic decisions based on immigration law and procedures, one can see there is room for inconsistencies due to differing emphasis, strengths, competence or interpretations of these ministers.

A further reality of immigration work is that many Canadians are expressing concern that the government has lost control of its immigration policy (Malerek, 1987). At a time when Canada is traumatized by high unemployment, recession, and a declining population (thus a decreasing consumer and tax base), the bottom line regarding immigration is that Canadians come first for employment opportunity - a major criteria for migration. This has made it more difficult for immigration opportunities and has made the general public somewhat more sceptical and less generous regarding immigration. There has been a tendency on the part of many to push for more restrictive measures against anything that might be perceived as a threat to Canada's social order.

Also the public sees the abuse of the immigration system by those who seek ways to circumvent it as a further threat to the integrity of the immigration program and ultimately to Canada's social order. Some examples of this include false documentation, and asylum shopping. This has caused the public to lose confidence in this system and makes political and bureaucratic accountability a difficult, and sometimes impossible task.

A major issue to be considered at a public policy level is the question of whether Canada needs more people. Canada is in a population crisis because fertility rates continue at below-replacement levels. Thousands of Canadians are leaving Canada every year because they are returning to their homelands or going south. Also Canada has an aging population. Immigration, as a political policy, has been used as a demographic tool to offset this declining fertility. Increased fertility and increased immigration are two possible solutions to warding off any long-term population decline. This has created a population debate that is still in its infancy in Canada. Some advocates argue that a larger population means increased domestic markets for Canadian industries, and lower the per-capita costs of government, transportation and communications. As well, it could stimulate the development of more specialized services. This, in turn, would create more jobs and prosperity for all Canadians. This issue should encourage policy makers to look at the role of increased immigration in the changing structure of the population - particularly the age component. (Malarek, 1987).

Proponents of a slower population growth argue that an increasing number of new immigrants will have difficulty finding jobs in a knowledge-intensive rather than labour-intensive job market that is currently experienced in Canada. This is due to Canada's slow move toward an "information age" that is related to a high technological base. Others are concerned about the impact of increased immigration without regard for environmental consequences. The concern has been Canada's fragile ecology, and its heavy economic reliance on its natural resources, and whether it

can support an increase in population under these conditions.

There has been intense debate concerning the tendency for young, professionally and technologically qualified people to migrate from developing countries to developed countries. This has been called the "brain drain". Malerek (1987) states that some critics view this outward flow of highly skilled people as harmful. As well, there have been others who have expressed concern that this policy of accepting only the "cream of the crop" discriminates against the poor, the uneducated and undereducated, and the unskilled immigrants who could contribute to Canadian society if given the opportunity to do so.

The growing complexity of an organization as large and decentralized as the Department of Employment and Immigration, coupled with the constraints and guidelines applicable to the management of government programs, makes it difficult to provide effective immigration service provision at the bureaucratic as well as the constituency levels. Because the immigration department adopts a premise that service to the public is their primary objective, there appears to be a contradiction within the present immigration system due to this complexity. This results in long delays for clients that involves excessive paperwork. The immigration process is bound by some outdated procedures. At this point it makes little use of all available technology which causes some inconsistencies in application of policy across the country. With the fast implementations of legislative amendments in 1993, many immigration front-line workers are scrambling to keep abreast of current regulations until they can be properly trained.

One example of inconsistent policies across the country concerned a fellow who wanted to remain beyond the stated time of departure once his student and subsequent work permit had expired. He could not get an extension in Winnipeg. While on course in another province he convinced the immigration officials there to extend him a Visitor Visa so he could clear up his affairs - something officials in Winnipeg were refusing to do. This certainly cast the immigration officer who refused him initially in a very bad light.

A further problem encountered at the constituency level of immigration service provision is the trend for clients who may not be constituents to seek assistance from a M.P. who has a success record in dealing with difficult immigration cases. This complicates service provision because the caseworker may be overwhelmed by too large a caseload. It also crosses the jurisdictional boundaries of other M.P.s who may not appreciate this. Also non-constituents who are partisan may wish to deal only with a politicians with similar party affiliation. This can cause casework overload, particularly if there is only one Member of Parliament elected in a large geographic area as the representative of the governing party. This is the present circumstance in the city of Winnipeg which has only one elected Conservative member to represent the urban population.

This creates a dilemma for a service provider whose mandate is clientele from within the constituency. Referral is often the only assistance that a practitioner can provide in these circumstances. In instances where the potential client is outside the constituency boundaries, or there is too great a constituency caseload, referral to the Regional Minister's Office

is appropriate. This office is staffed by the senior minister from the governing party whose mandate is to attend to regional interests as opposed to the geographic confines of constituency. This office has a much larger staff and potentially exerts much more political influence because it is headed by a senior minister. For example, in Manitoba there is only one cabinet minister who, as the only minister, is automatically the senior minister. This minister may have more influence by virtue of being a cabinet minister, than any M.P. when dealing with immigration cases at the ministerial level. One decision made by a constituency immigration caseworker is when it is appropriate to seek intervention and assistance with the Regional Minister's Office (RMO).

Another dilemma faced by a constituency caseworker is deciding when it is appropriate and expedient to involve outside political and jurisdictional assistance in potentially sensitive casework. At times, the offices of politicians or M.P.s with differing party affiliations or jurisdictional boundaries have worked in tandem to assist in immigration cases that cross jurisdictional and party boundaries. This has been useful in assisting in immigration cases that are particularly difficult. A good example of casework that involves many different offices and different levels of government is the Gretchen case currently prominent in the newspapers. In this case a Canadian family has adopted a medically inadmissible Romanian child who is the sibling of their first adopted daughter. The difficulty in this case is that the child is medically inadmissible because she has Aids and other severe medical problems. Immigration has recommended a Minister's Permit based on compassionate grounds that can only be issued

with concurrence from the province (the government that will assume the health costs if the child is allowed to reside in Manitoba. The province concurred, with the condition that the adoptive parents post a large bond to cover medical expenses. Intervention assistance in this case involved the Gretchen's M.P., Dorothy Dobbie, Felix Holtman M.P., the Regional Minister's Office - Charlie Mayer (in both his constituency and Ottawa offices), the Minister of Immigration - Bernard Valcourt, the provincial Minister of Health - Don Orchard, Manitoba Health, and the Gretchen's Member of the Legislative Assembly (M.L.A.) - Jim Ernst.

There is an interesting sidelight to this case. It concerns the dilemma that faced all those politicians involved in the case. This case is considered to be extremely sensitive politically because of the general public's (the voters') fear of this disease, the compassionate grounds involved in this case, the public's continuing concerns with provincial cuts to the healthcare system due to fiscal restraint, and the high costs of hospitalization of an Aids patient. This could become one of these cases where service provision is a "damned if you do, damned if you don't" scenario that is value-ridden and has the potential to backfire (to the detriment of both the family and the politicians). In a case like this it is important for the constituency assistant to talk through the issue from all angles so that the M.P. can make an informed decision regarding his or her involvement in a case that has the potential to be politically damaging.

A further dilemma a constituency service provider encounters in dealing with immigration cases regards the complexity and ever-changing procedures that bind immigration practice. An immigration caseworker must have clear direction at all times in order to be effective in practice. The state of limbo that occurs following legislative change is felt at all levels, from the senior bureaucrats who do not have clear direction because there is an absence of strong direction from national headquarters, down to the front-line workers who handle immigration questions over the phone. This uncertainty regarding Bill C-86's amendments to the Act will continue for some time as the changes will take place over a five-phase process that may take a year. Some of the changes have been implemented as of February 1, 1993 (eg. the elimination of the Assisted Relative Class), while others will take considerable time filtering down into procedures. Also the time needed to train and update immigration and constituency staff is time-consuming when done after the fact (ie. implementation of the changes). Many hours are wasted trying to unravel all the complexities so that service providers can deal comfortably with immigration matters on which they have not been briefed. This makes it difficult to protect the integrity of the program because procedures and regulations are constantly being worked on to smooth out implementation difficulties in the absence of clear guidelines to guide senior management immigration officials. Also front-line practice is negatively affected. The worker may have a handle on the immigration mandate until the legislation changes abruptly. Until all the procedures and regulations are implemented the caseworker must rely on bureaucrats for all pertinent information on the legislative changes. If these information sources are also seeking to grasp all the

realities of procedural changes at the same time, front-line work can become rife with uncertainty - to the detriment of the client and effective service provision.

As well, there is usually an increase in the number of appeals any time legislation changes because those who have previously been unsuccessful within the old system often choose this opportune time to test the legislation under these new conditions. Because new legislative changes are untested in the court system, there is an unknown factor. Legal counsel may choose to test the law as a course of action if an appeal is being considered by an unsuccessful refugee claimant or an immigrant who is in contravention of the Immigration Act.

Another dilemma impacting on immigration service provision is the fact that many immigrants, and those that work on their behalf, find the immigration administration and bureaucracy inaccessible and difficult to comprehend because of its complexity. This creates another dilemma for a service provider working with immigration matters. A large immigration caseload in a constituency office is a result of this reality. Anyone needing these services has a right to expect that immigration centres be accessible, that information is available and that decisions be rendered in a reasonable period of time. The main immigration line is often busy and people are put on hold for a long time. Also processing times seem unreasonably lengthy to someone impatient to be reunited with their close relatives. Sometimes the sheer complexity of the process makes it difficult for a sponsor, a prospective immigrant, a foreign student, or a

temporary worker to understand all the rules and regulations, as well as their ramifications. Language and cultural expectations may be a stumbling block in that there may be miscommunication or misunderstanding of procedures and the importance placed on adherence to them. This can lead to a host of difficulties which might lead to a newcomer being in contravention of the Act.

One of the many functions of a constituency staffer's job is to develop a network of contacts within the bureaucracy that can help in solving many of their constituents' immigration difficulties with accessibility or information. Political staff are often hired on the basis of their political connections and past political volunteer or work experience. They seldom have any sort of experience in the helping field that involves advocacy work, people skills, or direct immigration service provision. They lack the training or experience in dealing with the client, the bureaucracy, or public servants. As such, they begin with a disadvantage that is compounded by the fact that there is unlikely to be any on-the-job training or supervision. The job is what the political staffer makes of it. The caseworker's ability to pick up the necessary skills in problem-solving, networking and information is based entirely on his or her own initiative, motivation and wherewithal.

Another dilemma involved in political casework is its vulnerability to pressure and criticism from the media. The operations of Canada's immigration program are subject to constant - and mostly negative - attention from the news media, as are politicians. The Department of

Immigration often has to defend its decisions made with regard to cases that have been made public in the hope of gaining public support to overturn these decisions. Immigration officials, as well as the political staffer who may be working on any one of these cases, may be privy to information that is considered to be covered under the Privacy Act while the press almost always is given facts that present Immigration Department and the politician involved in the most unfavourable light. They can not defend their decisions by divulging all the relevant details to the press that might justify a determination and are often publicly and unfairly tried and found wanting.

Another issue regarding service provision is the pressure brought to bear on the politician or bureaucrat by media or outside agency involvement when there are too many people involved in pressure tactics. Overexposure in the press can backfire if it is not handled in the correct way. In many instances the threat of media involvement is unnecessary and impedes the intervention process. As well, it means that the bureaucrats involved will be very cautious and go by the book. Also it is very difficult for the service provider to work effectively under this type of scrutiny networking contacts in the bureaucracy are reluctant to suffer the consequences of the same type of involvement. This often impedes the creative work that is a major part of the intervention process of finding alternatives within a system that does not allow for much flexibility.

A further dilemma the immigration service provider encounters is the fact that the public confidence in the Immigration system is lacking (Malerek,

1987). He states that the Immigration Department is in need of reorganization while the public is concerned with issues regarding its mission, roles, direction, management, accountability, quality of service, resource allocation, and communications.

A serious drawback to immigration service provision is the dilemma created by the fact that the general public is not aware of, or is uncomfortable with, the direction that the current government is going with its immigration policy. This is compounded by the fact the public is experiencing a lack of confidence in the political process and its practitioners. The service provider must deal with the political ramifications of an unpopular immigration policy and governing party at the same time as he/she is attempting to intervene in that system to the benefit of the client.

One of the most difficult issues a practitioner will face in immigration practice is the high level of racism among Canadians. Malerek (1987) states that many Canadians fear increased immigration levels because greater Third World immigration could negatively impact on the predominantly Anglo-Saxon and European population by virtue of sheer numbers. Secondly, there are many Canadians who are concerned that many newcomers do not make enough effort to assimilate. There still exists a prejudicial negative stereotyping of minorities and discriminatory behaviour against non-whites that is deeply rooted in the Canadian system according to Malerek.

As well, traditional sources of immigrants in continental Europe seem to be drying up. The reasons for this is that there is a decline in these populations. These countries no longer actively encouraging immigration. Also there has been a dramatic shift in the immigration composition from being primarily European to primarily non-European. There is a marked increase in immigration from Third World countries according to EIC statistics (1993). The dilemma here is that in opinion polls most Canadians are reluctant to welcome an increased number of immigrants while the federal government continues to ignore their concerns. This creates a gap between public opinion and government policy that can lead to serious problems for the government in terms of reelection. It also impacts negatively on the credibility and accountability of the immigration policy the government has implemented.

As well, abuse of the system has created an unsettling immigration backlash throughout Canada which continues to fuel racism towards immigrants. One only has to read the newspapers to see evidence of racism (i.e. Ku Klux Klanners). High unemployment, recession and the changing population composition are some of the reasons cited for the backlash against increased immigration. As yet there seems to be no assessment made of the racial impact of immigration. There is the potential for racial and ethnic tensions which may be created by a government policy of increased immigration in the midst of negative public sentiment towards that policy. This can translate into social conflict.

The fact that immigration policy is not debated more openly among

Canadians also presents a dilemma. The format for discussion is usually private consultations between the federal government and the provinces as required by the Immigration Act. The government also invites opinions from non-government agencies representing labour, business, ethno-cultural and humanitarian interests, as well as qualified academics, on the immigration levels. Perhaps the government should have wide-ranging open public debate due to the public sentiment regarding immigration to allow ordinary Canadians a forum for airing their fears, concerns, and wishes regarding immigration. The Canadian public seems to want to know where the government is heading regarding immigration and why. The racial question may also be dealt with openly and honestly in this manner. This may help to alleviate public anxiety concerning government policy directed towards increased immigration.

Another difficulty regarding the immigration program is the global refugee crisis which has lead to large numbers of Third World refugees and illegal immigrants seeking asylum in Canada. In Europe this same phenomena has lead to more restrictive immigration policies and tougher immigration laws to address illegal immigration and to limit the number of refugees who can receive safe haven. The recent amendments to the Immigration Act attempt to address the same circumstances here in Canada. These changes are too recent to be able to determine whether they will be successful in stemming the tide of illegal immigration and the sheer volume of refugee claimants. These changes are aimed at making tougher laws to address these issues.

A further dilemma is the fact that most refugee claimants fail to prove their cases, and are rejected because of this. This is a costly process in terms of emotions for the claimant and in terms of dollars to the Canadian taxpayer. Malerek (1993) states that some immigration experts interpret the high rejection rate to the narrow interpretation of the Geneva Convention definition of a bona fide refugee (refer to page 142 for this definition). He claims there are fairly restrictive measures to keep refugees away from the borders. An example of this is penalties assessed to those transportation companies who bring aliens into the country without proper documentation or status. The recent amendments to the Act increases these penalties substantially. This is an attempt by the government to make the carrier more accountable in meeting their responsibilities under the Immigration Act.

Canada's longstanding policy towards refugees is to select them from abroad on the basis of their ability to successfully settle in Canada. Thus economic considerations are coupled with humanitarian criteria. Canada's international obligation to refugees has been chiefly to supply a country of resettlement rather than to be a country of first asylum. According to Malerek (1987) critics of this policy see this as a self-interest policy that lacks the commitment typical of first asylum countries.

The development of a refugee policy is a recent phenomena in Canada and it is set out in Section 3(g) of the Immigration Act. Malerek (1987) and other critics see the refugee determination system as unwieldy, and an

open invitation to abuse by bogus claimants who will exploit it as a means of staying and working in Canada. Also it is subject to Human Rights legislation. This combination makes for a very complex legal environment within which to frame Canada's humanitarian goals. This adds to the possibilities for abuse. These critics feel that the present refugee procedure is inadequate to deal with the contemporary situation of refugees at a time when there is a tremendous increase in refugee numbers. They also see a need for a more fair, firm, efficient, streamlined, more compassionate and less restrictive system. (Malerek, 1987)

At the same time, the problem of illegal immigration is a blow to the integrity of Canada's immigration program because effective control of Canada's borders is constitutionally guaranteed by the federal government. Canada's right to choose immigrants, according to fair selection criteria, is the basis on which the system is set up. Malerek (1987) and other critics of the immigration program suggest the following remedy to immigration difficulties - the adoption of broader visa requirements to control abuse.

Practice concerns are as important to service provision as policy issues. One particular difficulty in constituency immigration practice is the lack of privacy when interviewing the concerned party. Usually the office is very busy with lots of off-the-street traffic and front-line work that results from this. This means that the staff in these congested offices are constantly having to move around to find some private place to consult with a constituent. Also most staff do not have the luxury of their own

offices and all telephone work is done within hearing range of other staff members. This includes all private casework. Circumstances make it difficult to assure privacy because of the proximity of other staff and off-the-street traffic.

Another concern for the immigration service provider in a constituency office is the priority of political work over that of casework. It is a fact that the constituency office is a chaotic work environment that is impacted by political elections, crisis, and community issues that often push casework to the side when these arise. This impedes caring and sensitive casework practice that needs constant and continuous intervention to be effective and efficient. The practitioner ends up often doing a juggling act with their casework and other office work. This can lead to frustration on the part of both the client and the service provider.

In some instances immigration casework may not be a high priority in a particular constituency office because there is not enough political advantage in this type of work in terms of reelection. It is also very time-consuming work and the resources of a constituency often do not include the viability of hiring someone full-time to handle this type of casework. Of course, this depends on the decisions made by individual M.P.s who have some latitude in office staffing arrangements.

One of the most troublesome issues that can confront a worker in a

political office is that he or she may not always agree with every immigration policy or procedure that is implemented or every decision their employers - the M.P.- may make regarding an immigration case. This presents an ongoing dilemma for the immigration practitioner because it will impact on service provision to the client. A M.P. may make a politically expedient decision to handle, or not handle, a case. This does not make that case any less or more worthy of consideration for intervention. At all times the worker be sure to see that this case receives appropriate intervention even if it is not forthcoming from the constituency office. This is where creativity and flexibility becomes part of the process of intervention. A large referral and networking base is necessary so that these cases are attended to in an appropriate, respectful and meaningful manner whether or not they are dealt with in-house.

The issue of gender bias in refugee claimancy and immigration as it impacts on constituency immigration service provision is an important practice consideration. It is a reality that refugee claimants, once they meet the criteria under the Geneva Convention, are considered also on the basis of successful adaptation in Canada (the same as any prospective immigrant). Successful integration, as translated into immigration legislation, categorizes employment suitability (an economic indicator of success), language ability and education as important factors in successful integration into Canadian society. In many Third World countries this opportunity is afforded to males because of a cultural bias. In turn, this translates into conditions that favour males in the

selection criteria for immigration to Canada. These same circumstances (the lack of education, language skills and employment experience) mean that females not only have difficulty meeting immigration requirements for the purpose of immigrating, but that they also have more problem successfully adapting to life in Canada. As such, female newcomers may access the constituency office more often for problems that are related to difficulties with adaptation.

The reality is that the immigration casework done in a constituency office has a predominantly male-dominated clientele that mainly focuses on issues concerning family reunification or bureaucratic difficulties. Another factor that may explain this predominance is that males in Third World countries are most often the head of the family as well as the primary decision-makers and breadwinners. This puts them in a position of power and authority within the family that results in them being the primary problem-solver. This translates into a predominance of a male-centred immigration caseload at the constituency level.

There are many more values and dilemmas in this type of work that have not been mentioned. But the above issues will help give some context to the immigration work of a constituency assistant. Other dilemmas have been addressed in the body of the manual when it was deemed appropriate to the particular discussion. Without an awareness of the impact of these on one's practice scenario it is difficult to have a well-rounded perspective on immigration practice and its mandate of immigration legislation and policies.

Having said that, it is important to provide an ethnically sensitive context to the legislative and political realities of immigration casework at the constituency level. The above noted values and dilemmas preface this discussion and the immigration mandate and procedures follow it.

CHAPTER IV

ETHNO-CULTURAL SENSITIVE INTERVENTION

There are three levels of constituency or political immigration intervention: individual casework, group work, and community, political or bureaucratic involvement.

Ethno-sensitive practice with constituents and those that work on their behalf needs to take into account a number of elements of human behaviour, and a knowledge of how people respond to life difficulties within the context of their own ethnic reality. This is intervention at the micro level or direct intervention.

Devore (1991) states that macro-level intervention involves a knowledge of societal values and norms, and the institutions and bureaucracies that encompass these and ensure that they are adhered to. She sees this type of intervention as involving work with the communities and the politicians who are seeking changes in laws and social policy. This includes the administration, design, and evaluation of service provision at the bureaucratic, interorganizational and the community levels.

Together micro and macro service provision to immigrants represents the range of a constituency assistant's intervention practice. A good starting point in this discussion is direct intervention as one aspect of immigration practice at the micro level.

DIRECT INTERVENTION

Direct intervention with immigrants and those that work on their behalf involves work done prior to contact with the constituent. This entails a general understanding of the following as they impact on immigrant/refugee clientele (Devore, 1991):

- the community in which services are located (eg. urban or rural);
- population characteristics (eg. bilingual and multicultural);
- the availability of resources (those offered by different levels of government such as social assistance, education and language training);
- the type of governments and their jurisdictions (eg. federal, provincial, and municipal);
- the availability of transportation and interpretation services;
- ethnic-based networks (eg. Muslim Immigrants Association);
- a community profile (eg. ethnic breakdown of a constituency);
- an understanding of the needs of minority clients (eg. overcoming language barriers);
- a knowledge of community service and government programs available (refer to referral agencies in Appendix A for examples);
- the network of social programs (eg. income security programs at the federal and provincial levels depending on the program specifics) and their staffing patterns (eg. public civil servants);and
- a general knowledge of human behaviour and self awareness.

Much of this entails a fair amount of research that is particular to a caseworker's community and work environment. Some of the service agencies mentioned in the referral appendix would be helpful in terms on gathering some of the above information. Some of the agencies are specific to immigration service provision while others are useful regardless of the ethnic origin of the client. Government departments are also good reference sources for population statistics, community profiles and government immigrant programs. These are also mentioned in Appendix A. This precontact work is a necessary component of immigration practice. Equally important is an awareness of some of the assumptions incorporated in ethno-sensitive service provision as outlined next.

PRACTICE ASSUMPTIONS

Ethno-sensitive practice is based on some of the following assumptions according to Devore (1991). These include the assumption that:

- (i) ethnic reality impacts on life issues and problems (eg. the issue of divorce and the acceptance of this practice may be viewed differently in different cultures);
- (ii) problems with immigration and separation from family and community can impact on other aspects of the client's life and sense of well-being (eg. many people separated from their families often experience

depression and display feelings of hopelessness or anger which can be misdirected toward a service provider);

(iii) the value placed on "the family as the caregiver to children, the transmitter of values and emotional sustenance, and the extent of commitment in the solution of diverse family difficulties, varies by ethnicity and social class" (page 170) (eg. in many Third World countries it is common practice for those who can not support their own children to allow their relatives to informally adopt and raise one of these children as their own. For the purpose of immigration, this has major repercussions because children must be formally adopted by custom of their birth country in order for them to be admissible for immigration to Canada with their families);

(iv) "ethnic reality is a source of cohesion, identity, and strength as well as a source of strain, discordance and strife to the newcomer trying to assimilate into a new way of life" (page 165)(eg. newcomers to Canada may lean heavily on those from their country of origin who have migrated before them for emotional as well as informational support which may impede their process of assimilation into the Canadian way of life);

(v) "language can be a barrier to effective communication in service provision to immigrants" (eg. many new Canadians who want to bring their families to Canada may need interpreters to communicate their wishes and to access assistance with this process);

- (vi) "individual and collective histories have bearing on problem generation and solution"(page 180) (eg. wife abuse may not be considered a personal problem or inappropriate within a newcomer's prior cultural context although it is illegal once they reside in Canada. This makes it difficult to provide a solution to this problem if there is no way of addressing the misperception that it is culturally appropriate in certain ethnic groups);
- (vii) another important aspect of immigration casework is the consideration of "the class and ethnic disposition of the immigrant" (eg. in many immigrant households the male is considered the ultimate authority, or that arranged marriages are appropriate in certain classes in India).

To conclude the discussion on ethno-sensitive practice, it is appropriate to look at problem identification and solutions. Once a caseworker is aware of the need for, and the way to include, culturally-sensitive techniques into one's intervention methods, the actual identification and solution of problems needs a brief examination in this context.

PROBLEM IDENTIFICATION AND SOLUTION

The first stage in immigration service provision is the precontact work, as discussed previously, that is done prior to meeting the client. The next stage in the intervention process is finding out what the problem is from the perspective of the individual seeking help. At this "problem identification" stage Devore (1991) states that it is necessary be sensitive to the fact that the tenets of privacy will vary according to ethnic group membership. Also it is important to be aware that some cultures may view it as shameful to be seeking help from an outsider or to feel threatened by those in a position of power. As well, anyone in government service provision may be viewed by the prospective client with superstition or fear if their past experience with their own government back home has been one of mistrust. Another factor to consider is that the ability to share feelings may not come easily to those from other cultures who are taught it is unacceptable to display or discuss these. It is difficult to assess the nature of the problem or the resultant feelings if the client cannot articulate these. It is important to make all possible concessions to privacy and anonymity in dealing with problem solution in a respectful and ethnically sensitive manner.

The nature of questioning and listening are important tools as well to ethnically sensitive practice according to Devore (1991). She states that open-ended questions can elicit more factual responses from those who have difficulty sharing feelings and thoughts because they can not be

answered by a simple yes or no response. Likewise, body language can tell a great deal about the comfort level of the client as well as to convey a sense of security to them. Familiarity with the client's cultural customs and norms is also important when the caseworker is eliciting information or listening to the client's perception of the problem. Prior to contact with the client, the caseworker may access one of the immigrant referral agencies listed in Appendix A for information on cultural awareness. As well, the client may be willing to share this information with the service provider if he/she is asked in a sensitive manner.

Devore (1991) also states that the sharing of the facts and the offering of ideas or opinions are important factors in any intervention work. She points out that a worker " must be respectful of requests for concrete services and to be as responsive as possible within one's mandate to meet such requests" (page 205). Facts should always be conveyed readily and in easily understood terms. It is not helpful to speak jargon to someone who may have difficulty with the language.

Specifying or narrowing the issues may help to clarify the problem according to Devore (1991). Often people under duress have many concerns that have cumulated from the long-standing effects of the initial difficulty. Therefore it is necessary to focus in on the source of the problem. One method of accomplishing this is to continue to ask in a respectful, but direct, manner what the main or the most immediate problem.

When the primary problem is focused in on, contracting between the client and the political staffer can be accomplished by mutually specifying what the intervention will be and how it will be accomplished. It is important that clients actively participate in this contracting so that they feel that they are engaged in the problem-solving process by virtue of a mutual agreement about the respective work to be done, the objectives sought, and the possible goals of the intervention. They often need to know that they have a right to determine the course of action once all possible problem-solving options are outlined. This is an important aspect of the worker's job - the seeking of all available alternatives within the mandate of immigration legislation, regulations and procedures. Within this contracting process a timeframe should be incorporated if possible. In this manner Devore (1991) feels this process becomes a mutual endeavour in keeping with the client's perception of the problem and his or her input into the resolution. This offers the constituent/client some empowerment in a political and legal process that may seem unbending or unresponsive to his/her personal needs. The role of the constituency worker is to include the client in creative problem-solving within the confines of an immigration system bound by the inflexibility of federal legislation.

While doing immigration casework, it is important to note that in many cultures men are in a position of power and therefore women are not willing or able to speak on their own behalf. Often immigrant men have a great deal of input into the problem-solving process and one must be careful to include their daughters or wives in the process as well to get

a well-rounded view of the problem. One of the ways this can be accomplished (if the worker is female) is to provide a woman's perspective on the problem while keeping in mind the male's need to be the authority figure.

In some circumstances a female service provider may be treated in a subservient or disrespectful manner by a male client from a different culture. In this instance the worker needs to be aware of the power dynamics involved and keep a sense of balance in the intervention process. Another way is to actively seek the opinion of the female client in a way that is sensitive to her fears regarding male authority figures. A male worker, on the other hand, may not have to deal with the power dynamics between himself and a male client. As such, the male worker can actively elicit the male client's female relatives in the intervention process (while keeping in mind the cultural issue of male domination).

In other instances, women are treated as property or as having no authority in some cultures. For example, among certain classes in India it is still a common practice for a father to arrange for the marriage of his daughter. It is most important to be sensitive to the inequities that some women suffer in these situations. Also the caseworker should be able to address inequities and issues concerning violence in the context of Canadian values while being culturally sensitive when these arise during involvement in a case. It is important not to offend the male client in these circumstances, and to acknowledge that this may have been condoned in his country of origin. The worker should let him know that this is

unacceptable and illegal behaviour in Canada. Women should be assured of their legal rights in these circumstances if possible so that they can seek appropriate assistance if they wish. Be sure to refer to the appropriate agency for help with these types of case scenarios (eg. Clinic and Evolve handle issues concerning violence regardless of the gender or ethnic origin of the client).

According to Devore (1991) ethnic-sensitive service provision includes the following. Firstly, the caseworker must pay attention to the individual as well as systemic concerns (ie. those at the bureaucratic or political levels). Secondly, the practitioner should adopt practice skills that are responsive to the needs, concerns and dispositions of various class and ethnic groups. The immigration caseworker works within a larger practice environment that includes government and institutional bureaucracies, and society as a whole. This impacts on immigration practice at all levels and provides the context within which to frame the worker's practice world and the work done at the micro level with individuals and groups.

Devore also states that practice at the macro level, which may include the community, or a set of communities or groups as the identified client, shares the same knowledge and value base for immigration practice as micro-level intervention, which focuses on intervention with individuals, families and small groups. An example of macro intervention is the following case scenario. An ethnic community comprised of Bosnian landed immigrants could access a constituency office to seek assistance in finding out how to bring over their relatives from war-torn Yugoslavia who

are in great personal danger. Immigration officials could be invited to share information on immigration policies and procedures currently in place that would allow their relatives to apply for refugee status or to migrate to Canada. At the same time they would need information on their obligations regarding sponsorship of these relatives and available government resources. This macro-level intervention involves the government, the immigration bureaucracy and the Bosnian community. Also public sentiment, as it impacts on government policy and aid to Bosnia, plays a major role in this scenario. With this knowledge and intervention this group can be empowered to assist new Bosnian refugees in their efforts to be reunited with their families by being an information and support resource in the community.

Devore (1991) cautions that the worker be aware that ethnicity is organized and developed around not only physical but also cultural differences. She sees this sense of ethnicity or peoplehood as being enhanced or strengthened by the hostility generated by racism when a newcomer to Canada is made aware of his or her social status vis-a-vis the dominant plurality. A number of other factors also play an important role in the formation of a sense of ethnicity. Included in these are the following according to Devore: immigration legislation at the time when the main thrust of the migration for a particular ethnic group happened; the need for labour in Canada when this ethnic group arrived (eg. the Chinese labourers imported to build the national railroads); the nature of the Canadian economy (eg. times of boom or recession); and the spatial and

residential structure of Canada (eg. the need to populate the west in the last century). These elements are but a small part in the formation of a sense of ethnicity and do not do justice to the complexity of this identity issue. For the purpose of this manual, it is the above which have been highlighted only for the purpose of illustration.

This concludes a brief discussion on the need for culturally-sensitive immigration practice, the dynamics and assumptions that provide some context for this type of intervention, and some suggestions as to how this can be incorporated within constituency immigration casework. To augment this discussion a directory of referral agencies and contacts that will be helpful in doing immigration work is listed in Appendix A. To assist in making this manual more user friendly an acronyms guide found in Appendix B, and a glossary of terms situated in Appendix C will be included.

For Further Reading

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PART II

THE MANUAL

The Mandate and Program Description and Details
of The Immigration Act and Regulations

(The information in this section is well documented and reflected in the reference section of this project.)

CHAPTER V

THE IMMIGRATION LEGISLATION AND PROGRAM DESCRIPTION

OVERVIEW

Canada is one of the few countries in the world with an active program for permanent immigration. World-wide it accepts more immigrants per capita than any other country.

One out of every six Canadians were born outside this country and 98 percent of non-aboriginal Canadians can trace their roots to other countries (EIC Statistics, 1993). Directly or indirectly, immigration has touched, and continues to touch, the lives of all Canadians on many different levels. Economically and socially, it has contributed to making Canada a culturally rich, prosperous, and progressive nation that is the envy of others globally.

Immigration is fundamental to the Canadian identity. There has been no area of public policy that has done more to shape Canadian values and way of life, or society's character. Immigrants' skills, talents and diversity have always been a major economic and cultural resource in Canada and have contributed to Canadian nation building. Therefore immigration, as a public policy, is a fundamental element of Canadian unity, identity and national prosperity.

Canada enjoys an enviably high standard of living and quality of life, due, in part, to the fact that immigrants bring to Canada the skills, knowledge, assets and talents needed to build a competitive work force. Canada is also strongly committed to a fundamental belief in human rights and freedoms, and to helping persecuted people to find safe refuge.

Since 1976, Canada's immigration program has been based legally on non-discriminatory principles. By legislative mandate and its implementation, immigrants and visitors are subject to standards which do not discriminate on the basis of race, sex, colour, national or ethnic origin, or religion. This is guaranteed under the Charter of Rights and Freedoms in the Canadian constitution. In addition, the immigration program is universal by virtue of the fact that applicants from all over the world are assessed against the same criteria.

Canada's immigration policies and procedures are connected to federal immigration legislation and regulations. The development, purpose, function and highlights of the Immigration Act (as amended) outlined in this section, are detailed to supplement information on the Immigration Plan for 1991-1995 and the Quebec Accord. This comprises the legislative mandate for the Canadian immigration program and regulations as well as the plan for immigration levels over the next couple of years.

IMMIGRATION MANDATE

DEVELOPMENT OF THE IMMIGRATION ACT

The development of the Immigration Act is outlined by EIC in Canadian Immigration Law (1989) as follows. "The Immigration Act, 1976 was produced after more than four years of intensive study and cooperative effort by the federal, provincial, and territorial governments" (page 1). In September of 1973, the federal government announced a comprehensive review of immigration policy which led to a new national immigration policy for Canada. This policy would address concerns that the process was unfair and discriminatory. The briefs, letters, and presentations done by provincial authorities, national organizations, and members of the general public process were reviewed to give a well-rounded perspective. A document called The Green Paper on Immigration was compiled from a series of discussion papers that resulted from this review.

This paper "explained the then-existing 1952 immigration law and discussed the domestic and international challenges facing future immigration programs" (page 1). It became the focus of an unprecedented national debate on immigration policy and objectives.

A Special Joint Committee of the Senate and the House of Commons was struck following the release of the Green Paper. This Parliamentary committee was to conduct a Canada-wide series of hearings, conferences, and seminars to discuss all issues concerning the immigration process. It

formulated a Parliamentary report which incorporated over ninety percent of its recommendations into the Immigration Bill that was presented on November 4, 1976.

"After second reading, followed by clause by clause analysis, and a third and final reading, the Bill was passed by the House of Commons and the Senate. On August 5, 1977, the Bill received Royal assent from the Governor General and came into effect upon proclamation on April 10, 1978" (page 1).

The Immigration Act of 1976 provides the present-day mandate for the implementation of the immigration program and regulations. There were some unforeseen difficulties that arose due to changing times. For example, the 1980's were characterized by increasing abuse of Canada's refugee determination system as well as other aspects of the program. The system was being overloaded with economic migrants who claimed refugee status in order to enter Canada.

"The federal government presented and passed two pieces of legislation in 1987 to counter the problem. Bill C-55 introduced a new, streamlined refugee determination system. Under the new system a process that once took years to be completed could be handled in months. Bill C-84 was enacted to combat unscrupulous individuals who profited by transporting people to Canada under false pretences" (page 1). It substantially increased the penalties to vessels for such illegal actions and gave the federal government broader authority to accomplish this.

LEGISLATIVE AUTHORITY

After the brief discussion on the development of the Immigration Act 1976, an outline (as provided by EIC (MBN, 1991) of it's legal basis is useful. The Immigration Act of 1976, which received Royal Assent on August 5, 1977, and the Immigration Regulations 1978, which were passed on February 23 and gazetted on March 8, 1978, were proclaimed on April 10, 1978, and constitute the legislative basis of all aspects of the immigration. They have since been supplemented by the Indochinese Class Regulations and Self-Exiled Persons Class Regulations. These both were passed on December 7, 1978, and came into force on December 11, 1978. The Political Prisoners and Oppressed Persons Regulations, were passed on November 4, 1982, and came into force the next day. The Immigration Act, 1976, Fee Regulations were passed under the authority of the Financial Administration Act on December 20, 1985, and came into force on February 3, 1986. The Chairman of the Refugee Board has the authority under Section 65 of the Act to make rules governing procedure and practice in matters pertaining to the board's mandate, and used it to establish the Convention Refugee Determination Division Rules. The Immigration Appeals Board (Appellate), 1981, continues in force until the Chairman makes new rules for the Appeal Division. Likewise, the Chief Justice of the Federal Court has the authority under Section 84.2 of the Immigration Act to make rules governing practice and procedure in relation to applications and appeals to the Court regarding immigration matters. The Federal Court Immigration Rules were made and approved by the Governor General in Council on December 22, 1988.

For ease in referencing specific sections of the Act, all pertinent sections are outlined as follows. Immigration policy is specified in Section 3 of the Immigration Act. This is the foundation for the other provisions of the Act and Regulations and all activities carried out under the immigration program. The elements of the program are reflected in the paragraphs of Section 3 of the Immigration Act as follows:

Recruitment and Selection:	(a), (b), (c), (g), (h)
Settlement:	(d)
Enforcement:	(e), (i), (j)
Adjudication	(g), (i), (j)

Paragraph (f) is a general principle that is applicable to all activities.

The 1990's reality highlighted the need to update this Act to reflect the changing times. An outline of some of the difficulties in the immigration program and the need to update the legislation follows to give some context to present-day immigration service provision. This is supplemented by information on the 1993 amendments included in Bill C-86 that were implemented to confront some of these program deficits.

THE NEED FOR IMMIGRATION PROGRAM CHANGES IN THE 1990'S

In order for the immigration program to continue to support Canadian unity and prosperity it must adapt to the realities of the 1990's - a changing global environment around immigration. Legislative amendments became necessary because the context for Canada's immigration program is very different from what it was in 1976. Nine of these realities (as outlined by Bernard Valcourt - the Minister of Immigration - in briefing notes for a speech made in 1992) are as follows.

- 1." Sophisticated technology and the ability of multinational corporations to shift capital between countries have jointly created "economically skilled migrants". These people often settle for short periods of time in response to economic opportunity, and because they are highly skilled, are able to move on when there are economic changes".
- 2." Political and economic conditions globally are less stable than in 1976. Natural disasters, regional conflicts and economic collapse have precipitated large-scale movements of people. Some experts state that these unpredictable mass migrations are estimated to include upwards of 80 million people at any one time".
3. "There is a blurring of distinction between refugees and economic migrants today due to the fact that most of the 700,000 people who sought asylum in OECD countries in 1991 would not qualify as refugees according to the United Nations definition".

4. "According to the Five-Year Immigration Plan 1991-1995 Canada proposes to accept 250,000 immigrants annually. This makes Canada the largest immigrant-receiving country in the world. This level is much higher than previous levels admitted under the 16 year-old Act. These numbers are enormous, but far less than meets the demand for those wishing to migrate. As yet, the Act does not provide for limits on the number of applications received from potential immigrants. This has created serious backlogs and classification difficulties in processing all these applications. This has placed considerable demand, with accompanying stress, on the system."

- 5." There is a need to make the immigration program more accountable by being more effective and efficient. To make the system more efficient in processing the increased number of immigrant applications, there needs to be implemented management tools to assist in more straightforward determination and selection of this large number of prospective applicants for immigration. At present these management tools are inadequate or altogether lacking in the ability to handle such large numbers."

- 6." The fundamental principles of the Immigration Act 1976 provide the basis of the federal government's mandate to establish immigration levels in any given year but it lacks the authority to accomplish this. To make sure the system is under control the federal government needs the authority to achieve the levels. Therefore there is the need to change the Act to respond to this lack of authority so there is

more control over immigration levels."

7. "There is, at present, widespread abuse of the system by unscrupulous individuals. Some are very adept at circumventing immigration regulations, and law. As a result, there are increasing numbers and sophistication of fraudulent documents; new techniques for gaining illegal entry, and methods for the smuggling of aliens. This attacks the integrity and accountability of Canada's immigration policy and program in the eyes of Canadians as well as those abroad."

8. "Within Canadian borders there have been some changes that affected the immigration program since the 1976 immigration legislation was first implemented. For instance, Canada has a decreasing population base without increased immigration levels and changing labour market needs. There is a greater need within certain provinces for residents with specific skills than previously was the case. This is because of difficult economic times as well as the trend towards increasing urbanization over the past twenty years."

9. "Canadians are much more attune to inequities in the immigration program due to mass media, as well as human rights legislation. Also it is common knowledge that there are huge backlogs and processing inequities as well as rampant abuse of the system. Canadian society wants protection from foreign criminals, terrorists, counterfeiters, illegal immigrants, and others who take advantage of their relatively open and welcoming borders and generous legal system. In order for

Canadians to support the present immigration policy, the program must be held accountable."

BILL C-86 - THE AMENDMENTS TO THE ACT

To address these present-day realities, the following amendments were made law in 1993. They attempt to provide for a stronger and more flexible immigration program while confirming the basic humanitarian, social and economic objectives spelled out in the 1976 Immigration Act. These amendments, as described by Bernard Valcourt - the Minister of Employment and Immigration Canada in briefing notes for a speech made in 1993 - include the following four major points.

1. The implementation of a "three-stream" management system to provide effective management tools for managing the numbers of immigrants and selecting skilled immigrants that best meet Canada's criteria. Consultation on determination of immigrant categories are be required in the selection process.
 - a) Applicants such as spouses and dependent children will be included in **Stream 1**. These will be processed on demand with greater speed than previously, with no ceiling to the number of applications approved each year. Included in this Stream are:

- immediate family members of those already living in Canada (spouses, fiance(e)s, dependant children, including adopted children);
- people found to be Convention refugees by the IRB;
- applicants who apply under the revamped Investors program who will contribute to the economic development of Canada.

b) Stream 2 will be processed on a first-come, first-served basis with a ceiling on the number of applicants who can apply within each category of this stream based upon annually announced immigration levels. Applicants to be included in these categories include:

- parents and grandparents of Canadian residents;
- privately-sponsored and government-assisted refugees;
- those who qualify under special programs for persons in extraordinary circumstances; and
- self-employed applicants or those who have arranged employment.

c) Applicants in **Stream 3** will be subject to annual immigration levels mutually agreed upon by the federal and provincial governments, and selected on the basis of excellence (the most highly skilled, or those with skills in demand in the Canadian marketplace). These will include:

- people applying as independent immigrants;
- people qualifying because of occupation skills that are in demand; and
- entrepreneurs with business expertise who can contribute in Canada's economic development.

In addition there are other measures that will be implemented to help ensure that the selection of prospective immigrants will be sensitive to regional economic and labour market needs.

2. Bill C-86 also addresses the need for improved consumer service of the immigration system by provision of the following measures:

a) clearer information for applicants re processing procedures and time frames;

- b) new centralized information centres to facilitate knowledge about applications being made available to the families and sponsors of applicants;
 - c) increased use of mail-in and drop-off services at immigration centres to speed up the process;
 - d) new application kits for services in Canada which will include more timely information in more easily understood terminology; and
 - e) additional staff training to facilitate client provision of up-to-date information and procedures.
3. Bill C-86 will provide for a more stream-lined refugee determination system by implementation of the following measures:
- a) replacement of the current two-stage hearing process with a more cost-effective and efficient single-level one;
 - b) discouragement of "asylum-shopping" by the promotion of international cooperation so that resources are directed at legitimate refugees and not toward those who are making false claims;
 - c) to ensure successful claimants can settle with their families as quickly as possible; and
 - d) ensure a high level of quality and consistency in decision-making by the Immigration and Refugee Board, which hears refugee claims, including procedures for discipline of the Board.

4. Bill C-86 will provide better protection against abuse of the immigration system by implementation of the following measures:
- a) more effective fines and prison sentences for those who attempt to smuggle aliens across Canadian borders;
 - b) stronger provisions to prevent entry of criminals into Canada;
 - c) fingerprinting and photographing procedural implementation to prevent people from being able to defraud the welfare system by making multiple claims for social assistance;
 - d) new search and seizure procedures to allow immigration officers to search those immigrants suspected of carrying false documentation at Canadian ports of entry that might affect their admission; and
 - e) procedures that would allow for more efficient removal from Canada those who are here illegally and do not wish to leave voluntarily."

Chart 1 on the following page will depict these changes.

PROPOSED LEVELS MANAGEMENT FRAMEWORK

STREAM 1	STREAM 2	STREAM 3
RESPONSIVE TO DEMAND	LIMITED- FIRST COME, FIRST SERVED	LIMITED- SELECT FOR EXCELLENCE
IMMEDIATE FAMILY	PARENTS AND GRANDPARENTS	SKILLED WORKERS
REFUGEES LANDED IN CANADA (including dependents)	RESETTLEMENT CLASS	ENTREPRENEURS
INVESTORS	PUBLIC POLICY- ABROAD	
	SELF-EMPLOYED	
	LIVE-IN CARE GIVERS	
	ARRANGED EMPLOYMENT	

Source: EIC, Canadian Immigration Laws, 1989.

CONCERNS WITH THE AMENDMENTS

There have been some concerns within the legal and ethnic communities concerning these amendments to the immigration Act 1976. Some of the questions posed are:

1. "Why is there a need to introduce a new management system?"
2. "Is this system like the American one where people wait up to twenty years for a visa and where there are country quotas?"
3. "Why wasn't the final target for the number of immigrants met last year when this seems a contradiction to the intent of the new policy?"
4. "Why is there no confirmation of the composition of the three streams?"
5. "What is the reason for the composition of the three streams?"
6. "Are the processing timeframes realistic for Stream 1?"
7. "What does this new system mean for refugees in life-threatening situations?"
8. "Won't the new centralized system slow things down by the addition of another step?"

* Refer to Appendix D for a government response to some of these concerns.

The first reading of C-86 was on June 16, 1992. Bill C-86 was assented to December 17th, 1992 and became effective February 1, 1993.

The legislation has not, as yet, filtered down into regulations and new procedures. One of the most important changes has been the deleting of the Assisted Relative class. As of February 1, those new applicants for prospective immigration who have relatives in Canada will be able to apply outside Canada from an Embassy within their own country. They will be awarded 5 bonus points for having a relative within Canada. This will save on the processing time and fee. Those applications being processed under the unamended Act prior to February 1 will follow the old procedures which are evident in the pertinent sections as outlined in this manual. This manual will need concurrent updating over the next year with the ongoing implementation of procedural changes in response to the new legislation.

At present, the immigration program is bound by the Immigration Act 1976 and Bill C-86 which is the current legislation that is the mandate for immigration policy and procedures. The purpose of immigration legislation will be highlighted in the next section to augment the legal interpretation of immigration law.

For further information on the legislation and regulations:

J. de Beaucamp, Minister's Office - (819) 994-2482

B. Grant, Immigration Policy - (819) 953-7720

B. White, Public Affairs - (819) 994-4624

THE PURPOSE OF IMMIGRATION LEGISLATION

One of the objectives of Canada's immigration policy, as set out in Section 3 of the Immigration Act, is to link immigrant inflow to Canada's labour market and demographic needs. Other objectives as outlined by EIC (MBN, 1991) include:

"An immigration policy that is administered by design to support the attainment of such demographic goals as may be established by the Government of Canada from time to time in respect of the size, rate of growth, structure and geographic distribution of the Canadian population;

To enrich and strengthen the cultural and social fabric of Canada, taking into account the federal and bilingual character of Canada;

To facilitate the reunion in Canada of Canadian citizens and permanent residents with their close relatives from abroad;

To encourage and facilitate the adaption to Canadian society of persons who have been granted admission as permanent residents by promoting co-operation between the Government of Canada and other levels of government and non-governmental agencies in Canada with respect thereto;

To facilitate the entry of visitors into Canada for the purpose of fostering trade and commerce, tourism, cultural and scientific activities and international understanding;

To ensure that any person who seeks admission to Canada on either a permanent or a temporary basis is subject to standards of admission that do not discriminate on grounds of race, national origin, colour, religion or sex;

To fulfil Canada's international legal obligations with respect to refugees and to uphold its humanitarian tradition with respect to the displaced and the persecuted;

To foster the development of a strong and viable economy and the prosperity of all regions of Canada;

To maintain and protect the health, safety, and good order of Canadian society; and

To promote international order and justice by denying the use of Canadian territory to persons who are likely to engage in criminal activity" (page 1.2).

It is important to note the function of the immigration legislation along with its purpose. The following is a brief discussion of this as outlined by EIC (MBN, 1992).

FUNCTIONS OF THE ACT

There are three basic functions to be performed under the immigration legislation:

- the selection of immigrants, students and temporary workers;
- control of aliens (such as refugees) and illegal immigrants from entering and remaining in Canada; and
- assist in the settlement of immigrants and refugees in Canadian communities and way of life.

Provision is made throughout the program for the management and the coordination which ensures that the program components are integrated, priorities established, and that resources are available and allocated to best advantage. Further elaboration on priorities, decisions, resources and allocations will follow in the following sections which examine the details of the immigration program.

Once the function and purpose of the immigration legislation is understood, the next important task is to elaborate on the highlights of the Immigration Act. This knowledge is important to practitioners in the immigration field in order for them to do the work that they do.

HIGHLIGHTS OF THE IMMIGRATION ACT

The Act and Regulations are based on such fundamental principles as non-discrimination; family reunification; humanitarian concern for refugees; and the promotion of Canada's economic, demographic and social goals and objectives. The Act, as outlined by EIC in Canadian Immigration Laws (1989):

- "links migration to Canada's population and market needs";
- "provides for an annual announcement of immigration levels that Canada can absorb comfortably, after mandatory consultation with the provinces and other interested parties";
- "allows Canadian citizens and permanent residents to sponsor close family members such as dependent children for immigration";
- "introduces security measures to protect Canada from international terrorism, organized crime and illegal immigration";
- "legally confirms Canada's humanitarian commitment and responsibilities to refugees under the United Nations Convention and establishes a "refugee class";

- "requires immigrants and visitors to obtain visas or authorizations abroad, and prohibits visitors from changing their status from within Canada";
- "safeguards the civil and human rights of immigrants and visitors through a quasi-judicial inquiry and adjudication process";
- "provides short-term alternatives to permanent deportation for cases involving less serious violations of immigration law"; and
- "states in specific terminology the powers granted to the government and its officials in regards to immigration" (page 3).

The Immigration Act of 1976, and the Regulations of 1978 spell out the above in legal terminology as does Bill C -86 (the legal document which covers the recent amendments to the Act of 1976).

Before getting into the details of immigration policy and procedures there are two important immigration plans that need to be clarified. The first is the Immigration Plan 1991 - 1995 which outlines immigration levels over a period of five years. This will be highlighted next. Following this will be a discussion on the Canada - Quebec Accord to depict an example of provincial input into the federal domain of immigration. As Manitoba currently does not have an immigration arrangement with the federal government, and the Canada-Quebec Accord is the first such agreement, this example is offered as illustration.

THE IMMIGRATION PLAN (LEVELS)

An important element of immigration policy determines the number and the categories of immigrants who can apply to immigrate to Canada each year as specified by the legislation. Until 1989, these levels were announced annually after ministerial consultation with the provinces and other interested parties. In 1989 consultations were held across Canada with the provinces, the federal government, and other government agencies and interested groups. As well as involving all levels of government - the health care, social services, and education sectors - these consultations included business, labour, the professions, economists, environmentalists, the media, human rights interests, ethno-cultural communities, immigrant-service agencies, and refugee advocacy and aid interests. Eight Opinion fora were held in major centres across the country. Under the auspices of nineteen EIC regional centres, twenty meetings were also held. Representation at many of these meetings was broadened beyond the traditional participation of regional, community, and local groups by inclusion of individual representations. Some of the topics of discussion included participant's viewpoints on the volume and pace at which increases should proceed; the balance among immigrant categories; integration services; particularly language services and training; possible incentives to encourage immigrant settlement in less populated areas; and views on the public's acceptance of the immigration program.

According to EIC (MBN., 1991, page 8.1) the following general themes emerged from the consultations.

"There was general support for increasing immigration, except from those representing disadvantaged groups - unemployed people, and aboriginal Canadians."

"There was greater support for increased numbers for less populous regions such as Atlantic Canada and the Prairies, grounded in the view that population growth stimulates economic growth and development."

"Participants were committed to ensuring that adequate numbers of genuine refugees are selected abroad for resettlement in Canada, despite the growing numbers of asylum-seekers in Canada."

"There was a greater interest in independent immigrants in general, and business immigrants in particular, in most regions, but little distinction was made between independent immigration and family reunification in Ontario."

"There was little awareness of, or interest in, the interaction between the current in-Canada refugee claimant issue, and the identification of a medium-term immigration plan."

"There was a growing concern about the need to integrate immigrants successfully and effectively into Canadian society. This view was particularly strong in British Columbia and Quebec."

"Skill in one of Canada's official languages was regarded as a master

key to integration by all participants particularly, by representatives of school boards and municipalities across Canada, and among all sectors in Quebec."

"Participants thought that the cost of language training and other settlement integration services should be taken into account in determining the numbers of immigrants to be admitted, and that these costs were, or should be, shared by governments and others."

"Much interest was expressed in enhancing the geographic distribution of immigrants among the regions, especially in encouraging newcomers to settle outside major metropolitan areas. There were, however, few ideas about how these aims might be achieved."

"There was general agreement that the effective delivery of the immigration program requires better co-ordination among all participants."

"Some interest was expressed in Ontario in using more stringent selection criteria to increase the likelihood of an effective integration, but in Alberta there was strong interest in lessening such stringency, on the grounds that few of the participants could satisfy current criteria."

"Participants agreed that there is a need for ongoing public consultation, and for the continuing enhancement of public information and education on immigration."

"Many compliments were expressed about the openness of the consultative process and the government's willingness to listen to views and to discuss issues." (It remains to be seen if this openness is reflected in funding priorities. It certainly was reflected in some of the changes to the Act implemented in Bill C-86. Its impact on procedural changes is an unknown at this time as these are currently evolving due to amendments to the Act).

"The federal government is on record as favouring increased immigration, as announced in the speech from the Throne on April 3, 1989. This was reaffirmed when the Annual Report to Parliament: Immigration Plan for 1991-1995 on October 25, 1990 was tabled. It was decided the implementation of a five year plan would facilitate easier long-term planning for the determination of the number of immigrants who should be admitted to Canada annually, and what emphasis should be placed on each category of immigrant." (page 8.1)

The Immigration Plan 1991-1995

As a result of these consultations, the Immigration Plan for 1991 - 1995 evolved and was reviewable after three years. EIC outlines this plan (MBN, 1991) as follows.

The legislative authority for level determination is found in Section 7 of the Immigration Act. This section requires that the federal government determine, in advance, levels for immigrant intake after mandatory

consultations with the provinces, and with such organizations, institutions, and individuals that the Minister feels are appropriate to consult. The Act also requires that the Minister report annually to Parliament by November 1 on the levels for immigration intake which are determined by the government as appropriate during any given period of time. This report also outlines the way in which demographic considerations have been taken into account in determining that number.

The immigration intake numbers or levels have traditionally been divided among four major categories for purpose of implementation planning: selected workers and their dependents; investors, retired persons, entrepreneurs, and self-employed; refugees and members of designated classes; and family class.

The Plan provides for moderate increases in immigration over the period of five years. Chart 2 on the following page illustrates these. While increasing overall immigration levels, the Plan ensures that there will be an appropriate mix of immigrants, as stipulated in the Act, to meet Canada's social, economic and humanitarian goals and objectives. As well as a moderate increase in immigration, a balance will be maintained among the three immigrant categories: family, refugee, and independent. Immigration will rise from 200,000 in 1990, to 220,000 in 1991, and to 250,000 in 1992. Immigration levels will remain at 250,000 for 1993, 1994, and 1995.

THE 1991-1995 IMMIGRATION PLAN

	1991	1992	1993	1994	1995
Component					
<i>Family</i>	80,000	100,000	95,000	85,000	85,000
<i>Refugees</i>					
- Government-assisted	13,000	13,000	13,000	13,000	13,000
- Privately sponsored	23,500	20,000	20,000	15,000	15,000
- Landed in Canada	10,000	25,000	25,000	25,000	25,000
<i>Independents</i>					
- Principals	20,000	21,500	22,500	29,000	29,000
- Dependents	21,000	20,000	25,000	33,000	33,000
<i>Assisted Relatives</i>					
- Principals	7,000	7,000	8,500	11,500	11,500
- Dependents	12,500	12,500	15,000	19,000	19,000
<i>Business</i>					
- Principals	7,000	7,000	6,500	5,000	5,000
- Dependents	21,000	21,000	19,500	14,500	14,500
<i>Retirees</i>	5,000	3,000	0	0	0
TOTAL	220,000	250,000	250,000	250,000	250,000

Source: EIC Immigration Consultations, 1993.

According to EIC (*Building Together, Strengthening Our Future*, 1993) "a number of measures are included in the plan to preserve a balance between family migration, the protection of refugees and displaced persons, and the selection of independent immigrants for their contributions to Canada's economy". These include the following.

"**Family reunification** will remain central to the immigration program." The regulation were modified to reflect genuine dependency relationships (such as spouses) between primary family members. Eligible family members, in particular, would include dependent children while excluding independent adult children. Also, efforts will be made to shorten the process times for spouses and children. One of changes is called fast-tracking. This is aimed at these "first priority" applicants. Every attempt is made to process these applications within a six-month timeframe.

"**The independent and assisted relative classes** will remain at current levels during the early years of the plan, although the proportion of independent class immigrants will decrease. In later years the number and overall proportion of skilled workers will increase."

"**Skilled workers** will be selected based on national and provincial economic needs and objectives."

"**The business immigrant program** will continue, with improved monitoring and reinforcing systems, to ensure that the program continues to have a positive impact on job creation and the economy."

Other measures included in the Five-Year Plan are as follows: a federal integration strategy seeking greater cooperation between governmental and non-governmental partners in the delivery of settlement and integration services; and provision of increased funding to allow for more flexibility in training options regarding accessibility to a greater number of immigrants. Another federal integration strategy has been designed placing a new emphasis on assisting newcomers to understand and accept Canadian values and on Canadians understanding of the diversity of immigrants' cultural backgrounds. "Specifically, this will be achieved through extra funding for language training, reception services upon arrival and settlement adaptation services. At the same time the strategy will encourage Canadians to welcome newcomers, and stimulate a greater understanding of the diverse cultural backgrounds they bring to Canada."

Consultations With The Province

"Immigration accounts for a significant part of Canada's population size, rate of growth and demographic structure. It can therefore have a strong impact on regional and provincial planning" (EIC, Canada's Immigration Laws, 1989, page 6). EIC states that for this reason "Section 109 of the Immigration Act provides the legal basis for the federal government to consult the provinces regarding the distribution and settlement of immigrants. This provision enables immigration to respond to regional requirements. It also permits federal-provincial consultations and agreements on immigration matters".

"In addition to its legal obligation to consult with provinces on desirable levels of immigration, the Government of Canada has concluded agreements with several provincial governments dealing with the federal-provincial division of responsibilities with respect to immigration" (EIC, When a Constituent Asks, 1993, page VII-5). In the Constitution, immigration is an area of shared jurisdiction. The Immigration Act allows the Minister of Employment and Immigration to conclude immigration agreements with the provinces regarding federal-provincial cooperation in immigration matters.

These federal-provincial agreements are subject to negotiation and renegotiation. So far Newfoundland, Nova Scotia, Quebec, Saskatchewan, Prince Edward Island, and Alberta have agreements with the federal government. EIC outlines (MBN, 1991) the areas of joint concern as focusing mainly on consultation in immigration policies, and providing for a limited provincial role in matters under their jurisdiction such as medical applications to receive medical treatment in the province. Other provinces, including Ontario, British Columbia, and Manitoba, are interested or actively seeking agreements at this time with the federal government regarding immigration. Any renewal of existing agreements or negotiation of a new agreement will take into account the particular needs of any given province. The benefit to shared federal-provincial responsibilities is cost and benefits sharing. The federal position is that the provinces should pay now for the benefits which they will experience later as immigrants contribute to economic growth as taxpayers, consumers, entrepreneurs, or business investors. (MBN, 1991)

CANADA - QUEBEC ACCORD

An example of such an agreement is the Canada - Quebec Accord, signed in February 1991, dividing responsibilities for immigrants and temporary residents destined for Quebec between the two levels of government in the following manner (EIC., 1993, When a Constituent Asks, page X-2):

The federal government is responsible for:

- determination of national standards and objectives;
- admission of all immigrants and visitors to Canada;
- fulfilment of Canada's international obligations;
- control of non-permanent residents; and
- provision of financial compensation to Quebec so that integration services will match federal provision of these services elsewhere.

The Quebec government has exclusive responsibility for:

- the selection of immigrants in the independent class destined for Quebec;

- reception of all immigrants, visitors, etc.;
- linguistic, economic and cultural integration services for permanent residents of Quebec;
- consent to admit into the province foreign visitors, students and workers;
- additional requirements for family class and assisted relatives for the Province of Quebec.

This Quebec Accord (as are other federal-provincial agreements) is important because it clarifies the federal role in immigration. These agreements also allow the provinces a much more active role in immigration while preserving the integrity of the federal government's general strategy for immigration to Canada.

The Accord also contains an undertaking to pursue immigration policies that will allow for Quebec's receipt of its proportional share of total immigration to Canada, based on its overall percentage of the Canadian population, with the right to exceed that number by five percentage points for demographic reasons. Thus Quebec gained increased immigration selection powers, compensation to Quebec for federal withdrawal from integration services, and a federal undertaking to help Quebec to achieve its proportionate share of immigration, with the right to exceed that number by five percent.

Summation of Immigration Mandate

This completes the section on the immigration mandate which included the legislative authority - The Immigration Act of 1976, the recent amendments to this in Bill C- 86, and the need for these changes to this Act. The purpose, function, and highlights of this legislation were set forth. Two further policies were also elaborated upon - the Immigration Plan and the Canada - Quebec Accord to give the immigration practitioner a well-rounded understanding of the legislation and policies that bind or relate to immigration service provision. The next few chapters of this manual will focus on the details and the procedures of the immigration program that have evolved from immigration law. This will include the following:

- the role of other government departments in immigration service provision;
- a perspective on Manitoba's immigration scenario;
- immigration operations;
- immigrant selection and admission;
- the resettlement of refugees from abroad;
- the role of an adjudicator in the appeal process;
- immigrant settlement and integration services;
- visitors to Canada;
- what happens at Ports of Entry;
- whom may be asked to leave; and
- safeguarding law and order.

CHAPTER VI

THE ROLE OF OTHER DEPARTMENTS

Parts of the immigration program are administered through cooperation with other federal departments and agencies. Canada Employment and Immigration Commission (EIC) is responsible for immigration policy and program development.

I. Department of External Affairs (DEA) and International Trade Canada

"It supplies common services to all federal government departments with employees abroad. In this regard it supports the immigration program by provision of office accommodation, communications, shipping of supplies, living facilities for EIC employees abroad" (EIC, When a Constituent Asks, 1993, page IX-5).

Due to a shift in responsibility for immigration service delivery from DEA to EIC in 1992, the role of DEA in the administration of immigration program has been greatly reduced. Because this is such a recent change (and for the purpose of comparison to highlight this shift) the following is what the DEA was formerly responsible for.

EIC states (MBN, 1991) that DEA used to "manage the foreign service in other ways. This included general personnel management including the

recruitment, selection, training, career development, promotion, salary revisions, and performance evaluation of all foreign service officers, in consultation with program departments. The department also handled the coordination of policies and programs; and delivery by the foreign service abroad of policies and programs within a framework established by departments. This framework for program development was to be sensitive to the general coherence of Canadian foreign policy, and to the operational capacity of the foreign service" (page 2).

"Formerly DEA, in its own area of competence, was functionally responsible and accountable for individual program decisions, which were not to conflict with overall foreign policy or with foreign services (EIC., MBN., 1991, page 2)."

II. The Solicitor General's Office (CSIS)

EIC (source unknown) outlines that CSIS does security checks on prospective applicants for immigration, visitor visas, foreign workers and students. This is a normal part of the immigrant visa processing and is intended for all persons between the ages of 18-65 before issuance of an immigration visa. A confidential security check, intelligence and criminal records is supplied by this office in tandem with the immigration application form and immigration records for persons who have violated provisions of the Immigration Act. These documents comprise the background check necessary to all perspective applicants in order to protect Canada from undesirables who may disrupt law and order or may threaten Canadian

security.

III. Health and Welfare

It does medical checks on immigrant visa applicants as required by the Act as a way of protecting the health and safety of Canadians and to ensure newcomers of their continued access to health and social services as required by the Immigration Act, and Charter considerations with respect to the removal of discriminatory barriers on the basis of race, religion, sex, or ethnic origin.

At this point in time there is an ongoing review of medical inadmissibility decisions, "taking into account such issues as the fairness and adequacy of testing procedures for dealing with contagious diseases; alternatives to present procedures for dealing with refugees and other groups with communicable diseases; the definition of "excessive demand" on health and social services; the application of the excessive demand criteria to the disabled, especially mental disabilities such as Down's Syndrome; private financial aid for those applicants deemed to be medically inadmissible; the issuance of Minister's Permits; and the role of the Immigration Appeals Division in the process. Those involved in this review include review officials in consultation with other government departments, provincial governments, and non-governmental agencies with direct interest in the above issues" (EIC., MBN., 1991, page 29.1) . The results are not yet public knowledge.

IV. Revenue Canada/Customs and Excise

It screens all arrivals at Canada's borders and refers to immigration officers those persons required under the Immigration Act. Under section 12 of this Act, all people seeking to come to Canada - whether visitors, immigrants, or returning residents or citizens - are examined at the port of entry by an immigration official. In cases where immigrants are seeking permanent status, or of visitors intending to study or travel, more detailed examinations may be necessary in order for admission to Canada to be granted. The possession of a visa or authorization is not an automatic entry guarantee. The examining immigration officer must be satisfied that the documents presented at the port of entry are valid, that the person's circumstances have remained unchanged since the documents were issued, and that the arriving person's presence in Canada does not contravene the provisions of the Immigration Act in any way (EIC, MBN, 1991).

V. Justice

It represents EIC in court when there are serious breaches of the Immigration Act.

VI. Immigration and Refugee Board

It " determines the status of refugee claimants, hears appeals on refused sponsorship and deportations, conducts inquiries for people who may be inadmissible to Canada" (EIC., When a Constituent Asks, 1993, page IX-5).

VII. Federal Court

It hears appeals on immigration cases. More detail on it's role will be provided later in chapter XI, page 161.

VIII. Multiculturalism and Citizenship

EIC states that the Citizenship Division of Manitoba Culture and Heritage takes a lead role in immigration and settlement matters for the Government of Manitoba. It responds to the needs of Manitoba's immigrant community and ensures the accessibility of government services.

Manitoba, through it's expanding responsibilities for immigration matters, recognizes the value of immigration to the province's economic, social and cultural development. The following will outline federal and provincial multiculturalism cooperation followed by an overview of the Manitoba immigration scenario. This information was supplied by EIC for a immigration forum held in Winnipeg called **Building Together, Strengthening Our Future** (1993).

The major immigration policy and coordinating functions of Multiculturalism and Citizenship include:

- "negotiating federal/provincial immigration matters and advising government departments on the application of the federal Act;"
- "helping immigrants make use of their professional credentials by supplying information on credential requirements and recognition procedures and matching the skills of immigrants with Manitoba's labour market demands;"
- "providing settlement-related assistance to immigrant entrepreneurs in setting up business in Manitoba;"
- "producing orientation information for new immigrants and working with ethnic organizations and agencies to develop settlement projects;"
- "coordinating a provincial anti-racism initiative;"
- "coordinating institutional, workplace and community-based English as a Second Language programs in Manitoba;"
- "deals with immigrant entrepreneurs through the Department of Industry, Trade and Tourism;" and
- "grants citizenship to qualified permanent residents."

CHAPTER VII

THE MANITOBA IMMIGRATION SCENARIO

Having outlined the role of the federal and provincial governments in multiculturalism, particularly in Manitoba, it is applicable to interject E.I.C. information and statistics on the Manitoba immigration scene at this point. (This is also part of the package that was provided at the Winnipeg Immigration Forum called *Building Together, Strengthening Our Future*, 1993).

"In 1991, 5,642 new immigrants came to Manitoba. Of that, 91% of those newcomers were destined for Winnipeg. The remainder settled in Brandon, Thompson and other areas".

"In 1991, a total of 230,642 new immigrant arrived in Canada, meaning that Manitoba received approximately 2.4% of these newcomers".

"An average of 5,672 immigrants have come to Manitoba annually over the last five years".

"Immigration levels in Canada have varied dramatically since the turn of the century. Canada's peak year of immigration was in 1913 when over 400,000 newcomers came to this country. Canada has also received small numbers of immigrants at particular points in history. In 1942, for example, only 7,576 immigrants arrived here."

"The numbers of new immigrants coming to Manitoba and Canada have largely depended on a variety of factors such as domestic economic conditions and refugee movements abroad."

"In 1991, the largest percentage of new immigrants to Manitoba entered under the Family Class. Immigrants in this category account for 40% of all immigrants to Manitoba."

"The next largest class was the independent class including the entrepreneurs, investors, and the self-employed."

"Refugees were the third largest group. Of the approximately 53,384 refugees who came to Canada in 1991, 1,637 of these refugees settled in Manitoba".

"Of all new refugees to Canada, roughly 28% will be government-assisted and selected abroad; another 51 % will be privately sponsored and selected abroad. The other 21% will be recognized as refugees following approval of their refugee claims from within Canada."

It is important to have information and statistics that are particular to the province in which a practitioner works so that he/she may be able to answer questions from constituents or those who work on behalf of immigrants, refugees and their families. It is also necessary information when dealing with policy issues in all levels of government that have jurisdiction over immigration matters.

The following Chart depicts the source countries for Manitoba's immigration to highlight the areas that newcomers migrate from. This will help immigration practitioners to focus their cultural awareness on these particular groups.

CHART 3

TOP 10 SOURCE COUNTRIES - MANITOBA'S 1991 IMMIGRATION INTAKE

COUNTRY	# OF PEOPLE	% OF THE TOTAL INTAKE
PHILLIPINES	956	25.3%
POLAND	716	19.0%
INDIA	351	9.2%
VIETNAM	328	8.6%
CHINA	315	8.3%
HONG KONG	305	8.0%
EL SALVADOR	294	7.7%
UNITED KINGDOM	209	5.5%
LAOS	171	4.48%
ETHIOPIA	164	4.3%

Source - EIC - Winnipeg Forum, 1993.

Having focused in on Manitoba's particular immigration information and statistics to spotlight the provincial role in immigration matters, the overall operations of immigration policy and procedures need to be elaborated on. The following section will highlight immigration processing fees, the organization of E.I.C., the role of immigration centres, immigration operation abroad, application processing timeframes, and the backlog clearance program.

CHAPTER VIII

IMMIGRATION OPERATIONS

The Act provides definite guidelines for immigration policy and procedures. Managing the volume of immigration through the establishment of levels, as well as consultation and agreements with the provinces, has been outlined previously. Immigration operations need clarification next.

I. Immigration Processing Fees

People who wish to immigrate to Canada are required to pay processing fees. This is a cost recovery program whereby part of the cost of providing immigration services is underwritten. This cost varies according to the type of application being made or service used. Fees are applied to a variety of immigration services such as sponsorship, business immigrants, students and visitors. (EIC, When a Constituent Asks, 1993, page IX-2).

These fees are subject to change, and updates are readily available at any local EIC centre. At present the fee schedule is current and reproduced in Appendix F, page 309. In terms of processing fees, this cost recovery program does not apply to short-term visitors (90 days or less), refugees, or other situations specified by Immigration Fee Regulations.

II. How EIC is Organized

An EIC description of its operation is as follows (source unknown). "EIC has two parts: the Canada Employment and Immigration Commission (CEIC), and the Department of Employment and Immigration. EIC employs 28,418 staff. CEIC is headed by four commissioners appointed by Order in Council. They consist of the Chairperson, the Vice-Chair, the Commissioner for Employers and the Commissioner for Workers."

"The Commission comprises six sections: Employment, Insurance, Immigration, Systems and Procedures, Human Resources, and Finance and Administration. **Chart 4** on page 110 depicts CEIC's Organization Chart. Of concern in this manual is the Immigration Section which administers Canada's immigration and refugee programs. It responds to sponsorship applications for family, relatives and refugees, deals with refugee claims, oversees temporary visitors and carries out the enforcement program."

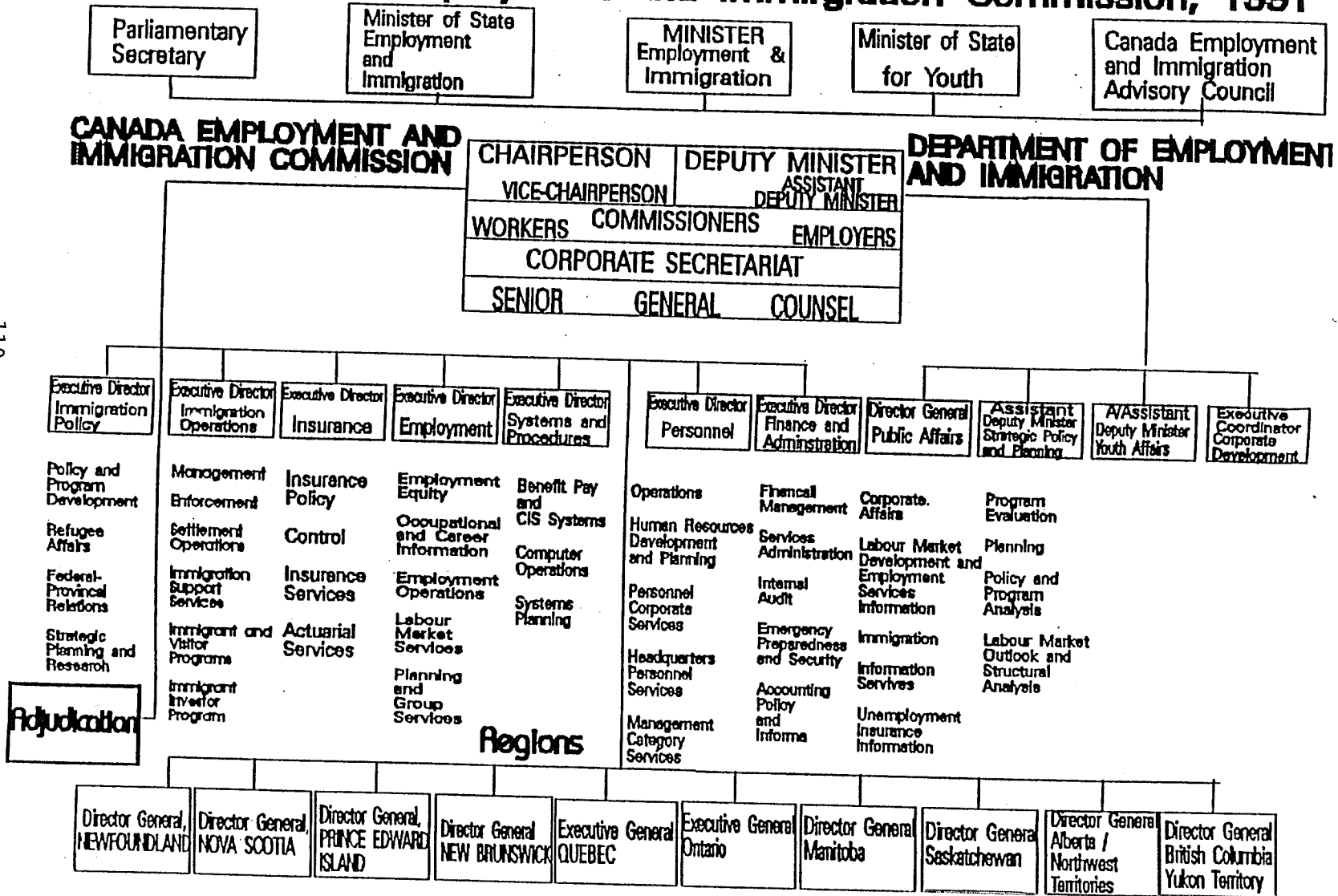
"Within the Department of Employment and Immigration the Chairperson of the Commission is also the departmental Deputy Minister. Likewise the Vice Chair of the Commission is the Associate Deputy Minister of the department. There is also an Associate Deputy of Immigration and an Assistant Deputy Minister for Strategic Policy and Planning and for Youth. The Department of Employment and Immigration is comprised of the following: public affairs, strategic policy and planning, and youth affairs."

PUBLIC AFFAIRS "is responsible for informing clients, the media and the general public about EIC's programs and services through its advertising, publishing, audio-visual, media relations, and other communication activities. It also conducts extensive media and environmental analysis which can be utilized for policy and program design."

STRATEGIC POLICY AND PLANNING "provides research and analysis services to the Department and the Commission. It also ensures that labour market income related policies and programs use the latest techniques to develop the department's programs."

YOUTH AFFAIRS "develops and implements programs directed at youth. It also produced a Stay-at-School Initiative to address the high dropout rate of 30%."

Canada Employment and Immigration Commission, 1991



110

Source: EIC, Unknown, 1993.

According to EIC (MBN, 1991, page 1.3) it's operation is operationalized in the following manner.

THE EXECUTIVE DIRECTOR, IMMIGRATION OPERATIONS "leads the group's efforts to manage and monitor the operational activities of the immigration program to meet established objectives. The incumbent provides direction to the operations group at national headquarters (NHQ), functional direction and, where necessary, operational decisions to regional, local, and overseas immigration offices. The Operations group is divided into five units which carry out the group's purpose through the following division of responsibility":

ENFORCEMENT BRANCH: "The branch is responsible for the development of procedures, directives, and operational guidelines based on established policy dealing with the enforcement of the Immigration Act, and for establishing a monitoring framework to ensure consistency regarding the enforcement of the Act."

CASE MANAGEMENT BRANCH: "The branch is responsible for development of options and strategies for managing complex and/or contentious cases, and for determining the Commission's stance on the representations made to the Minister. It further

supports the executive analysis of case decisions leading to policy and procedural changes in the immigration program at the NHQ level and at offices in Canada and abroad."

SETTLEMENT BRANCH: "The directorate is responsible for the development, and monitoring of programs delivered by CECs, Regions, and CICs for the settlement of new permanent residents and refugees in Canada. Programs include the Immigration Settlement and Adaptation Program (ISAP), Adjustment Assistance Program (AAP), the Transportation Loan Program and the Host Program."

IMMIGRANT AND VISITORS PROGRAMS DIRECTORATE: "The directorate is responsible for developing procedures, directives, and guidelines based on established policy regarding the admission and control of immigrants and visitors to Canada. It also monitors and assesses the efficiency of these instruments, and provides functional direction and operational advice."

IMMIGRANT SUPPORT SERVICES: "The directorate is responsible for the provision of services necessary to support the immigration field delivery network, and for coordinating all required assistance from the corporate entities of EIC."

III. The Role of Canada Immigration Centres (CIC)

At present there is a cross-country network of 112 CIC Centres maintained by Employment and Immigration to ensure that immigration services are available and delivered according to the legislation. "These centres located at border crossings including international airports, seaports, and inland communities, administer immigration law and policy according to regulations set by EIC through an immigration program and services. Although the functions, sizes, and locations of these CIC offices vary, they all operate according to the legislation and specific guidelines laid down by EIC. In addition, each CIC acts as a link in explaining immigration policies to the community and providing feedback to EIC on their effectiveness" (EIC, When a Constituent Asks, 1993, page IX-3).

Also EIC states that due to "increasingly complex legislation, an expanding client load, and the resultant demand for more service, a systematic review process was initiated in the late 1980's" (page IX-4). EIC's intent was to standardize service across Canada as well as to provide new and more effective ways of service provision. One of the means of accomplishing this was to establish the use of client self-service. Self-help kits for various immigration services include the Application for Sponsorship, and the Application for Permanent Residence by refugees. Other kits in the developmental stage include self-help kits for the

extension of visitors status, and student and employment authorizations. The client can fill out these forms, mail them in, or drop them off at the nearest CIC. In this manner some of the responsibility of doing business is shifted from the CIC to the client, thus reducing the overburdened immigration system as well as empowering the client to some extent.

In addition, EIC states there are more centralized and thus more efficient CIC service provision in high-demand immigration metropolitan centres, such as Toronto and Vancouver. New technologies, including telemessaging, automated interview scheduling, automated case tracking and reporting, and standardized procedures are being incorporated into service provision to increase its efficiency and effectiveness. This will allow for better overall service provision to the user as well as more effective administration of the immigration program. A recent project has also been initiated to examine and standardize port-of-entry operations. (EIC, When a Constituent Asks, 1993)

The following statistics in **CHART 5** are included to give the service provider an overview of the number of people served by the immigration program over the period of one year. EIC compiled these figures for the Minister of Employment and Immigration for the year 1990 (MBN, 1991).

CHART 5

THE NUMBER OF PEOPLE SERVED BY IMMIGRATION

- Permanent Residents - 733,342 under family class
- 11,273 Convention refugees
 - 1,962 under the self-employed category
 - 3,488 retired people
 - 35,350 under designated class
 - 12,070 entrepreneurs
 - 4,104 under the investors class
 - 53,529 under independent category
 - 25,342 under assisted relatives
- Note: The last five categories include dependents
- Temporary Residents - 103,793 student authorizations
- 210,381 employment authorizations
- Visitors - 38 million visitors to Canada
- Settlement - 13,000 government-sponsored refugees were helped through the adjustment Assistance Program
- 420,000 services were provided
 - from April to December 1990, 19,152 people received language training
- Removals - Immigration issued 3,527 removal orders in 1990
- 604 departure notices
 - 1,380 deportation orders
 - 912 exclusion orders
- Reports & Investigations - 78,574 reports were prepared against people deemed inadmissible under the Immigration Act.

IV. Immigration Operations Abroad

Having concluded the discussion on the organization and role of immigration centres within Canada, it is necessary to note the same for immigration operations abroad. EIC outlines this for the Minister of Immigration in briefing notes (1991) as follows.

"Due to a departmental shift, the responsibility for foreign operations of the immigration program has moved from External Affairs and International Trade Canada to EIC on June 5, 1992. This brings the three branches of Immigration - Policy, Operations and International Service - under the same management. This allows for responsibility for program delivery to rest with the department accountable for policy and program design."

"External Affairs and International Trade Canada delivers the immigration program at sixty-five full immigration processing missions and thirty-four other missions that process only visitor Visas. This delivery network currently comprises two hundred and fifteen Canada-based visa officers. In 1989, missions abroad issued 186,788 immigrant visas and 599,032 student, temporary worker, and other visitor visas" (EIC., MBN., 1991).

Family Class applicants, Convention refugees, and members of Designated Classes are given a first priority processing priority at any post abroad. The next discussion will outline the processing timeframes and the current backlog.

V. Processing Timeframes

The processing time for applications to migrate to Canada vary at overseas offices. The deciding factor in length of processing time depends on the processing priority of the applicant and the number of cases currently being prepared at any one particular time in any specific embassy outside Canada's borders. In Appendix F on page 309 the case processing times for overseas offices are available for your information. At this time, because of Canada's popularity for prospective immigration, Canadian embassies receive many more immigration applications than they could possibly process under present immigration levels. This creates huge application backlogs in processing at some overseas posts which are extremely busy because of the high number of applications. New Delhi is one of the busiest embassies and thus suffers from lengthy processing periods of three to five years for second and third priority applications (ie. brothers, sisters, aunts and uncles).

VI. Backlog Clearance Program

Relatively high levels of immigration in recent years means the number of applications has increased sharply, resulting in a huge backlog of applications awaiting processing in most of the busy embassies (eg. New Delhi or Port of Spain). Under previous legislation, there was no legal basis to limit the number of immigrants who could apply for landing so there was no direct control over the volume of applications that must be processed and accepted or the number of visas that were to be issued. EIC

states (MBN, 1991) that this means that every applicant who meets the selection and eligibility criteria must be allowed entry to Canada, regardless of the domestic economy or any international circumstances. The only way EIC had to regulate the volume of applications for immigration (prior to Bill C-86), was to adjust selection and eligibility criteria. EIC felt that this made it more difficult or easier for immigrants to qualify depending on the circumstances. This adjusting of the criteria proved to be an inefficient and wieldy process for controlling the immigration levels according to EIC. What happened was that the number of applicants quickly outstripped the application processing resources that had been carefully matched to planning targets outlined in the five-year plan for immigration levels.

According to EIC (EIC Statistics, Jan. 29, 1993) the unprocessed caseload of applicants presently awaiting visas to enter Canada is close to 350,000. This has implications that impact on the quality of service provision to EIC clients and the fairness of the process. EIC has found that there is little effect on decreasing the accumulated number of backlogged cases when the selection and eligibility criteria are adjusted. These changes affected only the new applications. EIC states that until this backlog is cleared up, the new policies (including the Immigration Plan 1991-1995 and recent amendments to the Immigration Act) will not be effective in meeting immigration targets nor on the migration flow into Canada.

One way to address this backlog issue is to amend the immigration legislation. Bill C-86 contains the legal authority to create classes of immigrants for the purposes of managing the immigration program and, where it is deemed appropriate, placing a limit on the number of immigrant visas to be issued under its programs. This method of ensuring control of the immigration program includes a limit on the numbers within certain classes of applications. This will restrict uncontrolled numbers of applications so these backlogs will cease to exist in time. The Minister of Immigration (in speech notes, 1992) addressing this need to place limits on the number of immigrants that can be accommodated in any given year, states "that Bill C-86 requires that regulations be developed to define how each class will be processed or awarded the available spaces". These regulations are presently being developed and it will take a long time to evaluate whether this is an effective, fair and efficient way to manage the immigration levels and backlog problems.

Another method of addressing the backlog problem is to develop and institute a Backlog Clearance Program. This was done in 1990. This backlog program includes four major activities: paper screening, humanitarian interviews, investigations and panel hearings. These are outlined by EIC (MBN, 1991, page 28.1) as follows.

"The panel process deals with cases which are likely to be unsuccessful due to current immigration laws. They are outside the control of EIC due to their quasi-judicial mandate. A major impediment to the inquiry/panel process, as run by independent

adjudicators, is the high incidence of adjournments due to the tendency of claimants or their legal counsel to do everything they can to delay an inevitably negative decision. Fifty-two percent of adjournments are made at the request of claimants and their lawyers and 27% for time of day. Nationally, 33% of the cases scheduled for initial interviews do not appear. Due to an increase in the number of acceptances at first interview from 5% to 20% there will be a decrease in the number of panel hearings over the long run."

"The paper screening process is implemented to screen out and process on paper those cases which would be accepted on a credible basis or accepted on humanitarian and compassionate grounds. This is an attempt to streamline the selection process by the elimination of as many as 20,000 oral hearings and humanitarian interviews."

"The hearing process was modified to allow for shorter, more efficient hearings. A review of the grounds for adjournment and the drafting of detailed instructions to the field were recommended. More efficient scheduling, increased staff, the Computerized Operational Support System, computerized Order in Council lists, the Investigations Case Management System and micro management of the program by senior NHQ, regional and local management are in place to increase efficiency so that backlogs can be cleared more quickly."

EIC sees that, to date, there is evidence of increased productivity as a result of streamlining measures but it is limited by the quasi-judicial system. They are encountering some difficulty in trying to achieve a balance between a sense of fairness and system efficiency (EIC, MBN, 1991).

There have been a few problems which EIC (1991) has recognized as having surfaced during this project. "There has been pressure from church groups, non-governmental organizations, and certain members of the legal community to change the approach to this program to one of amnesty rather than the fairness principle and refugee determination. The government does not feel this is a viable option."

The panel process difficulties outlined earlier, have resulted in several EIC efforts to force more productivity out of the panel process. This has resulted "in charges of lack of fairness" from some of the same groups mentioned previously. EIC continues to try and balance fairness with efficiency which is difficult and not easily evaluated. Bill C-86 addresses some of these concerns by adjusting some of the timely procedural processes regarding hearings. EIC renews its ongoing effort to streamline operations, particularly the scheduling and reduction of adjournments.

EIC is experiencing some difficulty in determining and meeting the completion date for backlog clearance. The stated reason for this seems to be the need to distinguish between public completion of the program as determined by the decided cases and the actual program conclusion in terms

of landings and removals. This would require an extension of resources dedicated to backlog clearance that may be difficult to find in this time of government restraint.(EIC, MBN, 1991)

Although there are some problems with this program, it continues to be delivered by backlog CICs in Vancouver, Toronto, Mississauga, and Montreal, two sub-offices in Ottawa and London, and by regular CICs in other regions.

The Backlog Clearance Program process closely parallels that of the new Refugee Determination System which will be discussed in the following chapter - titled Resettlement of Refugees from Abroad (page 141).

Having incorporated the EIC's organizational aspects, and the processing and timeframes for applications into one's knowledge base, the next step is to understand the basis on which immigrants are selected and admitted to Canada. The next section will elaborate on the selection and admission criteria under the following categories:

- Family Class
- Family Class and Adoptions
- Independent Immigration which includes
 - (i) Assisted Relative (until Feb. 1/93)
 - (ii) Business Immigrants including
 - A. Self-Employed Persons
 - B. Entrepreneurs
 - C. Investors

CHAPTER IX

IMMIGRANT SELECTION AND ADMISSION

The legislative authority for the Immigration Act, sections 3 and 115, provides for the selection and admission of immigrants to Canada. The purpose of this legislation is to provide a fair and universal system for the selection and admission of immigrants in accordance with Canada's immigration policy objectives. These are to reunite families, protect refugees and promote Canadian economic development.

Everyone seeking admission to Canada, whether as a visitor or a prospective immigrant, must be of good character and sound health. A general principle of the selection process is that either spouse may, at the option of the wife and husband, be the primary applicant who is assessed in accordance with selection criteria as outlined in immigration regulations. The amendments to the Immigration Act in Bill C-86 will eventually impact on selection criteria as it filters down into procedures and regulations. Be mindful of these ongoing changes as they impact on the following discussion. At this time much of the following information on the various selection categories is current as outlined below. But it is subject to revision as the amendments are implemented over the next year. Family Class applications are first priority in processing due to the government's stated objective of family reunification. Therefore this discussion on selection will commence with this category. This information was compiled mainly by EIC (When a Constituent Asks, 1993, page XI-3).

I. FAMILY CLASS IMMIGRATION

To sponsor someone for permanent residence in Canada " sponsors must be Canadian citizens or permanent residents who are 19 years or over and living in Canada. A sponsor must be able to provide for lodging, care, maintenance, and normal settlement needs of the applicant and accompanying dependents for 1 to 10 years. Sponsors who have failed to carry out similar responsibility toward another member of the family class or an assisted relative, may not be allowed to sponsor another person."

(page XI-3). An immigration officer must be satisfied that the sponsor has the means to meet the above financial commitment and completed a written undertaking as required.

Those Eligible for Family Class sponsorship are the sponsor's
(as listed in EIC's When a Constituent Asks, 1993, page XI-3)

- wife/ husband
- fiance(e)
- parents/grandparents
- brothers, sisters, nephews, nieces, grandchildren,
who are orphaned, unmarried and under 19
- children under 19 that the sponsor plans to adopt
- dependent son or daughter (those under 19 and
unmarried, full-time students, and children with a
disability)
- any other relative, if the sponsor has none of the
above or any other family in Canada" (page XI-3).

Applicants for Family Class sponsorship are not assessed under a point system like the class of independent and other immigrants. They must meet the basic standards of good health and character. If a close family member is medically inadmissible, a minister's permit can be issued if the province, who has jurisdiction over health matters, issues a letter of no objection. The sponsor is also required to sign an undertaking of support before a visa can be issued. Support includes the provision of food, lodging, care and maintenance of the applicant for a period of up to 10 years, as determined by the visa officer.

Visa Requirements for Dependents

Dependents must meet the same visa requirements as the primary applicants including medicals and security or background checks. All applicants must include their dependents on their application.

II. FAMILY CLASS AND ADOPTIONS

Legally Canadians can adopt a child outside of the country. These are most often sponsorships that originate inside Canada. The provisions of sponsorship of an orphan are conditional upon agreement of the provincial child welfare authority in whichever province the child will reside. These sponsored applications for adoption will be processed as a first priority application under the family class category. EIC outlines the following adoption criteria in When a Constituent Asks (1993, page XI-5).

Adoptions completed in Canada

- "the child must be under age nineteen,
- be an orphan, and
- be placed with a welfare authority for adoption because he or she was born out of marriage, has parents who are separated or has only one living parent."

Adoptions completed abroad

- "the child must be under nineteen, and
- must be adopted according to the laws in effect in the homeland."

These applications for sponsorship of adopted children are processed in high-priority family class category along with dependent children and spousal applications.

To prevent abuse of the above adoption provisions, marriages of convenience are not recognized by immigration officials. They must be satisfied that the marriage is a bona fide marriage. Engaged applicants are required to satisfy certain conditions, including marrying within 90 days after entering Canada. It is also helpful to have photos etc. to prove the marriage has taken place.

Adoptions must be accorded a letter of "no objection" by the province where the adopted child will reside upon adoption.

According to EIC (MBN, 1991) the following are recent regulation modifications specific to adoptions. The first modification allows Canadians to sponsor adult children who are in fact dependent on their parents. Non-dependent adult children will be excluded. Therefore all dependent children, regardless of age and marital status will be included under Family Class. Another change raises the age of sponsorship to 19 years of age. Therefore all dependent adopted children by virtue of their eligibility as Family Class members or as accompanying dependents, will no longer be limited to the age criteria of thirteen years or under.

ISSUES CONCERNING FAMILY CLASS

Some issues of concern as discussed by EIC in briefing notes to the Minister of Immigration (MBN, 1991, page 14.1) with regard to Family Class applications have been noted. The first concern is that Family Class immigration "is demand-driven, since applicants are accepted without numerical limitation, subject only to processing capacities". There is the potential problem of limiting the number of independent applicants who are selected for Canada's labour market needs if immigration is to meet projected levels of 250,000 as agreed upon in the Five Year Immigration Plan. "The projections of Family Class growth in the near future are such that the number of immigrants who are selected for Canada's labour market needs will be unduly constrained if immigration is kept at current levels".

EIC points out (MBN, 1991) that one of the main reasons for the rapid numerical growth in the number of applications under this category is that the definition of Family Class was expanded to include never-married children of any age and their dependents. As well, a Charter of Rights challenge is before the courts which seeks to include all children for the purpose of immigration regardless of their age or marital status within the Family Class definition. If this case is successful, "this challenge could deprive us (EIC) of one of the only means to control this component short of quotas, and by extension could lead us to lose control over the entire admissions process" (page 14.1).

All family class applications have been noted previously. Those immigrants who apply to migrate to Canada that do not meet the above Family Class criteria can apply under the Independent Immigrant criteria. As of February 1, 1993, all Assisted Relative applications will no longer be accepted due to changes in the Immigration Act. Those applications accepted prior to this date will be processed under the old procedures. This is the reason for its inclusion in this manual. Due to the large backlogs in the processing of these applications, it is likely that an immigration caseworker will see difficulties with Assisted Relative applications for some time to come. All other applications will fall under the Independent Immigrant categories as highlighted in the next section.

III. INDEPENDENT IMMIGRATION

A second class of immigrants includes those " who apply for permanent residence in Canada on their own merit. This class includes assisted relatives, skilled workers, entrepreneurs, investors, and self-employed persons. There is no longer a "retired persons" category" (EIC, When a Constituent Asks, 1993, page XI-7).

In the case of Quebec, there is an agreement - the Canada-Quebec Accord - "which provides for the federal and provincial governments to participate jointly and equally in selection, according to criteria established by each party. The landing of an independent immigrant in Quebec requires Quebec's prior agreement" (EIC, Canada's Immigration Law, 1989, page 10).

The selection criteria, as outlined by EIC (MBN, 1991, page 15.1), for the five categories of the independent class are intended to:

- "ensure that Canadian citizens and residents are given first opportunity to fill Canadian job vacancies";
- "measure the potential immigrant's prospects for successful establishment in Canada"; and
- "regulate the size and volume of the immigration movement according to changing conditions" (page 15.1).

EIC (MBN, 1991) also states that, in order to meet demographic and labour market needs in Canada, the immigration criteria for this category places emphasis on the practical training, experience, education, and capability of the applicant. EIC determines that employment-related factors account for approximately a half of the total possible units or points that can be awarded to an applicant under this category. Likewise, all applicants under this Independent Class category are not assessed against all the possible selection criteria. EIC rates them (by a point system) against only those criteria that actually impact on their ability to become successfully established in Canada. For example, those investors and entrepreneurs who create employment for Canadians, would not be assessed according to their occupational skills and experience or their arranged employment factors.

According to EIC (MBN, 1991) assisted relative applicants are assessed under the rules prior to February 1, 1993 against the same criteria as all other independent immigrants. If they applied before February 1 they will receive 10 bonus points if they have a Canadian relative who is willing to sign a sponsorship application and support them for up to 10 year (or 15 bonus points if they are the brother, sister, son, or daughter of the sponsor). After this date, they can apply at the Canadian Embassy in their homeland for Independent immigration and they will receive a five point bonus for having a close relative in Canada.

In order for an Independent immigrant to be admitted to Canada they must receive the minimum number of points based on certain criteria as listed below. The maximum number of points in each category are also outlined. The formal name for this process is the Point System (as supplied by EIC - from When a Constituent Asks, 1993, page XI-7).

THE POINT SYSTEM

The selection system commonly called the point system is utilized as follows:

- education - 12 points maximum
- specific vocational training - 15 points maximum
- experience - 8 points maximum
- occupation - 10 points maximum
- arranged employment or designated occupation - 10 points maximum
- knowledge of French or English - 15 points maximum
- personal suitability - 10 points maximum
- bonus for assisted relatives - 10 points maximum
- additional bonus for business immigrants - 30 points maximum
- demographic factor - 10 points maximum

Minimum Selection units or points required per category:

Entrepreneur - 25

Self-Employed - 70

Investor - 25

Independent Worker - 70

Assisted Relative - 70 (if applicable)

(includes 5 bonus points for proof of a relative in Canada)

An applicant who does not receive at least one point in the job experience category must have an arranged job in Canada and a signed statement from a prospective employer indicating a willingness to hire an inexperienced person.

All independent immigrants, except entrepreneurs, investors, and self-employed persons, are selected under this point system and must be rated at least one point under the occupation factor unless they have arranged employment in Canada or are willing to work in a designated occupation. In this time of high unemployment and recession, in order for an independent immigrant to be granted a employment authorization for arranged employment, the employer must make every attempt to offer the job to a Canadian first. This entails posting of the job for a set period of time as outlined by EIC procedures.

There are lists compiled by EIC to assess the occupational factor in the point system. These are called a **General Occupations List** and a **Designated Occupations List** (found in Appendix E on page 295).

"The **General Occupations List** is based on an ongoing analysis of the labour market and of applications received abroad. It identifies occupations that are in demand and can, on a national basis, absorb prospective immigrants to Canada. This list contains about 105 broad occupational fields, covering more than 900 occupations" (EIC, When a Constituent Asks, 1993, page XI-8). These lists are revised by EIC quarterly so that they are responsive to the changing needs of the labour market.

"The **Designated Occupations List** relates to labour market needs in six provinces, specially: Newfoundland, Ontario, Manitoba, Saskatchewan, Alberta, and British Columbia. Quebec has the exclusive right to select independent immigrants to that province. Through the **Designated Occupations List** the provinces can recruit people with the skills they need from abroad" (EIC, When a Constituent Asks, page XI-8).

The specifics of the point system, and the general occupation and the designated occupation lists can next be applied to the independent category criteria.

IV. INDEPENDENT IMMIGRANTS CATEGORIES

(i) ASSISTED RELATIVES

- (ii) BUSINESS IMMIGRANTS - A) Self-employed Persons
B) Entrepreneurs
C) Investors

(i) ASSISTED RELATIVES

This category is not applicable to applications made after February 1, 1993 - only those applications made prior to this date. "Assisted relatives are those applicants, other than members of the family class, who are unable to qualify in their own right under the selection criteria, but have a relative in Canada able and willing to help them become established here. Relatives eligible to apply under this category include the brothers, sisters, parents, married children and grandchildren, aunts, uncles, nieces and nephews of a Canadian resident" (EIC, Canada's Immigration Laws, 1989, page 10). Sponsors must be at least 19 years of age and living in Canada. Relatives eligible to apply under this category again include:

- brothers and sisters
- nieces and nephews,
- grandparents
- grandchildren
- sons and daughters
- aunts and uncles.

These relatives and their dependents must meet the requirements of the Immigration Act. EIC (1991) outlines two ways to initiate this process:

1. a submission of an Undertaking of Assistance application on behalf of a relative overseas; or
2. a relative abroad may apply for permanent residence first.

EIC (1991) points out that there is an advantage to the second way in that an assessment of the relative's chances of qualifying as an assisted relative can be accomplished free of charge overseas. A non-refundable sponsorship fee is charged if a sponsorship application is submitted here first.

There are exceptions to the above procedures in cases involving assisted relative sponsorships from the following countries (EIC, MBN, 1991):

- Peoples Republic of China
- Vietnam
- Sri Lanka
- Guatemala
- El Salvadore
- Lebanon
- Iran
- Indochinese refugees in southeast Asia
- Those countries within the former boundaries of Yugoslavia

These particular applications need special assistance from CIC staff because of the volatile political issues and circumstances involved. As the problems experienced with sponsorships from these countries are constantly in a state of flux due to political upheaval, it is difficult to assess what kinds of needs and assistance are needed. It is impossible for an immigration service provider to keep current with all political scenarios and immigration needs and difficulties experienced world-wide. Immigration officials are up to date on all current situations in these countries and are the best resource when a sponsorship application for an applicant from one of the above countries is proceeding with difficulty.

(ii) **BUSINESS IMMIGRANTS**

There are three subcategories within this category - **Self-Employed Persons, Investors and Entrepreneurs**. These independent immigrants are assessed against the criteria in the immigrant selection "points" system as previously outlined on page 131. Independent applicants are rated according to those factors in the system which actually reflect their ability to become successfully established in Canada.

A) Self-Employed Persons

Selected workers are assessed against all the Independent immigration selection factors. A prospective immigrant under this category intends to establish or purchase a business in Canada which will create a self-employment opportunity. According to the criteria this business must also make a significant contribution to the economy, or to the cultural and artistic life in Canada . Self-employed immigrants must prove this to the satisfaction of the visa officer, along with the fact that they have knowledge of Canadian business practice, previous business experience or self-employment, and sufficient financial resources to set up a business.

B) Entrepreneurs

EIC determined that entrepreneurs are not subject to the arranged employment or occupational selection criteria demanded in the point system for other Independent categories. They are required to meet a reduced number of points which reflects the financial investment they will be making in Canada before receiving their immigration visa.

Prospective immigrants applying under the entrepreneurial category must prove to visa official "that they will and are able establish, purchase or make substantial investment in a business in Canada; that this business will make a significant contribution to the economy; that this business will create or continue one or more jobs in Canada other than for

themselves and their dependents; and that they will and are able to provide active and ongoing participation in the management of the business" (EIC, When a Constituent Asks, 1993, page XI-10).

EIC states (MBN, 1991) that they will normally admit entrepreneurs on the condition that they establish a qualified business within two years of landing in Canada by giving them conditional permanent resident status. EIC monitors these entrepreneurs on a regular basis but will cancel resident status if the terms and conditions entrepreneurs have agreed to under this type of application are not met. Anyone who does not satisfy the conditions contracted with EIC prior to landing under this category will be deported along with their dependents for failure to comply with the terms and conditions associated with this visa.

C) Investors

EIC does not rate investors according to conditions of arranged employment or occupation selection as demanded in the point system. Investors are required to meet a reduced number of points, reflecting the financial investment they make before receiving an immigration visa.

"To qualify as investors, business immigrants must have a proven track record in business and accumulated, through their own efforts, a personal net worth of at least \$500,000 (CDN). They must also invest as required in any one of three (following) investment tiers" (as outlined by EIC in When a Constituent Asks (1993, page XI-11).

TIER I - eligibility - net worth of \$500,000(Canadian)
- an investment of \$250,000(CDN) locked in for five years
- in a province, which in the previous year, received fewer than 10% of Canada's immigrant investors. Those provinces that qualify for this, at present, are Newfoundland, Nova Scotia, New Brunswick, Manitoba, Prince Edward Island, Saskatchewan, Alberta, Yukon, and the Northwest Territories.

TIER II - eligibility - net worth of \$500,000(CDN)
- an investment of \$350,000(CDN) locked in for five years.

TIER III - eligibility - \$700,000(CDN)
- minimum investment of \$500,000(CDN) locked in for five years
- open to all provinces and territories.

"All investments must be in accepted projects that are of significant benefit to the economy of the province where the project is located" (page XI-11). These projects must be deemed to contribute to the creation or continuation of employment opportunities for Canadian citizens and permanent residents. Projects may not include real estate. The investor must also be actively involved in the business management of the investment.

Manitoba has recently opted out of the Investor's program due to mismanagement concerns. At this point in time, no new investment projects will be agreed upon for the purpose of immigration to Manitoba.

This concludes the discussion on the Independent Immigrant category and its criteria for selection and admission. That followed the Family Class category and adoption requirements. The next section will depict how refugees are admitted and resettled in Canada from abroad.

CHAPTER X

RESETTLEMENT OF REFUGEES FROM ABROAD

Canada accepts a large number of Convention refugees and other displaced persons for humanitarian reasons under the operation of an overseas refugee resettlement program that has a established annual target. "Applications for refugee resettlement can be made at any Canadian embassy or consulate outside the claimant's home country (except for refugees designated as Political Prisoners or Oppressed Persons, who may apply within their own country). Applications are assessed by a Canadian foreign service officer who interviews the candidate to determine his or her eligibility and admissibility for refugee status. If accepted, the refugee is given a visa and becomes a permanent resident of Canada upon arrival." (EIC, Canada's Immigration Law, page 15)

There are three categories of people who are eligible for selection from abroad on humanitarian grounds:

- Convention refugees;
- members of designated classes; and
- those designated because of special humanitarian measures or grounds.

(There may possible changes due to the recent amendments to the Immigration Act as these filter down to procedures and regulations.)

I. CONVENTION REFUGEES

Legislative authority for Convention refugees is covered in The Immigration Act, sections 2 and 6(1).

Canada, in keeping with humanitarian traditions and its international commitments to the world community, accepts a large number of Convention refugees and other displaced persons.

(i) Annual Refugee Plan

Canada has a program called "the annual refugee plan" with a yearly target established for government-assisted refugees. EIC (MBN, 1991) states that Convention refugees are selected according to the following criteria. To be eligible applicants must meet the Convention refugee definition contained within the Immigration Act 1976. This definition is found on page 146. They must also be able to become successfully established in Canada with assistance provided by the Government or voluntary organizations. The last criteria is that refugee claimants are in need of resettlement and that this is the only option available to remedy their difficulties.

There continues to be no limit on the number of privately sponsored refugees that Canada will accept at this point. 13,000 is a target for the number of Government-sponsored refugees Canada is willing to accept.

CHART 6 - Regional Targets

	<u>1991</u>	<u>1990</u>	<u>Arrivals, 1990</u>
Eastern Europe	500	3500	3356
Southeast Asia	3500		3583
Latin America	2500	3000	2811
Middle East & West Asia	2200	1700	1639
Africa	1250	1000	778
Reserve	3000	300	0
	-----	-----	-----
Totals	13,000	13,000	12,206

(Source - EIC, MBN, 1991, page 19.1)

EIC states (MBN, 1991) that the total number of refugees to be accepted by Canada from around the world is determined annually after consultation with the provinces, the Department of External Affairs, the United Nations High Commissioner for Refugees (UNHCR), and Canadian non-governmental organizations.

The Annual Refugee Plan is part of the immigration levels submitted by EIC to Cabinet and later announced. The regional breakdown is determined administratively by EIC and the Department of External Affairs to reflect needs in different world areas. Within the total, regional targets are adjusted during the year to ensure maximum use of resources.

The UNHCR estimates that there are some 15 million refugees around the world (EIC, Statistics, 1993). However it believes that a relatively small number of these require third country resettlement. This is the process in Canada.

ISSUES WITH REFUGEE RESETTLEMENT

EIC outlines some of the following concerns surrounding refugee resettlement in briefing notes compiled for the Minister of Immigration (1991). There is "the issue of first asylum, or the responsibility of countries to consider asylum requests for refugee status". This is related to the currently inactive "safe third country" provisions of the Canadian Immigration Act. There has been a fairly recent increase in the number of refugee claimants seeking asylum which leads to a phenomena called "asylum shopping". This term defines the scenario whereby potential refugees go from country to country looking for safe refugee until they are successful as refugee claimants. This sometimes involves "repetitive, and often concurrent, asylum requests" that create problems for both the refugee in terms of uncertainty, and the duplicate bureaucratic processing. There are three initiatives currently utilized to address the problem of irregular movement of asylum seekers from one jurisdiction to another, and the resultant concurrent asylum requests. These are outlined by EIC (MBN, 1991) as follows.

1. **Council of Europe** - has an agreement by the countries of the Council that provides that "the state signatory into which the person first enters, or which has issued a visa, is and remains responsible for considering the person's request for asylum and for implementing an admission or removal decision, whether the person is subsequently in another state" (page 20.1). This agreement has not been implemented.
2. **European Economic Council** - "opened for signature a Convention on the responsibility for examining asylum requests" (page 20.1). Currently, all countries except Denmark have signed. In addition, four European Free Trade Association states - Austria, Norway, Sweden, and Switzerland - have made a joint approach to accede to this agreement.
3. **The Schengen Group** - France, Germany, and the Benelux countries "signed an agreement on the elimination of border controls between these countries, committing themselves, among other issues, to the harmonization of visa policies and asylum procedures and the sharing of information with respect to non-nationals seeking admission to their territories" (page 20.1).

Once the annual refugee plan has been detailed, and some of the issues have been examined, the criteria for gaining refugee status will be outlined in the following section.

(ii) How to Claim Refugee Status

A refugee claimant is a immigrant who has arrived in Canada seeking refugee status. "As defined by the 1951 Geneva (United Nations) Convention relating to the status of Refugees and its 1967 Protocol, and incorporated in Canada's Immigration Act, Convention refugees are persons who: by reason of a well-founded fear of persecution for reasons of race, religion, nationality, membership in a particular social group or political opinion are: outside their country of nationality and are unable or, by reason of that fear, are unwilling to be protected by that country; or not having a country of nationality, are outside the country of their former habitual residence and are unable or, by reason of that fear, are unwilling to return to that country" (EIC, When a Constituent Asks, XI-13).

There has been some criticism of this definition by those who work on behalf of refugees. For example, it has been criticized as being too narrow a definition because it does not include those who flee their country of origin and cannot return for fear of persecution by fellow countrymen and the political repercussions of changing boundaries such as in the former Yugoslavia. (Malerek, 1987)

EIC (MBN, 1991) states that persons whose status as a Convention refugees has been confirmed are admissible for entry to Canada if they meet the requirements of the Act respecting health and character, and if, in the opinion of the visa officer, they and their accompanying dependents will

be able to establish themselves successfully in Canada.

To determine the likelihood of successful establishment, EIC takes into account the following criteria: "each of the factors used to assess independent immigrants (no units of assessment, or points, are awarded): whether anyone in Canada is seeking to facilitate the admission or arrival in Canada of the Convention refugee and his/her dependents; and any other financial or other help available in Canada" (MBN, 1991, page 17.1).

"The Act provides that groups in Canada may sponsor refugee resettlement, and the Regulations specify the conditions of such sponsorship. The Act also provides that the Governor in Council may designate special classes or groups of those who, while not technically Convention refugees, are displaced or persecuted. The criteria to be used for their selection are also established by the Governor in Council for each group as it is identified. These groups are known as "Designated Classes" (page 17.1).

There are some further issues regarding refugee resettlement and protection. EIC (MBN, 1992, 18.1) highlights these as follows.

There are two very different ways persons claiming refugee status can become landed in Canada. Firstly, Convention refugees and members of Designated Classes are selected abroad for resettlement in Canada. There seems to be a preference by the United Nations High Commissioner (UNHCR),

with whom Canada consults on refugee concerns, for "the following solutions for refugee problems: voluntary repatriation; local integration (in countries of first asylum); and third-country resettlement (EIC, MBN, 1991, page 18.1).

In the second instance, persons entering Canada and then claiming Convention status have their claims determined according to the Refugee Determination System (Bill C-55). If they are found to be refugees, they are granted Canadian protection (note the following section for clarification of this process).

Another issue concerns the fact that the definition of "Convention refugee" in the Immigration Act is exactly the same definition as that used by the United Nations Convention on Refugees. Therefore the United Nations indirectly has influenced Canada's immigration program.

Also Canada identifies government-assisted refugees according to world areas after consultation with the UNHCR, other refugee-receiving countries, and Canadian refugee advocacy and aid organizations. These identifications are part of Canada's Annual Refugee Plan which is included each year in the immigration levels announcement tabled in the House of Commons. This is only a target. Any shortfalls can be the result of backlogs in processing, among other things.

Another concern is that there are backlogs in refugee claimant cases. One of the reasons for this is the complexity of the process as noted in the section on adjudication. New provisions to the Act in 1993 will hopefully alleviate this problem over time but this remains to be seen.

There are many other refugee resettlement issues such as gender bias, first asylum, and racism that impact on service provision to those seeking refugee status from within and without Canada. The preceding issues discussion will give some context to the work done with refugee claimants at the constituency level of intervention. Now that the eligibility criteria for the resettlement of refugees in Canada and some of the resultant issues have been examined, the next section will outline those who are ineligible to claim refugee status.

(iii) Those Ineligible to Claim Refugee Status

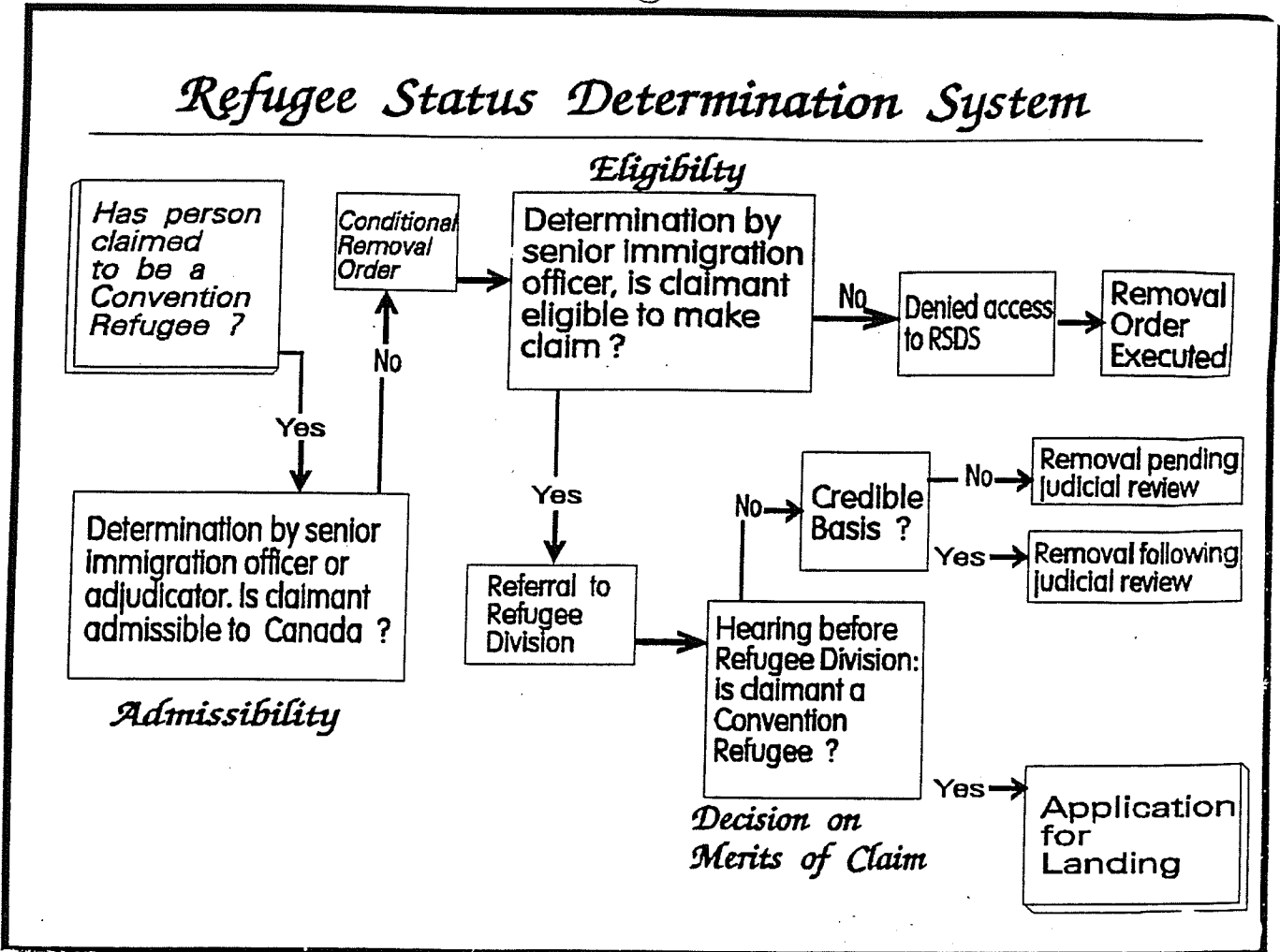
According to EIC (Immigration Facts for Parliamentarians, 1989) there are those who are ineligible to gain refugee status as determined by a full panel of **Convention Refugee Determination Board (CRDD)**. The following persons do not meet the criteria:

- persons not recognized as Convention refugees by another country and issued valid and subsisting travel documents;
- persons with a departure notice who have not yet left Canada; or have left Canada and not been granted permission to be in any other country;

- persons who are currently Convention refugees according to the Immigration Act or Regulations;
- those persons considered criminals and deemed by the Minister to be dangerous to the Canadian public such as subversives and terrorists;
- war criminals;
- persons who, since last coming to Canada or who, having left Canada following a negative refugee status determination and having returned within 90 days, having been judged: not to be Convention refugees; to have abandoned their refugee claims; or, not to have convincing evidence to make a claim;
- persons who travelled through "a safe third country, "a country designated by the Governor-in-Council as complying with Article 33 of the Geneva Convention respecting non-refoulement or not being returned to a country of persecution (this provision is not currently in force).

(iv) Refugee Claims

The Refugee Determination System is the method by which persons already in Canada, who then claim refugee status, are assessed to determine if they meet the requirements for refugee status. Chart 7 depicting the **Refugee Determination System** is found on the following page.



(EIC, Minister's Briefing Notes, 1991)

The first step is an initial "credible basis" hearing is held involving an adjudicator and a member of the CRDD. This panel will determine whether the claim is eligible through an independent, quasi-judicial process.

Those claims considered to be ineligible are those made by a person: who has refugee status elsewhere; "who has previously been determined by Canada not to be a Convention refugee; and who has failed to leave Canada as required by a departure notice issued by an adjudicator at a previous inquiry during which no claim had been made" (EIC, Claiming Refugee Status in Canada, 1989, page 70). Refugee claimants who are not referred to the CRDD are given departure notices or removal orders.

For those claims found to be eligible and having a credible basis for seeking refugee status, there is a second full hearing. The **Immigration and Refugee Board (IRB)** who hear these claims are completely independent of the Minister and the CEIC. This process is called an **Inquiry**. A two-member panel includes a member from the IRB and an immigration adjudicator (an employee of CEIC, who is an independent decision maker). They decide on the eligibility of a refugee claimant to pursue a claim for refugee status. They also decide on whether there is a credible basis (an arguable case) to the claim for status.

The prospective refugee must present evidence of his or her intent to claim refugee status before any evidence is heard by the adjudicator on the grounds of inadmissibility. If this claim for refugee status is not made at this time, there is no other opportunity during the inquiry for

this to be allowed. A Refugee Hearing Officer will be present at each hearing to make sure the best possible evidence is presented. For a claim to be accepted, only one member of the panel needs to find the claimant to be a Convention refugee.

A rejection of a claim requires both CRDD members to agree. People who are rejected at this second hearing before the CRDD may file an application for leave to appeal to the Federal Court of Appeal. Pending any determination by this court, they may remain in Canada.

While a claimant awaits a final decision from the CRDD on his or her refugee status, the prospective refugee may apply for employment authorization if he or she is unable to support himself or herself during this period. Claimants and their dependent children may also attend school while awaiting the decision of the CRDD on their claim for refugee status. When their claim receives a positive determination, refugees can finalize the employment authorizations and apply for permanent residence by making application to an immigration officer at their local CIC.

There are significant factors that result in the large number of refugee claimants seeking asylum in Canada. External factors such as "the level of human rights abuse in the third world, environmental degradation, the impact of development on mobility, world-wide knowledge of the relative affluence of the industrialized West, and the tightening of asylum procedures in Western Europe" contribute to the flow of refugees to Canada. Internal factors include "the high acceptance rate of refugee claims in

Canada by the Immigration and Refugee Board (+70%) and the low removal rate of failed claimants seeking asylum in this country (approximately 8% of the full hearing refusals)" (EIC, MBN, 1991, page 27.3).

There is the issue of backlogs in refugee claimant applications. According to EIC (MBN, 1991, page 27.2) "Canada is dealing with a backlog of 85,000 claimants who arrived prior to January 1, 1989, and whose claims could not be dealt with under the old system for determining refugee status". These cases are "being dealt with concurrently with those of claimants who arrived since the Refugee Determination System came into force". This backlog has not been cleared up yet, and now there are the added difficulty of concurrently processing claimants who arrived after implementation of the Refugee Determination System, those that arrived prior to it, those that made claims prior to new legislation in 1993, as well as those claimants who applied under the new amendments.

Also EIC states that the 1993 amendments to the Immigration Act are geared to address the problems created by backlogs in refusal hearings and inquiries that result from the large number of refugee claimants and the complexity of the appeal process. These measures may temporarily ease the circumstances caused by irregular immigration and asylum shopping. They do not deal with the root causes of mass migrations of people from such conditions as economic hardship or warfare. "Solutions to the root causes of mass movements of people seeking a safe refugee from these harsh realities require longer term multilateral cooperation of the world's nations" (page 27.2).

There are many other issues of concern regarding the Refugee Determination System, besides the complexity of the process, the narrowness of the Convention refugee definition, the amnesty approach, and the fairness of the process. It is impossible to go into these in detail as they are very convoluted and demand more discussion than is appropriate for the purpose of this manual. The above issues are just to provide some context to the process and to highlight some perceived imperfections in the refugee determination system.

If all legal avenues have been exhausted, and the Minister cannot intervene, the unsuccessful refugee claimant will have to leave the country. EIC accomplishes this removal by issuing a departure or exclusionary order. If the person does not leave voluntarily a deportation order is issued. An outline these procedures follows.

(v) Departure Notices and Removal Orders

The temporary departure and removal notices are finalized only if it is determined by EIC (in When a Constituent Asks, 1993) that:

- "the claimant has withdrawn or abandoned the claim for refugee status under the Convention definition; or is determined to be ineligible for refugee status; or has no right to remain in Canada despite being a Convention refugee" (page XI-18).

(vi) Private Sponsorship of Refugees

"Groups of at least five Canadian citizens or permanent residents 19 years of age or older, or local legally incorporated organizations, may sponsor Convention refugees, members of a designated class, and their families" (EIC, When a Constituent Asks, page XI-14). These sponsors are to provide short-term material assistance such as the provision of initial food, clothing and accommodation. They also provide "longer-term general reception" which includes such activities as settlement and job placement assistance.

This type of sponsorship has two major streams. The first stream includes any national organization who has a history of involvement in social assistance programs and has signed a master agreement on behalf of their constituent group. The second stream includes local groups and organizations who enter into individual sponsorships (eg. church groups).

This concludes the discussion on refugee determination and resettlement. The following section will elaborate on the admission of those who do not meet the requirements for refugee status but are determined to be in need of admission to Canada because they are victims of oppression or displacement. These people are categorized under the heading **Designated Classes**.

II. DESIGNATED CLASSES

The legislative authority for those in Designated Classes is established in the Immigration Act 1976, sections 6(2) and 115(d) and(e). The purpose of these classes is to provide for the admission of victims of oppression and/or displacement for whom Canada has a humanitarian concern. These persons may not meet the United Nations Convention definition (on page 145) even though they are in a refugee-type situation.

According to EIC (MBN, 1991), designated classes provide an eligibility definition appropriate to the circumstances of each group and provide the visa officer with admissibility criteria to be utilized for selection of those who are eligible. The regulations establishing each class also define the circumstances under which a group or organization in Canada may sponsor a member of the class and his/her accompanying dependents.

EIC outlines those included in designated class as "those persons displaced by emergency situations such as political or religious oppression and persons recognized by the Canadian Government for humanitarian reasons".

The Governor-in-Council designates those (as cited by EIC, MBN, 1991 below) who will benefit from Canada's humanitarian criteria for immigration. Currently there are the following designated classes which apply only to persons selected abroad:

"Vietnamese and Loatians who arrived in a country of first asylum

before the cutoff date; Cambodians - no cutoff date; political Prisoners and Oppressed Persons (El Salvador, Guatemala); and self-Exiled Persons Designated Class (this class only applies to persons from eastern Europe or the Commonwealth of Independent States who were sponsored or who submitted an application for permanent residence, on or before August 31, 1990)".

Also included under humanitarian and compassionate grounds are those persons who are not eligible for entry to Canada as immigrants, refugees or as members of a Designated Class. For example, if a person does not meet the requirements to immigrate as a family class or independent immigrant, and he or she is determined by EIC to be the last remaining relative abroad with no remaining extended family there, then he or she may then be considered for immigration to Canada on humanitarian and compassionate grounds. The next section will examine these special circumstances and the grounds.

III. SPECIAL HUMANITARIAN MEASURES

Legislative authority for humanitarian programs is found in the Immigration Act, subsections 3(g) and 6(2). These programs or special measures are intended to supplement the preceding Convention refugee and Designated classes in that they provide the regulations for assisting those individuals who may not meet the other admission requirements but on whose behalf Canada has a special interest. In addition to aiding Convention refugees and members of Designated classes, Canada assists individuals and groups who are in special need and have relatives in Canada. Often there are special circumstances where an applicant does not meet the requirements under the Immigration Act and humanitarian and compassionate grounds are considered, as in the case of the applicant being the last remaining relative to apply for migration. These special measures also address those circumstances that arise from unusual hardship due to such events as civil war, political unrest or upheaval, and natural disasters. Currently, Sri Lanka, Yugoslavia, Iran, El Salvadore, Lebanon and Guatemala are being covered under special humanitarian and compassionate measures by Canada.

Undertaking a sponsorship agreement under these conditions means the sponsor must agree to provide resettlement assistance for the refugee for a period of one year. Both sponsors and refugees must meet the requirements of the Immigration Act and its regulations. This assistance

includes housing, food, incidental expenses, community orientation, help in finding a job, and moral support.

This concludes the discussion on the designation and admission criteria for refugee status, the definition of Convention refugee status, the Refugee Determination System, the private sponsorship of refugees, and ramifications of being ineligible to claim refugee status. At this point it is pertinent that the role of the adjudicator in the process be clarified because he/she deals with the inquiries, refugee hearings and detention reviews. Inquiries and detentions can result when immigrants are in contravention of the Immigration Act. Some of the reasons for this are an immigrant's ineligibility to be landed in Canada, a failure to gain status as a refugee, breaking the law, or a visitor staying beyond the time allowed to visit. Refugee hearings to determine or argue for refugee status are also adjudicated. Therefore the adjudication process is an important part of the immigration program. The following chapter as outlined by EIC (MBN, 1992) will examine the adjudication process.

CHAPTER XI

THE ROLE OF THE ADJUDICATOR

(INQUIRIES, REFUGEE HEARINGS, AND DETENTION REVIEWS)

EIC (MBN, 1991, page 39.1) describes the adjudication process in the following manner. "All inquiries and detention reviews held pursuant to the Immigration Act and Regulations are conducted by adjudicators. Inquiries are conducted in an adversarial manner and are governed by the rules of natural justice. Ultimately, the adjudicator determines whether a person will be allowed to come to Canada, or will be removed from Canada, or will be issued a departure notice. In addition, the detention of any person detained pursuant to the Immigration Act must be reviewed regularly by an adjudicator".

"The adjudicator also presides at hearings relative to the refugee determination process. At these hearings, an adjudicator and a member of the Convention Determination Division (CRDD) of the Immigration and Refugee Board (IRB) determine whether a claim for refugee status should be forwarded to the CRDD for a full hearing as opposed to an inquiry".

"An adjudicator is an independent decision-maker, and the decisions adjudicated have been characterized as quasi-judicial by the courts. The decision made by an adjudicator can only be altered or overturned by a

court of competent jurisdiction or by an adjudicator at an inquiry that has been reopened pursuant to the Immigration Act".

The Adjudication Branch of Immigration functions "to ensure that immigration inquiries, refugee hearings, and detention reviews are held in accordance with the Immigration Act and Regulations and the principles of natural justice. Thus H. Q. staff in Hull administers the Adjudication Program by way of providing training, advice, and guidance to adjudicators, monitoring the quality of decision making, and monitoring the utilization of resources".

The organization of the Adjudication Branch that is responsible for adjudication services throughout Canada is as follows according to EIC (MBN, 1991). "There are presently 135 adjudicators located in various centres across the country. They are supervised by seven Directors (located in Vancouver, Mississauga, Toronto and Montreal). The directors report directly to the Director General of the Adjudication Branch in Hull".

"The effectiveness of the decision making does not lend itself readily to quantification where each decision must be evaluated in the context of the law and facts presented before the tribunal. Adjudication determines its effectiveness relative to the quality of the decisions rendered by the result of appeals made to the Federal Court of Canada, and by its ability to respond to demands for inquiries and detention reviews" (EIC, MBN, 1991, page 39.2).

Some of the adjudicator's powers are outlined (EIC, When a Constituent Asks, 1993) as follows: "allowing a person into Canada; allows a person to remain in Canada under subsection 4(2.1); grants discretionary entry to visitors who may be inadmissible for a period of up to 30 days; orders detention and release of persons unable to satisfy immigration officials of identity or admissibility; issues departure notices to those who contravene the Act; issues exclusion orders for those not allowed to return for one year; and makes removal orders called deportation orders to those inadmissible" (page IX-16).

These factors that comprise the immigration adjudication process complete the review of immigration application categories, and the adjudication program that involves hearings, inquiries, and detentions. The preceding information gives a practitioner the information needed to determine the success or failure of an application made by an immigrant or refugee to land and reside in Canada. Once immigrants or refugees are successful at landing in Canada there are a variety of immigration services available to help them integrate into Canadian society.

CHAPTER XII

SETTLEMENT AND INTEGRATION SERVICES AND PROGRAMS

There are a number of federal and provincial government services available to help refugees and newly arrived immigrants to adapt and settle in Canada. Some of these direct and essential adaptation and settlement services may have eligibility requirements so it is important to note this fact when referring newcomers to these programs. Those persons who may be eligible for these services include permanent residents, persons allowed to stay in Canada while awaiting landing, and non-immigrant household service workers admitted under the Live-In Caregiver Program.

These services, which are available to assist newcomers adapt within the first year after being admitted to Canada, include interest-free loans to cover travelling expenses to Canada, temporary health care, and language training. Refugees are also eligible for all the benefits and social assistance programs available to permanent Canadian residents.

These settlement and integration programs are a bridge to help newcomers to become self-reliant, participating members of Canadian society as soon as possible. They also "help Canadians understand the immigration, settlement and integration process. CICs act as an information liaison, providing interested organizations and agencies with information about immigrants and immigration. Many forms of assistance may be provided: abroad through the Canadian posts (counselling services and orientation

services); through international organizations (basic language training, and cultural orientations sessions); upon arrival at port of entry (referral to temporary housing, onward travel arrangements, emergency clothing); and at the final destination in Canada (full range of settle services)"(EIC, When a Constituent Asks, 1993, page XI-19).

Some of the programs available to assist immigrants with transportation costs, settlement, adjustment, integration, and language training will be next highlighted.

I. Transportation, Assistance and Admissibility Loans (TLP) Program

"At the earliest stage of the immigration process, information and counselling services are available to prospective immigrant at Canadian posts abroad. Such immigrants, who do not have disposable assets, may also be eligible for loans to assist them with the costs of their pre-acceptance medical examination and transportation to Canada."

"The object of the Transportation Loan Program is to assist in the reunification of families, the resettlement of Convention refugees and members of the Designated Classes, and to encourage the immigration to Canada of independent immigrants whose skills whose skills are in high demand."(EIC, MBN, 1991, 34.1)

This program is funded by a \$110 million advance from the federal government's Consolidated Revenue Fund in accordance with Section 119 of the Immigration Act. "Except for Convention refugees and members of the Designated Classes whose loans are interest-free, the loans bear interest at an annually established rate" (page 34.1). These loans are approved according to the applicant's need and ability to repay at a future date once he or she becomes settled and self-sufficient. The earned interest is paid to the Receiver General's general fund, but repayment may be deferred where circumstances warrant this.

"Loans are made to immigrants, about 98% of whom come to Canada as Convention refugees or designated class members, as either government-assisted refugees or under the sponsorship of a private group. The loans may be approved to cover the costs of medical exams abroad, obtaining travel documents and transportation to Canada. In addition, assistance loans are provided to disadvantaged newcomers to cover such expenses as rental and telephone deposits or work tools. These loans are approved and made by the Adjustment Assistance Program (AAP) Counsellor but are charged to the Assistance Loans segment of the TAALP rather than to AAP." (EIC, When a Constituent Asks, 1993, page XI-20).

An immigrant/refugee applicant may be provided with a loan for himself and spouse and unmarried dependent children under 21 years of age, whether they accompany or follow later to Canada. EIC states (MBN, 1991) that to qualify for a loan abroad, an applicant must be: an independent immigrant whose occupation is in high demand in Canada and is "recruited on the

basis of a clearance order from a Commission official"; selected for participation in a scheme operated by the provincial government and recognized by the Commission; recruited by the provincial government department or agency acting on behalf of an Canadian employer, provided that advance notice of the recruitment program was given to the Commission; "accepted as the result of an employer's direct recruitment activities abroad, provided the employer obtained prior approval from the Commission for such recruiting; or a Convention refugee or a member of a Designated Class" (page 34.1).

II. Immigrant Settlement and Adaptation Program (ISAP)

Agencies across the country provide direct services for newcomers. The federal government purchases these services through the Immigrant Settlement and Assistance Program. Additional funds and resources will be committed to this program, as resources allow, to reflect increasing immigration, and the need for more resources to be made be available to help agencies deliver services to immigrants.

This program provides funds to community-level, non-profit organizations and educational institutions for the delivery of direct, essential adaptation and settlement services to newcomers. These services include:

- reception and orientation
- translation and interpretation

- referral to community resources
- para-professional counselling
- general information
- employment-related services
- assistance in finding housing
- help in registering for SIN number
- assistance in registering children for school
- help finding a family doctor
- assistance in learning the banking system
- help in learning either official language

According to EIC criteria (MBN, 1991) the groups funded under this program must be: "voluntary, non-profit organizations (normally registered as charitable under the Income Tax Act) providing direct settlement services to new immigrants in the local community; acceptable to the community they serve, and able to provide free and non-discriminatory services; governed by non-salaried, democratically elected board which includes at least two Canadian citizens; managed by a Canadian citizen or permanent resident, with all staff whose salaries are supported by ISAP being permanent residents or Canadian citizens; and staffed by a mix of volunteers and paid employees" (page 31.1).

(Keep in mind when dealing with any volunteer and paid employees in any voluntary, non-profit organizations that the level of training may be an issue (eg. the type of training, the level of expertise, the background and the supervision of volunteers may vary from agency to agency).

III. Host Program

"Funds are provided for non-profit, community-based organizations and educational institutions to recruit, train, match and monitor volunteers (individuals and groups) who assist newcomers adapt, settle and integrate into Canadian life" (EIC, When a Constituent Asks, 1993, page XI-21). These volunteer hosts are matched on a one-to-one basis with selected government-assisted refugees. "This link enhances adaptation by facilitating the refugee's access to services, community orientation and social support, reinforcing language skills and generally improving the refugee's sense of well-being and acceptance in the community" (EIC, MBN, 1991, page 33.1).

EIC feels that this "two-way street" approach to immigrant integration facilitates the development of friendship ties between newcomers and resident Canadians. Newcomers are helped to overcome the difficulties of assimilating by the assistance of new-found friends who help link them to available resources, and show them how to use them. The volunteer Hosts assist newcomers to practise English or French, to get contacts in the employment field, and to participate in community activities. The host volunteers benefit by learning about new cultures, contributing to community life, as well as meeting and making new friends (EIC, When a Constituent Asks, 1993).

IV. Adjustment Assistance Program

Another program delivered by EIC provides financial assistance for basic needs of newly arrived indigent immigrants - generally Convention refugees and Designated Class persons admitted to Canada under government assistance. EIC conducts a means test to determine the amount of assistance the person or family needs. This assistance is sometimes needed to defray the cost of temporary housing accommodation, the purchase of necessary household items and clothing, and living expenses for up to one year after arrival or when the newcomer becomes employed. This program also offers support in terms of counselling by a AAP counsellor who meets the government-assisted refugee at the port of entry, providing an initial orientation to Canada and their temporary accommodation, makes medical referrals, assists with applications for medical insurance coverage, Social Insurance Numbers, and family allowance, makes arrangements for translation of employment records etc., refers clients to ISAP and Host agencies and language training, when necessary. (EIC, When a Constituent Asks, 1993)

V. Language Training

In June, 1992 a new language training framework was implemented to provide enhanced language training for adult immigrants. The government purchases classroom-based language training courses directly from provincially approved public or private sector institutions. These are some of the programs that are currently available as outlined in When a Constituent Asks):

(i) Language Instruction for Newcomers to Canada (LINC)

"This program is managed by Immigration; funds basic language skills to meet newcomer's integration needs, regardless of whether they plan to get a job or not; may include full or part-time training, self-assisted and distance learning opportunities, community or institutionally based programs, according to the new immigrant's abilities and needs" (page XI-23).

(ii) Labour Market Language Training (LMLT)

"This program is managed by Employment; funds language training needed by newcomers to learn existing or potential skills that are needed in the local labour market" (page XI-23).

"Special initiatives also exist in co-operation with provincial governments and the voluntary sector to assist special-needs refugees, women at risk, and unaccompanied minors. (Refer to Appendix A to find some of these.) These initiatives can assist when resettlement is urgently needed, or where government and non-governmental organizations need to combine their services to meet the resettlement needs" (page XI-23) of immigrants so that they can more easily integrate into Canadian society.

(In a time of recession and fiscal restraint, measures taken by both levels of government effect the availability of resources and the vulnerability of all initiatives to funding cuts. These are a reality today.)

The section on immigration integration and settlement programs completes the information on the immigration program as it impacts on the selection and admission of immigrants to Canada, as well as the services available to the successful applicants once they are landed.

Visitors to Canada are also covered under the Immigration Act and Regulations. The next section defines who may come to Canada for a visit, or for the purpose of studying or temporary employment.

CHAPTER XIII

VISITORS

The main reasons that people wish to visit Canada are to see family and friends, to study, or for the purpose of temporary employment. This chapter will highlight the Free Trade Agreement as it impacts on visitors, Student and Employment Authorizations, and the Live-In Caregiver Program as legitimate visitors' criteria for entry to Canada.

I. VISITORS TO CANADA

A visitor is defined in section 2 of the Immigration Act as "a person who is lawfully in Canada, or seeks to come to Canada, for a temporary purpose". The following (from EIC, Canada's Immigration Law, page 18) lists the pertinent sections of the Immigration Act that impact on visitors, students and temporary workers.

"International students, temporary workers, business people, live-in domestic care-givers, tourists, and others visiting Canada for legitimate reasons may be granted entry under section 5 and 14 of the Act. Under section 9, visitors need a visitor's visa. Under section 10, visitors coming here to work or study must have special authorizations (student or employment authorizations)".

Those needing visas and authorizations must obtain these abroad for the most part. It is the responsibility of potential visitors to check with immigration officials at the post abroad to see how they might be affected by visa regulations before coming to Canada.

When applying for a visa abroad, potential visitors need to present to a visa official: " a valid passport or other authorized travel document. A student also needs acceptance from an approved university, college, or other institution of learning as well as being able to demonstrate that they have financial support while they are studying in Canada".

"A temporary worker must present a bona fide job offer from a Canadian employer. Before an employment authorization can be issued to them, an employment officer in Canada must certify that their job offer will not adversely affect job opportunities for Canadians."

"Visitors must be in good health, be of good character, be law abiding, have a valid passport, and have enough money to support themselves and their dependents while in Canada. In general they do not need medical or background checks unless the length of the visit is to exceed six months" (page 18). It is also helpful that the people they are visiting in Canada send a letter of invitation that stipulates that they will be responsible for this visitor, financially and otherwise, during their stay.

Once visitors have been granted entry to Canada, they may not normally change their status and certainly not from within Canada. For example, a person here for a visit may not become a student or a permanent resident. Each visitor enters Canada with a specific status and under certain visa requirements. EIC states (in When a Constituent Asks, 1991) that these generally cannot be changed without approval from immigration officials once people are admitted to Canada. In addition, visitors can not apply within Canada for permanent residence (landed immigrant) status. They may apply for this at any Canadian embassy outside the country.

Requests to EIC for change of status or conditions of admission may be granted in cases such as:

- persons claiming refugee status;
- students facing unexpected financial hardship; and
- live-in care-givers.

All visitors who remain in Canada beyond their authorized period of stay has expired are in violation of the Act and are subject to removal if caught.

II. FREE TRADE AGREEMENT

"The Free Trade Agreement (FTA) between Canada and the United States facilitates the entry to Canada and the United States, of specified business persons who are citizens of the other country. Citizens of either country can more easily gain temporary entry into the other country to conduct business-related activities or investment. Business persons covered under Chapter 15 of the FTA are exempt from the normal requirement to have their proposed employment in Canada approved in Canada by a Canada Employment Centre. Also, many business persons may carry on their activities in Canada with no particular immigration document" (EIC, Canada's Immigration Law, page 19).

The FTA divides business persons into four categories, as outlined by EIC (When a Constituent Asks, 1993, pages XII-5 and XII-6):

(i). Business Visitor

"A business visitor must be entering Canada on behalf of U.S.A. firm, to take part in an activity listed in Schedule 1 of Chapter 15 of the FTA. These activities include technical or scientific research, attendance at a convention or trade fair, negotiations of sales - but not the delivery - of goods and services, and after-sales service. An employment authorization is not required".

(ii) Professional Visitor

"To be eligible for entry as a professional a person must be qualified to work in Canada in an occupation or profession listed in Schedule 2 of Chapter 15 of the FTA. And an employment authorization is required".

(iii) Intra-company Transferee

"An intra-company transferee must have worked for an employer in the U.S. and been transferred to Canada to work temporarily for the same or an affiliated employer. Only those persons who are at the executive or managerial level, or have specialized knowledge to qualify in this category. An employment authorization is required".

(iv) Trader or Investor

"This category may be used by for those business persons or companies in the U.S who own or have controlling interest in a company or other business enterprise to be established or already established in Canada; Either substantial trade or investment must be involved. The range of entrepreneurial activity is potentially unlimited. An employment authorization is required."

"All business persons covered by the FTA are exempt from validation from a local CEC. This means that Canadian employers do not need to have a job offer approved by a CEC to employ a business person covered under the FTA."

With the exception of traders and investors, persons in these categories may apply at the border for their authorization to work. Applicants for trader and investor status must apply at the Canadian Embassy in Washington or at any other Canadian consulate before exiting from the United States.

Those citizens and permanent residents who do not qualify under the FTA Agreement, can still apply for the status of a temporary foreign worker.

The preceding discussion highlights the impact of FTA on the immigration program. The next section will examine the criteria for student authorizations, followed by information on employment authorizations.

III STUDENT AUTHORIZATIONS AND INTERNATIONAL STUDENTS

"An international student is a visitor who has been approved by an immigration officer to study (at a recognized institution) in Canada. This approval process is normally done at a visa office outside Canada. The student authorization document identifies the level of study and the length of time the student may study in Canada."(EIC, When a Constituent Asks, 1991, page XII-3). Students must have obtained letters of acceptance from the institutions where they plan to study while in Canada.

Legislative authority for this is found in the Immigration Act, section 10, and the Immigration Regulations, sections 15, 16, and 17. The purpose of these sections and regulations is to facilitate the admission of international students who (according to EIC, source unknown, 1989):

- are of good health and character;
- provide a letter or other evidence of acceptance by a Canadian educational or training institution;
- have proof that they adequate funds for their stay in Canada and for return transportation;
- must pass a medical if required;
- are proficient in an official language;
- have provincial approval, if required under the terms of a federal- provincial immigration agreement; and
- satisfy the Visa Officer that they plan to return home at the end of their studies.

Quebec's concurrence is required in order to admit to that province any foreign student, except a student chosen under a Canadian Assistance Program or one from any developing country.

Students from all countries require authorizations, except for citizens or permanent residents of contiguous territories such as the U.S.A., St. Pierre and Miquelon and Greenland. After directly leaving their country, they may apply for authorizations at any Canadian port of entry upon presentation of proof of citizenship. This does not necessarily mean passports.

A student authorization is valid only for the institution and the course of study specified in this contract.

EIC states (MBN, 1991) that immigration regulations also allow visitors to apply for a student authorization when they plan to study as a incidental and secondary activity. The amendments also redefine and expand the types of courses and institutions eligible to send letters of acceptance. Students may now apply for multi-year authorizations, which cover the full term of the planned course of study (eg. a university degree).

Foreign students may take employment in Canada, but only in special circumstances. In order to do this they must obtain permission from C.E.C. There are a number of exemptions from the validation requirement. According to EIC (source unknown) these include:

"students in Canada under the terms of any one of our aid programs to developing countries; students whose intended employment forms an integral part of their course of study; those who are temporarily destitute through circumstances beyond their control; students who engage in on-campus employment; (and) spouses of students and students engaged in education-related employment (for up to 12 months)" (page 1).

IV. EMPLOYMENT AUTHORIZATIONS AND TEMPORARY FOREIGN WORKERS

The legislative authority for employment authorizations is covered in the Immigration Act, sections 18, 19, and 20.

EIC (source unknown, 1989) outlines below the purpose of employment authorizations as being to allow "employers with seasonal or other temporary vacancies access to temporary foreign workers if no Canadian citizens or permanent residents are available to accept the vacancies or to be trained for them; to facilitate the entry of temporary foreign workers when their entry has no negative effect the Canadian job market; to regulate the intake of foreign workers to ensure that Canadians who are available or who can be trained are given first priority; (and) to ensure that foreign workers comply with the terms and conditions of their admission (page 1).

Employment authorizations are applied for at a Canadian embassy outside the country. Also, persons cannot enter Canada as visitors and then apply for an employment authorization in order to work. Generally, employers

must apply to a Canada Employment Centre (CEC) before recruiting a foreign worker. CEC approval will be given if there is no potential for training or hiring Canadians to do the job. According to the Canada-Quebec Immigration Agreement, provincial agreement must be obtained before an employment authorization is issued for a temporary worker to work in Quebec. If either Quebec or the federal government disagree on the issuance of an authorization, the employment authorization is refused.

Most employment authorizations provide for the admission of temporary foreign workers for specific jobs with named employers for a limited time. These temporary employees are assessed on the basis of health, character, job qualifications and security. They are not allowed to change jobs without CEC permission, or apply for permanent residence while in Canada, nor renew employment authorizations indefinitely. Open employment authorizations are being used for participants in some of the International Student and Young Workers Exchange Programs. These open authorizations allow the holder to work at any job they can obtain within a given time period which must not exceed twelve months. The holder must pass a Health and Welfare medical examination before the authorization is approved. Canada is party to some international agreements involving the entry of workers, such as the Mexican and Caribbean seasonal worker programs.

Employment authorizations can be issued for most occupations, for the duration of the job or up to three years maximum. A further extension of two years is possible, but an extension beyond five years is unusual.

A good example of a temporary employment program (although it can lead to landed immigrant status in certain instances) is the following Live-In Caregiver Program (as compiled from EIC, The Live-In Caregiver Program, IM 197/4/92 and When a Constituent Asks, 1993, page V-14).

V. LIVE-IN DOMESTIC CARE-GIVERS

The legislative authority for this category of worker is found in the Immigration Act, Section 10, and Immigration Regulations, Sections 18, 19, and 20. The purpose of this is to balance the needs of Canadian employers facing a chronic shortage of live-in caregivers against the need to protect foreign care-givers against abuse or exploitation.

"Effective April 27, 1992 the Live-In Caregiver replaces the Foreign Domestic Movement Program". This program is designed to meet the labour market shortage when there are not enough Canadians to fill the available positions. The Live-In Care employees hired under this program are those who will provide child care, seniors home support or care for the disabled, without supervision, in a private household. The Caregiver Program is designed to bring workers to Canada on a temporary basis for the specific types of live-in work mentioned above.

Caregivers interested in the program must meet the following three requirements in order to qualify for this program as outlined:

1. "successful completion of the equivalent of a Canadian grade twelve";
2. "six months full-time training in a field or occupation related to the employment for which the employment authorization is sought" (this training may be completed as part of the formal education under (1) or in the non-classroom setting provided that the training is part of a course of instruction under the direction of a qualified educator/trainer who provides a rated assessment); and
3. "ability to speak, read, and understand the English or French languages at the level sufficient to communicate effectively in an unsupervised situation".

The intent of this policy is to select workers with the necessary skills and experience to do the job; to safeguard the worker from an exploitative work environment; and to balance other needs of Canadian employers against those of the domestic care-giver.

These caregivers will have the right to apply for permanent residence status from within Canada after they have completed two years of live-in caregiving employment. The above information provided on the Caregiver Program is very superficial. There is a very good EIC booklet called **The Live-In Caregiver Program** that is very informative. As well, prospective employers and interested persons can access their local CEC for further information on wage standards, taxation issues and other relevant information.

This concludes the overall discussion on the criteria that must be met in order for someone to become a visitor to Canada - whether are they here for the purpose of tourism, temporary employment or schooling. This material summarized Visitor Visa requirements, and the Employment and Student Authorization criteria and conditions needed by those who visit Canada for temporary employment or to study at a recognized educational institution.

This is a good point in the discussion to detail the particulars of the process, beginning with the interviews and examinations at Ports of Entry and at the Canadian embassies abroad. This will be followed by information on security deposits, inadmissible classes, ministerial permits, reasons for refusal or exclusion, background checks, the responsibilities of transportation companies, and methods for controlling illegal immigration.

CHAPTER VIV

WHAT HAPPENS AT A PORT OF ENTRY

I. INTERVIEWS AND EXAMINATIONS

EIC outlines the following information on interviews, security deposits admissibility, and the responsibilities of transportation companies in Canada's Immigration Law (1989, pages 20-23). "Under Section 12 of the Act, all people seeking to come to Canada - whether they are visitors, immigrants, or returning residents or citizens - are interviewed by an immigration official at the port of entry (the border). In the case of immigrants seeking permanent status or of visitors intending to study or work temporarily in Canada, a more detailed interview may be required before admission to Canada will be granted."

"It should be noted that possession of a visa or an authorization does not guarantee a person's admission to Canada. The examining officer at the port of entry must be satisfied that the visa or authorization is valid, that the person's circumstances have not changed since the visa or authorization was issued, and that the person's presence in Canada will not contravene any of the provisions of the Immigration Act or Regulations."

II. SECURITY DEPOSITS

The examining Immigration officer may still allow a visitor to enter Canada if there is some doubt as to the intention of that person to live up to his or her terms for admission. Authorization to be admitted will depend on whether the visitor, or someone acting on that person's behalf, can deposit a sum of money (ie. a bond) or other security to guarantee that the terms for entry will be adhered to. "The deposit will be returned as soon as possible after all entry conditions have been fulfilled " (page 20).

III. INADMISSIBLE CLASSES

"Section 19 of the Act prohibits the admission of people who pose a threat to public health, safety, order, or national security. Also inadmissible are those who fail to meet the selection criteria and other requirements, such as not having a visible means of support and travel documents."

"Exclusions on health grounds are based solely on danger to public health or safety, or excessive demands on health or social services in Canada."

"Inadmissibility on criminal grounds is determined according to the sentence that could be given for the equivalent offenses under Canadian law: the possibility of admission following rehabilitation is also considered."

"Section 19 of the Act also protects the Canadian public by providing for the removal of participants in organized crime, and would-be terrorists, hijackers, and war criminals." (page 21)

IV. ADMISSIBLE CLASSES

Canadian citizens and persons registered as Indians have the absolute right to enter or to reside in Canada regardless of whether they have acquired their citizenship by naturalization, through parentage or place of birth.

Permanent residents can enter the country and remain here unless they have given up or lost their permanent residence status, or they have taken part in activities making them subject to removal. "Permanent residents who are not Canadian citizens may lose their permanent resident status if they abandon Canada as their place of permanent residence (183 consecutive days in a calendar year is the maximum time they can stay outside the country). All permanent residence have the right to apply for a **Returning Resident Permit**, and should exercise this right if they plan to make frequent or extended visits outside of Canada, or engage in activities which might create a false impression that they intend to make their home elsewhere. On their return, this permit will assist in identifying them as persons who have travelled abroad but did not intend to abandon their home in Canada. Permits are available from local CEICs in Canada, or from Canadian government offices abroad if you are outside the country " (page 23).

EIC states (MBN, 1991) that those who lose their permanent resident status by abandoning Canada may re-apply to immigrate in the normal way at a Canadian post outside the country and are subject to all the criteria. Those who lose their status through deportation are permanently barred from re-entry to Canada, unless Ministerial consent (a Minister's Permit) is given for their re-admission.

V. MINISTER'S PERMITS

"The Minister of Employment and Immigration or a delegated officer may grant an inadmissible person the privilege of coming into Canada by issuing a written permit and collecting the appropriate processing fee. The Minister may also grant the privilege of remaining in Canada to a person who, while in violation of the Immigration Act, merits this special consideration. This permit may be cancelled at any time. whereupon the person may be subject to an immigration inquiry, direction to leave, or removal order" (EIC, When a Constituent Asks, 1993, page IX- 13).

The following information on what the Minister of Immigration may or may not do according to legislation is compiled from EIC (MBN, 1991, pages 3.1-3.2).

THE MINISTER MAY DO:

1. "A Minister's Permit is in force for up to a year, as specified in the permit. Such a permit can be cancelled at any time at the Minister's discretion. If this permit is cancelled there are several things that may happen depending on the circumstances. A direction to leave or a removal order may be issued to the person, or an inquiry may be ordered."
2. "The Minister of Employment and Immigration may also be asked to intervene where a negative decision has been made by an immigration official in Canada or abroad. After reviewing the circumstances of the case and determining that there are sufficient national interest or humanitarian or compassionate grounds to warrant a favourable consideration, the Minister has the authority to overcome the grounds of inadmissibility, or the grounds on which the report has been made."
3. "The effect of a Minister's Permit is to facilitate admission to Canada if a person does meet selection and admission criteria or to allow a person with no status to remain in Canada."
4. "The Minister may also authorize landed immigrant status to a person who has resided in Canada on a Minister's Permit for at least five years, or where the Permit precedes implementation of Immigration Act 1976."

5. "The Minister may order the deportation of a person who is on a Minister's Permit by authorizing a deportation order."
6. "The Minister may also appeal to the Appeal Division of the Immigration and Refugee Board, an Adjudicator's decision that the subject of an inquiry should be granted admission or should not be removed from Canada."
7. "The Minister may appeal a negative decision of the Federal Court or the Supreme Court where the Minister is a respondent."

THE MINISTER MAY NOT DO:

1. "The Minister may not direct that a immigrant or visitor visa be issued."
2. "The Minister may not grant admission to individuals or direct their admission to Canada as visitors or immigrants, nor may the Minister issue student or employment authorizations."
3. "The Minister may not direct any terms or conditions imposed on admission of an immigrant or visitor."

4. "The Minister may not direct that a person's visitor status, or authorization to study or work in Canada, be revoked."
5. "The Minister may not order that a permit be issued where the removal process has been completed and a departure Notice or an Order of Removal has been made. Persons in this situation must leave Canada and be admitted to another country before they may be issued a Minister's Permit."
6. "The Minister may not overturn an adjudicator's decision, nor direct an Adjudicator to make a decision."
7. "The Minister may not order someone to be released from detention."
8. "The Minister may not grant permanent resident status."
9. "The Minister may not declare that a refugee claimant is or is not a Convention refugee."
10. "The Minister may not overturn or set aside decisions of either the Refugee or the Appeal Divisions of the IRB."

VI. REASONS FOR EXCLUSION OR REFUSAL

The following reasons for someone being inadmissible under the Immigration Act are again outlined (EIC, When a Constituent Asks, 1993, page IX-9) to elaborate. They are as follows:

- "the Immigration Officer believes them to be a non-genuine visitor, that is, persons whose real intent is to remain indefinitely";
- "a Medical Officer (from Health and Welfare Canada) believes their medical status is likely to be a danger to public health or cause excessive demands on the healthcare or social systems";
- "they are unwilling or unable to support themselves and their dependents";
- "they have been convicted of criminal offenses or are clearly engaged in criminal activities; (the possibility of admission following rehabilitation is also considered";
- "there are reasonable grounds to believe that they will take part in acts of subversion or terrorism while in Canada";
- "there are reasonable grounds to believe that they have committed a war crime or crime against humanity";

- "they have remained in Canada longer than they were authorized";
- "they have taken a job or attended an educational institution without authorization"; or
- "they have violated any terms or conditions of their admission or have violated other provisions of the Immigration Act or Regulations."

"Depending on the circumstances, a prospective visitor who are found to be inadmissible may be granted discretionary entry for 30 days. Appropriate terms and conditions may be imposed in these cases and a processing fee will be collected." (page IX-9)

VII. BACKGROUND CHECKS

EIC states that the background check is a normal part of immigrant visa processing. This procedure protects Canada from accepting as permanent residents persons who are considered undesirable because they may disrupt law and order or may threaten Canadian security.

According to EIC, in When a Constituent Asks (1993), background checks are done for all persons 18 to 65 before they are issued a visa. EIC details the following documents needed for this process (page IX-11).

Documents used in these checks include:

- immigration application form;
- confidential security, intelligence and criminal conviction records; and
- immigration records for persons who have violated provisions of the Immigration Act and Regulations.

"Background checks may also be done prior to visa issuance to a visitor, if there are reasons to believe the visitor may be undesirable or prohibited by immigration legislation" (page IX-11).

VIII. RESPONSIBILITIES OF TRANSPORTATION COMPANIES

"According to the Immigration Act, transportation companies must ensure that passengers are presented for examination at ports of entry with valid travel documents and visas if required. If passengers do not have valid documents, the company may be charged an admission fee to help pay the cost of processing the inadmissible person."

"As a general rule, the company is responsible for removing passengers who are refused admission to Canada, unless they have a valid visa on arrival." (EIC, When a Constituent Asks, page IX-12). The carrier is also responsible for the cost of detaining people without visas, if they are admitted to Canada after their cases have been reviewed. However, these detention costs are generally limited to the seventy-two hours immediately

after arrival of the detainees. (EIC, MBN, 1991)

"EIC also requires security deposits from carriers to cover penalties and liabilities incurred under the Act or other expenses. If the carrier refuses to pay a security, the vehicle can be detained for up to forty-eight hours or seized and sold to recover monies owed (EIC, When a Constituent Asks, 1993, page IX-12).

IX. CONTROLLING ILLEGAL IMMIGRATION

The Immigration Act does not allow people to entry to Canada as visitors for the purpose of setting up permanent residence or to work illegally. Section 10 of the Act requires that most visitors wishing to work or study in Canada obtain student and employment authorizations from a visa officer abroad before seeking admission to Canada. Most visitors already in Canada are not eligible to apply for employment or to enrol in educational institutions. Visitors who do so risk being removed from the country. If any Canadian employer knowingly hires anyone not authorized to work in Canada, he or she is in contravention of the Immigration Act. Only visitors here for the purpose of temporary employment and possessing valid employment authorizations can work legally in Canada. An employer can easily identify such workers through specially coded Social Insurance Numbers and cards. (EIC, MBN, 1991)

X. RIGHTS RELATED TO DETENTION, INQUIRY, AND REMOVAL

This section on rights is compiled by EIC in Canada's Immigration Laws, 1989. "Persons may be detained while awaiting: examination at a port of entry; an immigration inquiry; or the execution of a removal order if they are considered to pose a danger to the Canadian public. They can also be held if they are not likely to appear for an examination, inquiry, or removal. An immigration officer must detain anyone seeking to come to Canada who cannot confirm his or her identity. If any person suspected of being a security risk by the Deputy Minister or someone designated by the Deputy Minister must also be detained." (page 28)

"All detained persons have a right to:

- obtain and instruct counsel at their own expense and to be given a reasonable opportunity to do so;
- an inquiry (except where a removal order has already been issued to the person concerned);
- be brought before an adjudicator for a review of the reasons for detention if the detention lasts longer than 48 hours for anyone considered a danger to the Canadian public or unlikely to appear for further immigration proceedings, or more than seven days for anyone detained a port of entry on identity or security grounds;

- have an adjudicator review the reasons for the continued detention at least once a week as long as the detention continues; and
- make representations on their own behalf to support their case.

If the case has been appealed to the Immigration Appeal Division (IAD) of Immigration and Refugee Board (IRB) or if the IAD decision has been appealed to the Federal Court of Appeal, a person has a right to apply to the IAD for release." (page 29)

XI. RIGHTS RELATED TO IMMIGRATION INQUIRIES

"Generally, people have a right to an immigration inquiry if: they have been reported under Subsection 20(1); a Direction for Inquiry under Subsection 27(3) has been issued against them; they have been arrested under the appropriate section of the Immigration Act. Such inquiries are authorized under either Sections 23, 27, 28 of the Act."

"Inquiries are conducted by independent adjudicators trained in immigration law and related elements of civil and criminal law. After hearing all the evidence, the adjudicator determines whether the person will be allowed to stay, will be removed or will be issued a removal order.

"Adjudicators ensure that inquiries and detention reviews are conducted in accordance with the Immigration Act, the Immigration Regulations and the principles of natural justice. (They rule only on whether there has been a contravention of the Act or Regulations, and do not take into account any extraneous circumstances.) Persons who fear persecution in their own country of citizenship or habitual residence may, at an inquiry, seek Convention Refugee Status. (See the section on refugee determination for details on that process). Subjects of immigration inquiries have a right to:

- receive a copy of the report or other information that led to the inquiry;
- speak in their own defence;
- obtain and instruct counsel at their own expense or, in certain circumstances, be represented by a lawyer designated by the adjudicator and at the Minister's expense;
- produce and examine evidence, cross-examine witnesses, and make submissions to support their case;
- an interpreter; and
- know the basis on which removal order or departure notice is made."

"In certain cases, the person concerned may appeal the decision to IAD and subsequently, may seek leave to appeal to the Federal Court of Appeal. In all cases, however, the person concerned may seek leave of a judge of the Federal Court for the purpose of a judicial review. "

"A person under the age of eighteen, or someone who, in the opinion of the adjudicator does not understand the possible consequences of the inquiry, may be represented by a responsible parent or guardian, or an appointed legal representative to protect the best interests of this person" (page 31).

XII. RIGHTS RELATED TO REMOVAL ORDERS AND DEPARTURE NOTICES

Inquiries may result in one of the following (EIC, When a Constituent Asks, 1993, page IX-15 - IX-16):

A **departure notice** (which has no further effect after a person leaves Canada) " a removal order made against a person who has violated the Immigration Act or Regulations, requiring that person to obtain a Certificate of departure and to leave Canada within a specified period of time".

An **exclusion order** "requires a person to leave Canada. Following this, the person cannot return to Canada for one year after the date of departure without the consent of the Minister. A request for the Minister's consent must be initiate at a visa office abroad."

A **deportation order** is "a removal order made against a person who is either inadmissible to Canada or who has violated the Immigration Act and Regulations. A person who is the subject of a deportation order will be removed from Canada and may not return at any time without consent of the Minister of Employment and Immigration Canada."

In all cases involving removal orders, the people involved and their counsel are informed of the reasons for, and given a copy of, the orders or notices.

EIC states that family members in Canada who are dependents of the person receiving the removal order or the departure notice may be included in the order or notice. However, before being included, such dependents have a right to be heard at an immigration inquiry. Family members who are Canadian citizens or who are permanent residents eighteen years of age or older cannot be included in a removal order or a departure notice. For example, if a Canadian citizen enters into a marriage with a non-Canadian that is determined not to be a bona fide marriage, the non-Canadian may be removed from Canada but the Canadian and any offspring will be allowed to remain.

This completes the discussion on whom may be asked to leave Canada and how this is accomplished. The next section is concerned with safeguarding Canadian law and order as it is impacted by the immigration program. It will deal with the particulars concerning being in contravention of the Immigration Act and the consequences of this.

CHAPTER XV

SAFEGUARDING LAW AND ORDER

I. Offenses and Punishment

EIC outlines the following offenses and punishments in Canada's Immigration Law (1989) found in Section 94 of the Act which are punishable on conviction by a fine, a term of imprisonment, or both. Some examples of offenses are:

- "to come into Canada at any other place than a port of entry without reporting to an immigration officer";
- "to gain admission through false or improperly obtained documents";
- "to violate the terms or conditions under which admission was granted";
- "to knowingly make any false or misleading statements at an immigration inquiry or examination"; or
- "to knowingly hire any visitor who is not authorized to work in Canada."

Some of the mechanisms (EIC, MBN, 1991) used to protect the integrity of the Immigration Program are as follows:

1. visa and passport requirements which aid in the identification of visitors and immigrants;
2. the collection of security deposits or bonds;
3. special document requirements for foreign workers and students, as well as specially coded SIN numbers; and
4. fines levied on transportation companies that bring people to Canada without proper identification.

EIC describes (MBN, 1991) the **inquiry** as the forum where the federal government can argue to prevent the entry of an inadmissible person, or, for the removal of an individual who is illegally in Canada or who has contravened the Immigration Act. The immigrant or refugee claimant can plead his or her case, with or without legal counsel, during this inquiry, or during a hearing. EIC also defines how the enforcement program works in tandem with the other immigration programs that foster trade and tourism, family reunification and fulfil Canada's international legal and humanitarian obligations with respect to refugees and displaced persons.

The following chart depicts E.I.C. statistics on the number of violations (both reported and arrests made), the number of immigration inquiries, and violations on the part of transportation companies in 1991.

CHART 8 Manitoba's Record of Contraventions During 1991

	MANITOBA	CANADA

PERSONS REPORTED FOR IMMIGRATION VIOLATIONS	491	28,592

PERSONS ARRESTED FOR IMMIGRATION VIOLATIONS	22	3,357

NUMBER OF IMMIGRATION INQUIRIES	113	8,297

FINES IMPOSED ON THE TRANSPORTATION COMPANIES FOR THE PERIOD JULY/90-APRIL 30/92 TOTAL	N/A	4.3 Million

(Source EIC - Building Together, Strengthening our Future, 1993)

This enables one to sense the scope of abuse within the immigration system. The following discussion will examine the appeal process for those in contravention of the Immigration Act.

II. Immigration Appeal Processes

EIC (MBN,1991) outlines the function of the Immigration Appeal Division (IAD) as appealing decisions on removal orders. Therefore family class applications that are refused may be appealed to the Federal Court of Appeal, if leave is granted by the Court. Accordingly, leave to appeal is granted only if the refusal applies to questions of law

As EIC notes, under Section 72 of the Immigration Act, anyone seeking admission to Canada who has a valid immigration or visitor's visa can appeal a removal order issued at the port of entry. This section also gives Convention refugees and permanent residents the right to appeal an exclusion or deportation order. Another section, Section 77, allows Canadian citizens to appeal a refusal to admit relatives in the Family Class whom they have sponsored.(MBN, 1991)

III. Arrest and Detention

EIC outlines in Canada's Immigration Law (1989) the following information on arrest and detention. "Persons awaiting immigration examination, inquiry, or execution of removal orders who, in the opinion of the Deputy Minister or a senior immigration officer, pose a danger to the Canadian public or would fail to appear, may be arrested and detained " (page 35).

"Bill C-84, the government's deterrent and detention legislation, carries a number of penalties designed to discourage people from abusing Canada's refugee determination system."

"Under the legislation, the government has a right to turn away ships in a specific zone outside Canadian shores (this power will be rescinded once Bill C-55 is in full operation)."

"Anyone attempting to smuggle people into Canada face prison terms of ten years and fines of \$500,000. Transportation companies can be fined up to \$5,000 (much more when Bill C-86 is implemented) for each person they bring to Canada who does not have proper documentation" (page 35). The onus is placed on transportation companies to be more accountable under the provisions of the Immigration Act. This can be seen when the legislation makes the fines greater in response to the number of violations being perpetrated.

"Suspected security risks and unidentified and undocumented arrivals can be detained until their identities are established. The detention is reviewed by an adjudicator after seven days."

"Also, the Criminal Code has been amended to allow increased authority for surveillance of suspected violators of the Immigration Act" (page 35).

This completes the discussion on the contraventions to the Act and the consequences of these. All relevant information on the mandate, the policies and the procedures of the immigration program have been examined and explained in this Part II. To complete the information on the immigration mandate and procedures a **fee schedule** is included in **Appendix F (page 309)** to assist those who want to know the costs of immigration and visa services. As well, **case processing times** have been added in because time factors are always an important issue with constituents who are anxious to be reunited with their families. It helps to know the length of time for certain embassies to process these applications so there are no unrealistic expectations on the part of the sponsors.

CONCLUSION

In any immigration policy, there are obligations on the part of both the host country and the immigrant or visitor. This is bound by immigration legislation. Therefore it is necessary to have a solid immigration knowledge base in order to fulfil the duties of an immigration practitioner in a constituency office. This will enable the service provider to facilitate the constituent or the policy maker in understanding and meeting his or her personal obligation regarding immigration.

Canada welcomes both immigrants and visitors. At the same time, Canada's immigration law works in the best interests of Canada - to link the total numbers of immigrants closely with the economic, demographic and labour market needs, and to protect the health and safety of the Canadian public. To do immigration work at the constituency level, is to link the individual to the bureaucracy and the policy makers. Therefore good immigration work involves a firm understanding of immigration law, policy and procedures.

To facilitate beneficial service provision to immigrants and constituents, Part II- The Manual- outlines immigration legislation, operations, selection and admission; the resettlement of refugees; immigrant and refugee settlement and integration services; and the details of entry as well as expulsion in order to safeguard Canada's law and order. Part III - Using the Manual - will set forth how the immigration mandate and procedures are utilized and related to immigration casework in a constituency office. The need to incorporate culturally-sensitive techniques in constituency casework and a social work perspective have been addressed in Part I - Social Work and Immigration - while Part IV ties the whole manual together by exploring some afterthoughts on the compilation of all the pertinent information offered in this manual.

For Further Reading

Bai, David (1991). Canadian Immigration Policy- Twentieth Century Initiatives in Admission and Settlement. Migration world Magazine 19, 3, pg 9-13.

Taylor. K.W. (1991). Racism in Canadian Immigration Policy. Canadian Ethnic Studies 1991, 23, 1, 1-20.

PART III

USING THE MANUAL

CHAPTER XVI

INTRODUCTION

Policy knowledge and skills are basic to professional practice and part of every practitioner's intervention efforts when assisting people with problem solution. It helps the service provider to adopt a frame of reference, and to value integrating policy and practice activities.

Part II - **The Manual** - is set up to enable the constituency caseworker to identify the immigration policies and mandate that constitute the practice world of a political office's immigration work. It also details the policy activities that constitute a critical component of intervention work with immigrants and those who work on their behalf. These activities are generated by federal immigration legislation and are an essential part of direct service provision. Therefore it is necessary for a political immigration caseworker to know how to use, analyze, and develop immigration policy in order to provide efficient and effective immigration service provision. To achieve this a constituency worker needs to understand how federal immigration policy translates Canadian society's concept of social responsibility into specific immigration programs and services.

Another important component of the practice world of a constituency caseworker is the job description and particulars that comprise it.

Part III - **Using this Manual** - focuses on this aspect.

I. JOB DESCRIPTION AND MANDATE

A constituency assistant's job includes a large immigration caseload. This intervention work involves acting as an advocate, a problem-solver and go-between for immigrants and those who work on their behalf. Much of this entails liaison work with immigration civil servants and bureaucrats, political staff in the Minister of Immigration's office, political activists and immigrants, their families and immigrant community groups.

Many immigrants and their lawyers utilize their Member of Parliament's office as a last resort in resolving difficulties with the Immigration Department. The issues are as follows:

- reunification with family members outside of Canada;
- difficulties with the sponsorship of relatives;
- work permit and employment authorization problems;
- visitor visa refusals;
- Health and Welfare concerns regarding immigration;
- hearings, deportation proceedings and departure notifications;
- complaints of racism or unfair treatment by immigration officials;
- difficulties with access to information within the system; and
- immigration problems in general.

The constituents who utilize their M.P.'s office for immigration problems come from every nationality and walk of life. For example, the following ethnic groups (or casework related to these groups), and those that work on their behalf, are the most frequent users of constituency immigration service in the federal riding of Winnipeg South in the 1992-1993 period.

- East Indian	33%
- Chinese	22%
- Philippine	15%
- Laotian	10%
- Bosnian	5%
- Yugoslavian	4%
- Russian	2%
- Other	9%

(These percentages may reflect the number of above living within this particular community. Therefore the percentages might be quite different in any other constituency due to its own particular population makeup).

Once the issues and the variety of ethnic backgrounds of the users of this service have been outlined, it is important to note the types of referrals to this service. Often these referrals are made when all other legal and bureaucratic avenues have been explored. Government intervention to address policy concerns is another reason to access this service.

II. REFERRALS

Immigrants, and those who work on their behalf, are referred to a constituency office through a variety of channels. These are:

- Immigration bureaucrats and civil servants;
- relatives, friends, neighbours or community leaders who have previously used this service provided by their M.P.;
- Immigrant organizations such as the Muslim Immigrants Association, Interfaith, or International Centre;
- provincial or federal politicians who provide assistance on other matters not directly related to the constituency service intervention with immigrants;
- phone contact and direct fieldwork by the M.P.;
- prominent members or groups in the ethnic community;
- lawyers who do immigration work; and
- concerned citizens.

This provides a good lead-in to the discussion on the case typology.

III. CASELOAD AND TYPOLOGY

There is a wide variety of issues involved in immigration casework at a constituency office. The following are a few of the most prevalent types of cases in order of frequency.

(i) SPONSORSHIP ENQUIRIES

The most frequent case scenario concerns a lack of information on the progress of sponsorship cases involving close family members. A constituent can access this information themselves but it is easier for the constituency assistant to cut through the red tape and access the bureaucrat who has the answer immediately. Constituents often state that the long processing times seem unreasonable and they are concerned there are difficulties with their sponsorship. They hope that the M.P. can facilitate their applications by speeding up this process. The political staffer can access any constituent's file with permission by utilizing the local immigration file number and calling to the general immigration information line. The immigration counsellor at the local immigration branch can update the caseworker on all pertinent information by calling up the file on the computer.

In these types of cases the constituency staffer's role is to access the information on the constituent's behalf and to explain the system, it's operation, and the processing times. In 99% of the cases there is no

legislative mandate to allow for speeding up the process. If there are extraordinary or relevant circumstances that require humanitarian and compassionate consideration then these cases are reviewed and passed on to the Minister of Immigration's office. This is proper procedure in these cases. The Minister has the mandate to review and intercede in these special circumstances. For example, if a person is deemed medically inadmissible according to the Immigration Act, he or she may be able to come to Canada with a Minister's Permit and provincial approval.

If the processing time seems unreasonably long (i.e. beyond the normal three to five years for an Assisted Relative application, or six months for a spouse) then the constituency assistant may request a telex be sent the Canadian embassy dealing with the application. This is a request for a status report that details the progress of the application overseas. There is a down-side. If the file gets pulled out of its proper order in the queue system, and is returned after a query has been responded to, it invariably does not return to the same spot. It is important to consider this negative aspect when asking the local immigration office to send a telex requesting information on an application. It should be clearly stated to the sponsor that this is a drawback. It usually takes three to four weeks for a response on a status report. This depends on which embassy is responding. For example, New Delhi has a large backlog on active cases so their response time is much longer than this. Much of the information gathering is done by the constituency assistant who deals directly with constituent inquiries to keep them updated on the progress of sponsorship applications.

(ii) VISITOR VISA REFUSALS

A second case scenario involves assistance with Visitor Visa refusals. The most common reason for refusal is that the visa applicant has failed to satisfy the immigration officer that he or she will return after the visa has expired. Due to the abuse of these visas, and the difficulty and cost involved in returning those who overstay, it is up to the visitor to prove they will return home within the correct time frame. Sometimes this is difficult to do, particularly if the potential visitor is young, unmarried, and without a good job or accumulated property.

The reasons given for refusal of visas are often couched in terms like "not enough financial or family ties to ensure that they will return home"; "reference made to wanting to become a permanent resident of Canada"; "concerns that provision has not been made for enough money while here"; "no provision made for schooling being interrupted while visiting here"; and "not enough property and assets back home to compel someone to return after expiration of a visa". There are many other reasons for an immigration officer to have concerns that someone will not leave voluntarily but these are the most frequent reasons cited.

A major obstacle to attaining a Visitor Visa is if the applicant has applied for permanent resident status prior to making application for a Visitor Visa. This applicant would not be considered a bona fide visitor. Once entry to Canada has been allowed that person will likely stay while awaiting permanent resident status. This is not the intent of a visitor.

The constituent may not know why a relative was refused and would seek help from their M.P. The caseworker's first course of action may be to phone the Minister of Immigration's office to ask for a refusal report from the Embassy concerned. A report would be requested by telex from the Minister's office in Ottawa. This report gives a very detailed accounting of all the immigration officer's concerns and reasons for refusal. It should be noted and explained to the constituent that a M.P. cannot interfere or pressure the immigration officer abroad or be privy to the reasons for the success or refusal of a visitor's visa. Once that officer has refused a visa application the M.P.'s staff can inquire as to the reasons. After receiving the report the M.P. can choose to intercede on the applicant's behalf by writing to the Minister outlining the particulars of this case and asking that it be reconsidered. If the M.P. is satisfied that the applicant is a bona fide visitor after interviewing his/her constituent and reviewing the refusal report, the matter is considered for merit. The decision rests with the M.P. as to whether or not he or she chooses to appeal to the Minister on this applicant's behalf. The bottom line on this particular intervention is the M.P. has to give personal assurances to the Minister that this visitor will return home. The unforeseen difficulty is that the M.P. must make a judgement based on a relative's assurance here while the immigration officer abroad has all the pertinent details on site. It is important that the M.P. can access the refusal report and interview the relatives here to make an informed decision before interceding and lobbying the Minister. There are only so many times a M.P. can do this, and there are limits to the number of times the Minister can grant these requests. Therefore it is important

that these interventions be thoroughly researched and politically advantageous to the M.P. (a bit of a dilemma as to how to judge whether or not to intercede based on factors other than legitimate concern for the constituent).

(iii) INFORMATION

One of the most important roles a constituency assistant fulfils is as a source of information to those needing knowledge about the immigration process. In order to answer questions a caseworker needs a sound immigration knowledge base consisting of the immigration mandate, its procedures and regulations, the time frames, the bureaucracy, the occupational criteria, the various categories and types of applications as well as the manner in which these are applicable in particular case scenarios. This Information is outlined in Part II of this manual. Some of the possible questions or informational needs of a constituents are:

1. how to sponsor a relative, the rules and regulations regarding this, the costs, the likelihood of success, and the time frame;
2. who in the bureaucracy or the government might be helpful with difficult cases that require more expertise and authority;
3. how to express dissatisfaction with the manner in which one has been treated by a bureaucrat, a public servant, an embassy official, or by an immigration officer at a port of entry and how to rectify this;

4. why one's particular case is taking so long, and to allay fears that there might be some difficulty regarding their application;
5. what one can do to get a visitor refusal overturned;
6. a need to know particulars concerning the determination of refugee status, the possible danger to loved ones in war-torn or impoverished countries, the regulations and rules pertaining to application for refugee status, the concerns regarding hearings and its process, fears regarding deportation or removal and help with these, and general aspects of this category;
7. how to fight deportation orders, removal orders, departure notices and what will happen if one is unsuccessful;
8. what will happen in a hearing, how this process works, and what are one's legal rights;
9. a need to know referral sources for litigation, community resources, immigrant groups, and ethnic organizations that might be helpful with immigration difficulties;
10. if it is possible for a caseworker to collaborate with legal counsel;

(iv) REFUGEE PROBLEMS

Many constituents come to their M.P.'s office seeking help with problems regarding their own refugee status or that of a close relative abroad. To assist in these queries a constituency assistant must have knowledge of the definition of a Convention refugee, the particulars of the Refugee Determination System, the process involved including hearings, adjudication, departure notices, deportation notices, and exclusionary orders. Refer to the Chapter X in Part II for these details. For example, it is important that the caseworker knows that if a deportation order is determined, a immigrant or refugee is not able to reapply to enter Canada without the direct permission of the Minister of Immigration. Likewise, if the adjudicator determines an exclusionary order is necessary, the unsuccessful applicant for refugee status must leave Canada for a year, and is then eligible to reapply for reentry. A departure notice determination means that the person involved may reapply from outside the country at any time. Knowledge of the consequences of adjudication assists the worker to offer counsel to someone who may wish, at a later date, to reapply when the determination is contrary to their expectations and hopes for the future. Also the consequences of failure to comply with a departure notice can lead to issuance of a deportation order. This results in a refugee or immigrant not being able to reapply to enter Canada without Ministerial intervention, drastically reducing the possibility of re-entry to Canada at a later date. Most of this type of reapplication is unsuccessful.

Another frequent scenario involves the appeals that are forwarded to the M.P.'s office on behalf of those refugees who are being deported because they do not meet the criteria for refugee status. Other appeals involve Canadian citizens who are concerned about this type of case. Often these types of appeal are emotionally charged and attract media coverage and petitions on behalf of the deportee. In most instances the refugee involved has been given a date in the very near future to depart Canada. Intervention is usually sought after the deportation order is issued and all avenues of appeal have been unsuccessful. The fact of the matter is that the proper avenues for response in these cases has been closed to the constituency assistant. The time for intervention in these cases is prior to the adjudication process. Before a formal hearing takes place the caseworker can appeal to the Minister or help to build a stronger appeal case for refugee status. Once the decision is made for deportation an appeal to the Supreme Court can be launched. At such time the Minister of Immigration becomes a respondent in the case and cannot intervene on behalf of the refugee. If the deportation order is upheld the Minister cannot interfere with this process. Only once the refugee has left the country can the Minister give permission for reentry. This is unlikely if the Minister has previously reviewed this case before the formal hearing at the request of a M.P. At this point, the only available intervention a constituency assistant can offer is to find out what the determination is, what action is taken by immigration, and detail the options available to the refugee who wishes to reenter Canada at a later date, and how to go about it. The media are hard on politicians who do not overturn these adjudications. It is sometimes necessary to point out to the press, and

those who are lobbying on behalf of these refugees, that Members of Parliament and the Minister of Immigration are bound by legislation that does not give them the power to change these deportation determinations.

(v) INVESTOR OR ENTREPRENEURIAL PROGRAM DIFFICULTIES

In the last six months there has been a moratorium placed on the investor program by the province due to concerns with the administration of investor funds. As of June 1, 1993 Manitoba has opted out of the Immigrant Investors Program altogether. This effectively ends immigrant investment in the province for some time to come. Those applications made prior to that June 1st date are still active. A number of constituents have accessed their M.P.'s office to clarify difficulties their friends, relatives and acquaintances are experiencing with investor applications. A constituency assistant may help find out the timeframe for active applications by keeping in touch with the provincial officials as to the particulars. A caseworker may also have to explain the reasons for the moratorium and eventual cancelation of the program to potential investors and constituents. As an alternative, the worker may explore the possibility that a prospective investor may meet the criteria for the entrepreneurial program instead. The major difference between the two programs is that, as an investor, the applicant is not required to have an active, ongoing participation in the business being invested in or to provide a job for one Canadian, as an entrepreneurial immigrant is required to. Also the political staffer can keep an eye on developments

with this moratorium to see if it will be lifted or an alternative program is implemented as a replacement resulting from the review by the provincial administrators of the program.

(vi) ADOPTION DIFFICULTIES

Another case scenario presented by constituents is the difficulties they encounter around the issue of adoption. Problems arise when they try to either adopt a child from abroad or to prove that they have a legal adoption when applying for permanent resident or refugee status for themselves or their dependents. According to the Immigration Act, a bona fide adoption is one in which the adoption must be done in accordance with the adoption customs in the country of birth. In many cases adoptions were not legalized due to a lack of either funds, knowledge of the immigration process, or formalized procedures. Also people fleeing from persecution or poverty may not have the required documentation when they leave their homelands to seek refuge in another country. Because there are no legal documents or proof of the adoption according to the customs in their countries of origin, the prospective immigrant or refugee is going to encounter difficulties in proving that the adoption of a dependent is legal.

International adoptions can also pose problems for prospective Canadian parents. An impediment to gaining permission to bring the child to Canada

can arise if the child has not been adopted according to the legal traditions in the country of origin. Another reason for delay might be medical concerns the prospective adoptee might present when examined prior to being allowed to enter Canada. For example, if the prospective child has been diagnosed as having Aids during a medical examination by health officials who are actively involved in the adoption process, the adoption process may be held up abroad. At the same time, the prospective parents can proceed with the immigration sponsorship of this dependent child from within Canada. The sponsorship process will be held up because of health concerns the country of birth may have regarding this child. An interesting side note is the fact that the immigration medical examination required of anyone wishing to stay in Canada longer than six months does not include testing for the Aids virus. Canada has no immigration policy concerning Aids at this time. When an international adoption involves a child with severe medical problems or handicaps, the province where the adoptee will reside must agree to allowing this particular child to migrate within its jurisdiction because of the health costs incurred. This complicates the process of adoption immensely. With a case like this two levels of government with their differing jurisdiction mandates are involved. Case work could entail ministerial and bureaucratic intervention at both levels with the inclusion of Manitoba Health. At this time, Manitoba is the only province that will allow a person deemed medically inadmissible to enter its jurisdiction. This is accomplished if a irrevocable letter of credit from the sponsor is set up to cover the medical costs incurred after the person migrates to Manitoba.

(vii) STUDENT VISA DIFFICULTIES

A student visa is issued to foreign students who wish to study at a recognized Canadian educational institution for a specified period of time to complete a course of study, a degree, or a diploma. Foreign students access their local M.P.'s office for help with difficulties they encounter while studying here. They often need assistance in gaining extensions on their student visas or to change their status. These student visitors must reapply outside the country if they wish to change their status to become either a foreign worker or a permanent resident. To extend their student visa they must go to their local immigration office and to prove the visa officer that they have enough financial support to complete their course of study. If they seek employment after graduation there is a program available to them that allows them to work temporarily in Canada to gain experience in their chosen occupational field. This allows for them to work for a period of up to one year to augment their studies with practical experience and to make Canadian business contacts within their profession. Many who choose this opportunity wish to stay as permanent residents. This is difficult to accomplish because they must apply outside the country, meet the employment criteria, have a bona fide employment offer, and meet the other requirements for becoming a permanent resident. This entails the standard processing time (often three to five years). Also the employer must post this employment opportunity so that Canadians may have the first chance at this position. Much of the constituency assistant's role in this process is to assist foreign students to acquire the necessary information they need to make decisions

for their future application for permanent residence or to help them with obtaining an extension or change to their present status. Often the difficult part of this role is having to lay out the difficulties or the impossibilities of successful permanent resident application at a time when Canadians are suffering from high unemployment.

When this rationale does not apply, as in the case of students who take on jobs that Canadians will not do, a caseworker can point out the options available to them. This will assist the foreign student to conform to the requirements necessary to fulfil obligations under the Immigration Act regarding employment and student authorizations.

As well, foreign students are often unclear as to their student status as it impacts on their need to have part-time employment to supplement their financial support. As student visa criteria precludes most types of employment, there is some confusion as to part-time work. Students may have some part-time work but it must be approved by CEC because there are very strict guidelines as to the number of allowable hours, the times of work, and the type of employment acceptable while in school.

(viii) EMPLOYMENT DIFFICULTIES

Immigrants who are in Canada to temporarily fulfil employment contracts utilize the local M.P.'s office when they experience difficulties with their employment contract, their employer or their status as a temporary worker. For example, one of the programs - the Live-In Caregiver Program - generates problems for some caregivers or their employers. One scenario might involve the requirement that a caregiver must live in her employer's home. The reason for this is that Canadians will do this work if there is no requirement for a live-in position. Those employers who wish this live-in situation have a difficult time hiring a Canadian to fulfil this employment situation and therefore must recruit outside of Canada. This program is the result of the CEIC's acknowledgement of this difficulty. The employer must agree to abide by the live-in requirement as well as the caregiver. In some instances one or the other has treated this requirement lightly. This can result in the issuance of a departure notice which will eventually result in deportation of the caregiver if this criteria is not abided by. Employers and caregivers have asked politicians to intercede on their behalf when these types of difficulties arise. The role of a constituency assistant in these circumstances is to ascertain the difficulties, to explain why and how the program works to the employee and the employer, to access the information as to immigration's stance in these particular cases, and to advocate or mediate on behalf of the employer or the employee with the bureaucracy. Also the media, local immigrant groups and prominent community leaders do get involved in these cases. It is necessary for the political staffer to provide program

information to all interested parties and to justify the rationale behind the live-in requirement in the context of Canada's high unemployment and economic situation.

Because an employer's and a caregiver's needs are often changeable there is some flexibility in arrangements that can be contracted between the two of them. Sometimes mediation by a constituency staffer is needed to assist these two parties to come to some mutually beneficial agreement. These contractual arrangements must meet the basic criteria of the program - that being the live-in requirement. If this is not adhered to, Immigration will call for an inquiry. If it is determined that the program criteria is not being met, the caregiver will be given a departure notice which can be appealed. The role of a constituency assistant in these cases is to provide factual information on the program, its criteria, and to assist by explaining the legal ramifications of contravening the Act and the process of appeal.

Employment-related difficulties between the employer and the employee can arise. Some of these problems revolve around contractual issues between the employer and the employee or difficulties with the immigration department in meeting the requirements of temporary employment as it impacts on either the employer or the employee. Again the political staffer's role is to access the correct employment authorization information needed by the interested parties and to network effectively with the immigration bureaucracy on their behalf.

(ix) OTHER DUTIES

Dealing with casework is but one of many duties that a constituency assistant must perform to be helpful to constituents seeking their M.P.'s intervention. Some other duties will be elaborated on next.

The immigration caseworker must acquire good contacts within the local, regional and Minister's offices of Immigration to assist in problem solution by being sources of information on general immigration policy and procedure. The local immigration office looks after the administration of the immigration program locally. The regional office encompasses a broader jurisdictional base. The Minister's office oversees the federal government's mandate to generate immigration policy and legislation as it relates to the immigration program. The Minister of Immigration has the ultimate authority, in some instances, to override bureaucratic decisions made at the local and regional bureaucratic levels. For example, Minister's Permits can be issued to those who may not meet the criteria to migrate to Canada under any of the categories provided for in the legislation.

It is also important that a caseworker access all sources of information to ensure efficient and effective intervention. For example, CIC regularly generates a large volume of information in the form of brochures and packages as continual updates on procedural, policy and legislative changes that impact on constituency work. Immigration officials are also more than willing to brief political staffers on these. The manager of the

local immigration office is responsible for liaison work with constituency offices for just this purpose. In this manner, a constituency staffer is able to keep informed of all current changes to immigration policy and procedure.

Another duty of a constituency assistant is to be informed of all sensitive immigration cases and issues, and government stands as they impact on immigration casework. For example, a case that is prominent in the media can sometimes cause a problem in accessibility to immigration bureaucrats and extreme caution on the part of the Minister's office. This often interferes with the caseworker's ability to network effectively - to the detriment of the client. This includes being politically attune to the potential ramifications of any casework intervention to your M.P. A case that is sensitive can have a contrary impact on the governing party and involved politicians if media attention is negative.

As well as being sensitive to the political ramifications of constituency immigration casework, a caseworker must acquire an awareness of the cultural issues and context involved in any intervention with immigrants and those that work on their behalf. For example, awareness of gender issues in a cultural context is important in understanding the power dynamics in families, or the fact that our western concept of a nuclear family is not universal. Part I points out how to incorporate an ethno-sensitive perspective into immigration casework. A caseworker needs to current on the community issues and resources, immigrant and ethnic groups, and prominent community leaders who could be a useful source of

information and guidance not only to immigrants but to those who seek to help them. Refer to Appendix A in this manual for a listing of community resources that might assist in gaining an understanding of the cultural component of immigration service provision. It is also useful for the purpose of referral.

A last duty that a caseworker must perform is to nurture a network of contacts within the media to access in times when involvement in a case includes media participation through newspapers, television, and radio. This is useful in maintaining factual accounting of casework intervention and for the purpose of good media relations. The ultimate objective is to be sure to have positive press coverage for one's Member of Parliament.

CONCLUSION

The outlining of the duties of a constituency assistant completes this section, titled **Using the Manual**, as it relates to the immigration mandate described in Part II. This included a job description and particulars, as well as the case typology.

Part IV will provide for some afterthoughts on the process of setting up this manual while making a case for the utilization of social workers or social work techniques to do this type of political casework.

PART IV

AFTERTHOUGHTS ON THE PRACTICUM PROCESS AND FOCUS

CHAPTER XVII

AFTERTHOUGHTS

The reason for creating this users' manual was to provide a practical guide to constituency immigration casework. As a social worker and a professional, I recognized a need to develop an immigration knowledge base that would assist the constituency worker to be a more efficient and effective service provider to constituents who were actively seeking help with immigration problems. During the evolution of this practicum project I saw the similarities and differences between casework done at a constituency office and a social service agency. Good service provision, whether it is politically or socially driven, does include some of the same essential elements of social work practice. As a social worker I wanted to utilize some of my social work training to insure that these elements be incorporated into constituency immigration practice guidelines. This could be accomplished by producing a user's manual that would provide some of the following basics for good practice: " a knowledge base; a value base; sanctions for practice; the development, use and meaning of relationship; the problem-solving process; some elements of an interventive model; and self-awareness" (Compton and Galloway, 1989, page 89). In this manner any constituency assistant, regardless of training, could offer immigration assistance to constituents through an active thinking process that includes the ability to convert knowledge into professional services.

The profession of social work teaches and "demands that interventive skills be used selectively and differentially as determined by a body of knowledge and theory, the process of deciding, and the purpose and values of the profession" (Compton and Galloway, 1989, page 89). For this reason I included elements of sound social work practice and political expertise into a immigration knowledge base in the form of a practitioner's manual. This practice tool could only enhance service provision to constituents seeking assistance for immigration problems at a federal constituency office.

Social work considers problem-solving as mediating between the person and the resources in the environment. This technique fits in with the objectives of constituency casework as well as social work practice. The focus of social work intervention is on this mediating interaction, so it offers a sound knowledge base to assist political caseworkers in immigration problem solution. This social work perspective is incorporated in this political practitioner's guide to facilitate mediation between the person (the constituent) and an environment comprised of government institutions, politicians, and different levels of government.

The three major purposes of social work also correlate with immigration problem solution in a constituency office. Compton and Galloway (1989, page 7) state that the first purpose of social work is "to enhance the problem-solving, coping, and developmental capacities of people" (the constituents). A second purpose is "to promote the effective and human operation of systems (such as Immigration) that provide people

(constituents) with resources and services". Lastly, social work "links people with systems (constituents with government and immigration systems) that provide them with resources, services, and opportunities".

The knowledge needed to operationalize these stated purposes was incorporated in this user's guide to constituency immigration practice in order to assist the constituency caseworker be clear about the nature of the immigration problem presented by a constituent, and the goals and purposes of the intervention (both social and political). This included the values, sanctions (both legal and political) and immigration information needed for immigration practice. The reason for the inclusion of values (that which we hold as desirable) is that they guide and direct practice. A social work knowledge base was necessary because it utilizes the following necessary elements that are found in any intervention process. According to Compton and Galloway (1989) these include: the knowledge of the problem-solving process that involves problem definition and assessment; a knowledge about the person which includes individual behaviour, cultural affinity and patterns of adaptation; knowledge about the situation which includes the community, its institutions, and various resource structures; knowledge of intervention techniques; and the knowledge base for practice and the constant upgrading of this.

These important components of a intervention knowledge base are all incorporated within this practitioner's guidelines to immigration practice that includes: information or knowledge about immigration law, policies

and procedures, job particulars and details: the need for culturally-sensitive practice and a referral and networking base.

The many values and dilemmas found in doing political casework supplement this intervention knowledge base needed for constituency immigration practice. This is because some of the greatest conflicts in any intervention work "are found at the point where knowledge conflicts with value (Compton and Galloway, 1989, page 91)." This is particularly true of politically-driven casework in a constituency office where a political and a service-provision agenda may be conflictual. The purpose for including some of these values and dilemmas in this immigration knowledge base was to highlight how values can be challenged with knowledge and the pros and cons of doing this in a political scenario.

Values can be used selectively and creatively as guides to the intervention process. This manual will assist the political caseworker to acquire a sound knowledge base for immigration practice that will not be restricted by "the use of prevailing value premises as the only standard for service provision" (to Compton and Galloway (1989, page 200)). These widespread values can limit a practitioner's methodology which may lead to poor practice. The inclusion of the discussion on values and dilemmas offers the constituency worker a context from which to analyze these ethical dilemmas so that they will be able to distinguish between ethical dilemmas and bad practice.

There are many ways in which ethical dilemmas are created within politically-driven immigration practice. In the manual I have attempted to highlight case or situational dilemmas from among the three broad categories of dilemmas that are common in any service provision. The first category of dilemmas includes those that are encountered within direct service provision to individuals and families. The next category includes those found within the design and implementation of government policy and programs (eg. the inflexibility of immigration legislation that is the mandate for immigration service provision). Lastly, relationships among professional colleagues can create a third category of dilemmas (eg. when colleagues disagree on a course of intervention action with political or social ramifications).

Values are also elements of the overall culture and are shared with others in society. It seemed important to note in the manual how these values are operationalized in immigration legislation, policies and procedures and their impact within the political system as they filter down to service provision at the constituency level.

As a social worker I was also able to identify clearly where there were gaps in the knowledge needed to provide sound immigration intervention at the constituency level, and the need for ongoing knowledge development. The manual attempts to address this knowledge gap. Until the completion and publication of this practitioner's guide, many constituency assistants may be acting and intervening based on incomplete knowledge that is neither well-related nor integrated.

In the manual some of this knowledge is supported by empirical data (eg. EIC statistical data), while some of it is assumptive. That is why there is the inclusion of both immigration procedural and mandate information and practice assumptions to augment the ethno-cultural sensitivity and job particulars. With a practical guide to immigration service provision the constituency assistant will not be stressed by the demand that he or she act on uncertain knowledge to the detriment of the client. The worker can actively learn the intervention process to complement their political background and expertise. This makes for more meaningful and effective immigration practice in a constituency office.

A strong argument can be made for the utilization of social workers to do political casework. A social worker's training incorporates problem solution, casework assessment and intervention techniques. These are useful skills that can be applied to political intervention. Also social workers utilize a worker-client partnership that would enable the worker to avoid using immigration expertise as a means of justification for personal power. By inclusion of a social work intervention practice of the client-worker partnership in problem solution, the constituent may feel empowered in the process. This can only result in more effective and meaningful service provision to the client regardless of the social or political agenda attached to it.

The ability of an immigration service provider to establish a working relationship in the interventive process with someone from a different cultural background will depend on his or her respect for the client's

background and attributes (Compton and Galloway, 1989). The need for, and the way to include, some culturally-sensitive techniques in constituency service practice arose from my social work perspective.

Accountability is an importance factor in constituency immigration due to the public's lack of confidence in the integrity of the immigration program. This impacts on the immigration casework at the constituency level. Another type of accountability concerns the practitioner's accountability to the client, the community, and the political arena. This includes the worker's responsibility to use policy and constituency office limitations as creatively and fully as possible. In this regard, the manual contains much of the information a worker needs on immigration policy and intervention constraints to advocate for changes in the legislation, policy and procedures that appear to limit immigration effective service provision to constituents. As social workers are held accountable because of professional ethics and guidelines, this is another reason to hire them to do this type of work.

Another reason for the need to provide guidelines for constituency office personnel is that this knowledge base will permit the practitioner to be self-directing. This allows for some professional autonomy by the utilization of two important tools in any casework. One tool is the internalized knowledge and skills that are increased with practice. The other is the dispensing of external resources such as Immigration referral or program information.

Another function of this manual is to demystify the bureaucratic structure and workings of a formal government institution - the Immigration Department. Often bureaucracy "is seen in terms of pragmatic necessity as the most efficient way to organize any large group of people to get any big job done" (Compton and Galloway, 1989, page 236). Some of the supposed gains in this type of organizational structure include efficiency, reliability, and fairness. Some of the dilemmas in the introduction of the manual speak to these positive gains. There are negative aspects to bureaucracy. These include delay, officiousness, red tape, exaggeration of routine, and limited adaptability. A caseworker in a constituency office must understand these realities concerning the bureaucratic structure as being part of the practice environment and learn how to work within, to use, and to change bureaucracy rather than seeing it as "the bad guy". This manual will assist in this understanding by offering information on the immigration bureaucratic structure, its lines of authority and the ancillary organizations that deal with the immigration program. Also it is noted in the manual that the immigration department, as a public tax-supported organization, must operate within legislation and is dependent on some legislative bodies. It is important for a constituency assistant to understand how all this works. This translates into knowledge that will assist a constituency worker to grasp the complexities of the immigration policy and the legal and procedural authority available for its interpretation.

A further function of this manual is to highlight for the caseworker the legal consequences of both action and inaction, the knowledge of how laws are made and changed (as in the evolution and amendments of Bill C-86), the ability to read and interpret statutes, and an understanding of the legislative and administrative processes. These skills are all needed in the exercise of decision-making in constituency casework. This carries with it the implication that there is a responsibility on the part of the caseworker to decide correctly and thus be accountable to both the client and the political process.

Much of what constitutes constituency casework is problem-solving. As a social worker familiar with the problem-solving process as an interventive model, I felt this method needed elaboration in this manual. According to Compton and Galloway (1989) this process involves a series of interactions between the client and the practitioner, incorporating the integration of feeling, thinking and doing, and directed toward achieving an agreed-upon goal. They state that in order for this process to be effective it must involve a client-worker interaction that is supported and guided by appropriate knowledge. It also must be conducted within the values and the sanctions of the profession and a relationship appropriate to working together. This is the method I utilized in my own constituency casework and as practice guidelines incorporated within this manual. This is part of my professional background and bias as a social worker. This is why there is such emphasis in the manual on the compilation of a immigration knowledge base. This is complimented by the procedural and inter-relational techniques that comprise the problem-solving model.

This type of intervention means beginning where the client is at (eg. frustrated at bureaucratic red tape), looking at the cause, problems and symptoms, and actively seeking client-worker solutions to the problem. According to Compton and Galloway (1989) this process requires three primary things from the caseworker. The first requirement is the headwork involved in trying to understand the situation and make an orderly approach to the process. A firm grounding in the immigration law and procedures are necessary here - refer to Part II of the manual for this. Secondly, the practitioner must have the ability to engage the client and other systems (eg. immigration bureaucracy) to understand and negotiate the problems and the intervention goals. This is where the section necessary job skills and networking contacts may come in handy. Lastly, the worker should have the ability to sustain a working partnership. These are skills that social workers are trained to use. The constituency caseworker can learn this in the course of immigration practice if he or she can incorporate and solidify an immigration knowledge base with culturally-sensitive intervention.

There are many other areas where social work practice overlaps intervention practice that is politically as well as socially driven. This manual attempts to incorporate elements from both perspectives with the end-view of good service provision to constituents. Because so much of what comprises good practice is part of a social worker's training, it seems to make a strong argument for the utilization of social workers and social work practice models to do this type of work in a constituency office.

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APPENDIX A

DIRECTORY OF REFERRAL AGENCIES AND USEFUL CONTACT NUMBERS

COMMUNITY RESOURCE DIRECTORY FOR REFERRALS

This directory is a useful tool to provide the constituent with information regarding some of the relevant services available in the community. It is no means exhaustive but it contains some of the most frequently used referral and information sources when dealing with constituents who have concerns outside the immigration bureaucracy.

(Listings from Manitoba Newcomer's Pocketbook. Manitoba Culture, Heritage and Citizenship. 1991.)

ADULT AND CONTINUING EDUCATION BRANCH

(Provincial Government)

4th Floor, 185 Carleton Street, Winnipeg

Phone: 945-6193

ADULT ESL CENTRE

(Winnipeg School Division #1)

700 Elgin Avenue, Winnipeg

Phone: 775-0416

Daytime English classes (literacy, beginner, intermediate, advanced, TOEFL only. Class sites also at 294 William Avenue and Douglas Point School.

AGE AND OPPORTUNITY CENTRE

304-323 Portage Avenue, Winnipeg

Phone: 947-1276

Services for seniors: counselling; health promotion; financial planning; retirement; support for victims of crime; legal aid; friendly visiting and educational programs; community senior centres. Printed information in German and Ukrainian. Service for Indochina Chinese seniors in their own language at Westend Seniors Centre, 644 Burnell Street, Winnipeg; Phone: 772-9581.

APPLIED LINGUISTICS CENTRE LTD.

575 Wall Street, Winnipeg

Phone: 774-4689

English classes at all levels, including literacy.

ASSINIBOINE COMMUNITY COLLEGE

(Provincial Government)

1430 Victoria Avenue East, Brandon

Phone: 726-6600

Information on all English classes.

BALDWIN HOUSE (Salvation Army)

Phone: 783-7129

Crisis shelter for abused women: room, board and clothing as well as counselling and referral.

CANADA EMPLOYMENT CENTRES (Federal Government)

320 Donald Street, Winnipeg

Phone: 983-5363

Social Insurance Number application; job counselling and referral; training and work experience programs; occupational training; job search assistance; unemployment insurance.

CANADA IMMIGRATION CENTRE - Winnipeg

(Federal Government)

4th Floor, 259 Portage Avenue, Winnipeg

Phone: 947-2034

Information and advice on immigration matters and concerns, including sponsorship of family members.

CHILD AND FAMILY SERVICES OF CENTRAL WINNIPEG

294 William Avenue, Winnipeg

Phone: 944-4200

After hours emergency phone: 944-4050

Child welfare services including counselling, emergency homemaker service, and child abuse investigation.

CHILD DAY CARE OFFICE

(Provincial Government)

2nd Floor, 114 Garry Street, Winnipeg

Phone: 945-2197

Information on day care services; financial subsidy assistance.

CHILD GUIDANCE CLINIC OF GREATER WINNIPEG

2nd Floor, 700 Elgin Avenue, Winnipeg

Phone: 786-7841

Assists elementary and high school students in Winnipeg with learning, mental health, behaviour, social, communication, or other problems. Service available in additional languages, including Cantonese, Lao, Portugese, and Vietamese.

COLLEGE OF PHYSICIANS AND SURGEONS

1410-155 Carlton Street, Winnipeg

Phone: 947-1694

Help in selecting a doctor by location or specialty.

COMMUNITY HEALTH CLINICS - WINNIPEG

(Municipal Government)

385 River Avenue, Winnipeg

Phone: 986-3413

601 Aikens Street, Winnipeg

Phone: 986-5522

STD Information Line

Phone: 986-3735

Medical services, including immunizations: flu shots for seniors: cancer detection: family planning.

COMMUNITY LEGAL EDUCATION ASSOCIATION

304-283 Bannatyne Avenue, Winnipeg

Phone: 943-2382

Legal Services information & Lawyer Referral Service

Phone: 943-2305

Basic legal information; referral to lawyers.

FAMILY CONCILIATION (Provincial Government)

14th Floor, 405 Broadway, Winnipeg

Phone: 945-7236 (Outside Winnipeg 1-800-282-8069)

Brief counselling related to family breakdown, separation, divorce, and child custody and access; information and workshops for parents and children on family separation. Service available in French and Ukrainian.

GORDON BELL SCHOOL E.S.L. PROGRAM

3 Borrowman Place, Winnipeg

Phone: 774-5401 (5:30 p.m. - 8:00 p.m., Monday - Thursday)

Evening E.S.L. classes (literacy, beginner, intermediate, advanced).

HEALTH ACTION CENTRE

240 Powers Street, Winnipeg

Phone: 589-8354 (24 hour answering service)

Health care, including medical, dental, maternal, child, and reproductive health; mental retardation services; parent and other support groups; outreach workers for home visits; counselling, especially alcoholism, domestic violence, sexual abuse, marital conflict, depression, anxiety.

HUGH JOHN MACDONALD SCHOOL

567 Bannatyne Street, Winnipeg

Phone: 786-5631 (6:30 p.m. - 8:00 p.m. Monday & Wednesday)

Evening E.S.L. classes (literacy, beginner, intermediate, advanced).

IMMIGRANT ACCESS SERVICE (Provincial Government)

294 William Avenue, Winnipeg

Phone: 945-6300

Program that provides information about services that are available and how to gain access to them; needs assessment, counselling, and referral. Service available in Cantonese, Hindi, Lao, Mandarin, Polish, Punjabi, Spanish, and Vietnamese. Resources in additional languages.

IMMIGRANT WOMEN'S ASSOCIATION OF MANITOBA

201-323 Portage Avenue, Winnipeg

Phone: 943-8612

Counselling for immigrant women in crisis, including abuse. service available in additional languages, including Afrikaans, Creole, Dutch, French, German, Hindi, Portugese, Punjabi, Sotho, Spanish, Swahili, Tagalog,Urdu, Vietnamese, Xhosa, and Zulu.

IMMIGRANT WOMEN'S EMPLOYMENT AND COUNSELLING SERVICE

503-352 Donald Street, Winnipeg

Phone: 949-5300

Employment and career counselling for unemployed and underemployed immigrant women; English courses; education and training information and referral; employee advocacy. Services available in additional languages including Cantonese, Czech, German, Ilonggo, Mandarin, Pilipino, Polish, Portugese, Siamese, Spanish, Tagalog, Ukrainian, and Vietnamese.

IMMIGRATION AND SETTLEMENT SERVICES (Provincial Government)

Main Floor, 114 Garry Street, Winnipeg

Phone: 945-2800

Employment help for immigrants with professional or technical training; IMMIGRANT ACCESS SERVICE(see separate listing); settlement information materials; demographic and policy information and analysis; special program for assisting refugees; grant assistance to non-government agencies.

INSTITUTIONAL TRAINING AND REFUGEE SETTLEMENT (Federal Government)

3rd Floor, 320 Donald Street, Winnipeg

Phone: 983-3042

Government Of Canada agency for government-sponsored refugees only; financial assistance to cover living expenses for a limited time period; counselling for personal budgeting and employment; job training and English as a Second Language referrals. Service available in additional languages, including Cantonese, Mandarin, Polish, Spanish, and Vietnamese.

INTERFAITH (Manitoba Interfaith Immigration Council)

159 Mayfair Avenue, Winnipeg

Phone: 477-4483

Orientation, information, support for refugees and immigrants; translation and interpretation; counselling; referral. Service available in additional languages including Amharic, Farsi, Hungarian, Khmer, Polish, Romanian, Spanish, Tigrinya, And Vietnamese.

INTERFAITH PASTORAL INSTITUTE

Bryce Hall, 212-515 Portage Avenue, Winnipeg

Phone: 786-9251

Individual, family, marriage, and grief counselling; marriage preparation and parenting programs.

INTERNATIONAL CENTRE OF WINNIPEG

(Manitoba Citizenship Council)

406 Edmonton Street, Winnipeg

Phone: 943-9158

Orientation, information, and support for refugees and immigrants; Language Bank (see separate listing); citizenship classes; counselling. Immigrant Employment Assistance Centre assists in job search, including resume preparation, job placement classes, and training/education referrals. Service available in additional languages including Cantonese, Dari, Farsi, Khmer, Lao, Mandarin, Polish, Romanian, Slovak, Spanish, and Vietnamese.

KLINIC

870 Portage Avenue, Winnipeg

Medical Services 786-6943

Senior Citizens' Community Service 786-6943

24 Hour Crisis and Suicide Counselling 786-8686

24 Hour Sexual Assault (Rape Crisis) Counselling 786-8631

LANGUAGE BANK

International Centre of Winnipeg

406 Edmonton Street, Winnipeg

Phone: 943-9158

24 hour emergency interpreter service. Interpretation services and translation and/or notarization of documents provided free of charge to immigrants who have been in Canada less than three years.

LANGUAGE TRAINING CENTRE

(Red River Community College, Extension Centre)

2nd Floor, 294 William Street, Winnipeg

Phone: 957-1016 or 957-1026

English as a Second Language classes at all levels.

LEGAL AID SERVICES SOCIETY OF MANITOBA

402-294 Portage Avenue, Winnipeg

Phone: 947-6501

Basic legal advice; free legal services for low income people.

MANITOBA HEALTH SERVICES

(Provincial Government)

599 Empress Street, Winnipeg

Phone: 786-7101

Pharmacare Information 786-7141

Medical card; information on health care coverage.

PROVINCIAL HEALTH UNITS

(Provincial Government)

City Centre Unit

189 Evanson Street, Winnipeg

Phone: 945-6333

Healthcare and social services, such as immunization, mental health, mental retardation, seniors' programs, and home care.

CONTACTS WITHIN THE IMMIGRATION BUREAUCRACY

This list is a useful guide to a constituency assistant for access to various immigration departments by their jurisdiction.

CIC WINNIPEG INTERNATIONAL AIRPORT

2000 Wellington Avenue, Winnipeg

Phone: 983-8836

Fax: 983-3187

Manager	Gabe Lau	983-8837
Senior Immigration Examining Officer	Jan Tsang	983-8836
Senior immigration Examining Officer	Diane Mayer	983-8836
Immigration Examining Officer	Irene Campbell	983-8836
Immigration Examining Officer	Gary Komar	983-8836
Immigration Examining Officer	Margaret Gbur	983-8836
Management, Operations-Support Clerk	Claudette Spurill	983-8836

CIC WINNIPEG

4th Floor, Paris Building

Phone: 983-2043

Fax: 983-3176

Manager	Lyle Moffatt	983-0069
Chief, Admin. Services	Val Cortvriendt	983-3706
Assistant Manager	Herve Danseau	983-0074
Supervisor of Admissions	Rocky Gushuliak	983-2241

Supervisor of Enforcement Dennis Dyck 983-5332

Counsellors (Admissions)

Iris Abraham 983-0075

Glenn Bailley 983-3724

Maryanne Colvin 983-5318

Maryann Gibbs 983-2229

Debbie Jacobucci 983-3711

Barry Pike 983-5311

Deb Weins 983-2235

Immigration Counsellors (Enforcement)

Robert Fontaine 983-2239

Theresa Jaworski 983-5331

Claude Marchand 983-3726

Grant McPhail 983-5348

Bill Ploshynsky 983-7625

Ingrid Pawlosky 983-4451

Immigration Counsellor Assistants

Admissions

Taitu Degueffe 983-4110

Ruth Gilbert 983-4246

Giselle Verrier 983-4549

Dawn Sherby 983-2249

Enforcement

Nancy Lam 984-3681

REFUGEE SETTLEMENT UNIT

1st Floor -255 Portage Avenue, Winnipeg

Front Reception	Irene Herman	983-5853
Supervisor	Joan Pullen	983-3042
Counsellors	Brian Huzel	983-6386
	Mike Scott	983-3252
Counsellor Assistants	Sonia Amaya	983-7883
	Barb Hillstrom	983-4594
	Cleo Holness	983-5853
ESL Testers	Grace Edise	983-5853
	Carole Guy	
	Robert Guy	
	Judith Roe	

3. IMMIGRATION TELEPHONE LISTING

REGIONAL OFFICE

5th Floor, 259 Portage Avenue, Winnipeg

Phone: 983-3754

Director of Immigration	Nick Oosterveen	983-3754
Manager, Admissions and Settlement	John Nychek	983-2879
Manager, Enforcement	Gilles Bibeau	983-3906
Manager, Support Services	Rob Cullum	983-7490
Program Specialist Settlement	Jim Crawford	983-2428
Program Specialist Settlement	Ann Lawler	983-2234
Program Specialist Settlement	Anne Morell	983-0858
Program Specialist Admissions	Larry Deblaere	983-8753

CIC EMERSON

CIC Customs Immigration Building

Hwy. 29 (Emerson West)

Box 254, Emerson, MB

Phone: 373-2197

Manager	Jay Ihme	373-2197
Senior Immigration Examining Officer	Ken Kreitz	373-2197
Senior Immigration Examining Officer	Mike Bataluk	373-2197
Senior immigration Examining Officer	Colleen Mullen	373-2197

Immigration Examining Officer	Bernie Gratton	373-2197
Immigration Examining Officer	Guy Legras	373-2197
Management Operations -Support Clerk	Lori Braun	373-2197

Minister of Immigration, Ottawa

Tamara Cohos

Special Assistant

Western and Pacific Caucus

Phone: 1-819-994-2482

APPENDIX B

ACRONYMS GUIDE

AAP	ADJUSTMENT ASSISTANCE PROGRAM
CEC	CANADA EMPLOYMENT CENTRE
CIC	CANADA IMMIGRATION CENTRE
CRDD	CONVENTION REFUGEE DETERMINATION DIVISION
CSIS	CANADIAN SECURITY AND INTELLIGENCE SERVICE
DEA	DEPARTMENT OF EXTERNAL AFFAIRS
EIC	EMPLOYMENT AND IMMIGRATION CANADA
FTA	FREE TRADE AGREEMENT (CANADA-UNITED STATES)
IAD	IMMIGRATION APPEAL DIVISION
IRB	IMMIGRATION AND REFUGEE BOARD
ISAP	IMMIGRANT SETTLEMENT AND ADAPTATION PROGRAM
LINC	LANGUAGE INSTRUCTION FOR NEWCOMERS
LMLT	LABOUR MARKET LANGUAGE TRAINING
MBN	MINISTER'S BRIEFING NOTES COMPILED BY EIC
M.P.	MEMBER OF PARLIAMENT
RCMP	ROYAL CANADIAN MOUNTED POLICE
RMO	REGIONAL MINISTER'S OFFICE
TLP	TRANSPORTATION, ASSISTANCE AND ADMISSIBILITY LOANS PROGRAM
UNHCR	UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

APPENDIX C
GLOSSARY OF TERMS

Adjudicator - a person employed under the Public Service Employment Act to preside over immigration inquiries, hearings, and detention reviews.

Admission - permission to come to Canada as a immigrant or as a visitor.

Assisted Relative - immigrants, other than members of family class, with close relatives in Canada willing to help them become established in this country. No longer a category as of February 1, 1993.

Authorization - see employment and student authorization.

Canadian Citizen - a person who was born in Canada or who has applied through the Department of the Secretary of State and has received a citizenship certificate.

Convention Refugee - any person who, (a) by reason of a well-founded fear of persecution for reasons of race, religion, nationality, membership in a particular social group or political opinion, (i) is outside the country of his or her nationality and is unable or, by reason of such fear, is unwilling to avail himself or herself for the protection of that country or, (ii) not having a country of nationality, is outside the country of his or her former habitual residence and is unable, and (b) has not ceased to be a Convention Refugee by reasons as voluntary repatriation.

Departure Notice - a notice issued to a person who has committed a minor infraction of immigration law, requiring that person to leave Canada but permitting re-application for admission.

Dependents - the spouse of a prospective immigrant and the children of that immigrant who are, whether natural born or adopted before the age of thirteen,

- unmarried and under 19 years of age,
- full-time students, or
- mentally and /or physically disabled and unable to support themselves.

Deportation Order - a removal order issued to someone who is inadmissible to Canada on serious grounds, who has committed a serious violation of Canadian law, or who is unwilling to leave voluntarily. Deportation permanently bars future admission to Canada unless Ministerial consent is granted.

Designated Occupation - an occupation in a locality or area in Canada designated by the Minister, after consultation with the relevant provincial authority, as a locality or area in which workers in that occupation are in short supply.

Employment Authorization - a document issued by a Visa or Immigration Officer, authorizing a person other than a Canadian citizen or a permanent resident to work temporarily in Canada.

Entrepreneur - an immigrant who intends and has the ability to establish, purchase, or make a substantial investment in a business or commercial venture in Canada that will: make a significant contribution to the economy; and create or continue employment opportunities in Canada for one or more Canadian citizens or permanent residents, other than the entrepreneur or his or her dependents. (And who intends and has the ability to provide active and ongoing participation in the management of the business or commercial venture.)

Entry - lawful permission to come to Canada as a visitor.

Exclusion Order - a removal order issued to someone at the port of entry for a minor offence, such as incomplete documentation, barring admission for one year.

Family Class - the class of immigrants made up of close relatives of a sponsor in Canada.

Guarantor - a person who sponsors an immigration application made by an assisted relative.

Immigrant - a person seeking to land in Canada.

Investor - a person with a proven track record in business who has an accumulated net worth of at least \$500,000 who makes an investment as required in a project which has been assessed by the province as being of

significant investment in the economy, and which will contribute to the creation or the continuation of employment opportunities for Canadian citizens and permanent residents.

Landing - lawful permission to come to Canada to establish permanent residence.

Minister's Permit - a written permit issued by the Minister of Immigration, authorizing a person to come into or remain in Canada if that person, seeking entry, is a member of an inadmissible class, or if already in Canada, has been subject of a report.

Permanent Resident - someone who has been granted admission as a immigrant but who has not yet become a Canadian citizen.

Refugee - see Convention refugee.

Removal Order - an exclusion or deportation order, requiring someone to leave Canada.

Self-employed Person - an immigrant who intends and has the ability to establish or purchase a business in Canada that will create employment for himself or herself and will make a significant contribution to the economy or the cultural and artistic life of Canada.

Sponsor - a person who sponsors an immigration application made by a member of the family class.

Student Authorization - a document issued by a Visa or Immigration Officer authorizing a visitor to take an academic, professional, or vocational training course at a Canadian university, college, or other recognized institution.

Visitor - a person, other than a Canadian citizen, permanent resident or Minister's permit holder, who is lawfully in Canada, or seeks to come to Canada, for a temporary purpose.

* Definitions in glossary supplied by Employment and Immigration Canada in When a Constituent Asks (1993).

APPENDIX D

GOVERNMENT RESPONSES TO CONCERNS REGARDING BILL C-86

Questions and Answers

Immigration Legislation and Policy Initiative

Levels Management

Q1. Why is there a need to introduce this new management system now?

A1. More people are applying to immigrate to Canada than can be accommodated within current plans or with available resources for processing and integration. As a result, intolerable backlogs and delays have developed and the program is slow to respond to new policy directions. We need to address these problems now to provide our partners with more certain planning figures and to best use our scarce resources.

Q2. Is this a system like the American one where people have to wait 20 years for visas and where there are country quotas?

A2. There are no country quotas in the proposed system. If a person meets the requirements in their category they receive a visa regardless of their country of origin.

There will likely be no queue for some groups such as close family members and investors. Some of the other groups may well have to wait a number of years before we can deal with their cases and in still other cases, we intend to limit the number of applications so that we will not be faced with lengthy backlogs. There are more people who want to come to Canada each year than we can accommodate. Tough choices have to be made.

Q3. What was the final number of immigrants admitted last year and why wasn't the final target met? This again seems a contradiction of announced policy so what evidence is there that targets would be met under the proposed system?

A3. Our record for achieving levels plans is one reason we are introducing this new system. For many years, the plan was exceeded and last year landings were slightly short of the target level. We don't have a final figure yet but preliminary data indicate that there were 208,000 landings, plus 24,000 under the Backlog Clearance program.

The new management system will enable us to use existing resources efficiently so that the plan can be achieved. And the goal is not simply to achieve an overall number of immigrants but to ensure that we can manage the types, or categories of immigrants we will admit.

- Q4. Are you confirming that the over-all target remains at 250,000 despite the economic situation? When will targets be set?
- A4. Yes! As the new levels management system will be introduced by means of Regulations, there is still more work to be done. The actual date of introduction of the new system is not yet set. Levels consultations will proceed later this year.
- Q5. Why aren't you confirming the composition of the 3 streams?
- A5. The approach we will take to manage each class of immigrant will be established by means of regulation and will change from time to time as required. Although considerable thought has gone into the proposed composition of the streams, more work needs to be done, especially in terms of putting the system into motion.
- Q6. What are the reasons for the composition of the 3 streams?
- A6. The distribution of categories will be established by regulation and could therefore be changed from time to time as needs change. The 3 streams provide the means to manage the flow of immigrants.
- Q7. Is it realistic to think the processing timeframes in stream 1 will be met? How soon will you know if you can meet them and what will you do if timeframes aren't being met? What happens to applicants when it takes longer than promised to issue the visa?
- A7. Yes, it is realistic that most immediate family cases can be processed within 6 months barring uncontrollable factors. There will be no fixed limit to the number of landings in this category and overseas posts will be resourced to ensure the time standards are met. There will always be some cases - up to 20% - which cannot be completed within the time standard. These cases have special circumstances, such as medical questions, and some cases are delayed by the applicant themselves.
- Q8. Why are some applications kept active while others aren't?
- A8. All applications accepted are kept active until concluded. However, we will not be accepting unlimited numbers of applications. Except for some groups in stream 1 and some groups in stream 2 - such as parents, grandparents, and privately-sponsored refugees, applications will be turned away if we already have enough in the system. We will avoid creating large backlogs which are the main cause of processing delays.

Q9. Why are live-in caregivers proposed for stream 2 when other people landed from within Canada are proposed for stream 1?

A9. The large number of live-in caregivers currently applying for landing under the program requires that we manage this movement, like other components of the Immigration program by placing annual limits on the number of landings. Those already in Canada will not be disadvantaged, because after their application for landing has been approved, they will be given permission to work in any occupation pending completion of the landing process.

As for the future, care-givers will be landed as immigrants from abroad. This will enable them to take advantage of the benefits that accrue to permanent residents earlier than at present, including the privilege of sponsoring relatives. There will be limits on the number of care-givers whom we will approve as immigrants based on labour market requirements, unemployment in Canada and so forth.

Q10. How will you select the "most qualified" in stream 3 and how do we know this isn't a tool to only accept immigrants from traditional source countries?

A10. The details of the system are still to be worked out. However, in principle, this stream will be looking for the best immigrants from around the world who can contribute to Canada's economic competitiveness. It is open to people from everywhere. You are selling people short if you believe that only people from 'traditional' source countries have the kinds of qualifications that Canada needs.

Q11. For many families, parents are considered part of the nuclear family. How can you justify making people wait years to be reunited with their parents?

A11. It is true that parents may have to wait longer than closer family members like spouses and dependent children. However, immigration requires a balance. There are more people wanting to come to Canada than we can possibly admit. Some balance is necessary to ensure that the program serves the needs of all Canadians. To do this means that we must keep a reasonable balance between the immigration of more distant family members and the other needs of Canada. We believe our proposals achieve this. The important thing is that while some parents may have to wait longer, they will be admitted in due course.

Q12. What does this new system mean for refugees in life-threatening situations?

A12. Refugees from abroad would likely be processed within annual targets and on a "first come, first served" basis. However, provision will be made to ensure that refugees in life-

threatening situations can be processed faster - as has always been our practice. Those found to be refugees within Canada will be admitted without limit and under an expedited process.

Q13. Does a person have to pay a new fee each time they apply?

A13. Yes! Like all government cost recovery programs, they pay for the processing, not for the result. If they are unsuccessful the first time, they must pay to try again.

Q14. What happens if you can't meet the target in a specific category?

A14. The unused allocation could be used in another category or categories all with the objective of meeting the over-all target.

Q15. Why aren't brothers/sisters, aunts/uncles and nieces/nephews considered part of the assisted relative category any more?

A15. As they are already selected, for the most part, on the basis of economic factors we will deal with them exclusively on that basis. This helps achieve the balance between family, refugee and economic migration.

Q16. What are the criteria for 'public policy' classes and what countries would you consider including? Is this another way to re-balance the sources of immigrants to traditional source countries?

A16. We are not proposing any countries at this time. However, there will always be situations where Canada has to develop special means to deal with exceptional situations in some countries (eg. special programs for Lebanon, Iran, Sri Lanka, in past years). All we are doing is ensuring that the Government has the ability to address these situations more effectively in the future. We would also look at situations where nationals of a particular country have been largely prohibited from emigrating for many years.

This is not a policy to return to immigration patterns of the past.

Q17. Will visa offices still have annual quotas?

A17. Visa offices will not have a target for immigrants groups in stream 1 because they will be processed on demand with no limits. We can estimate these numbers quite well and will resource offices appropriately. Visa offices will still have annual targets for some groups, such as refugees and immigrants selected by, and destined to, Quebec. Other groups in streams 2 and 3 will be managed centrally. All

applicants selected from the central system will be processed through the office where they applied.

This sort of management tool enables posts to balance their immigrant visa work with their responsibilities for visitors, international students and temporary workers seeking visas for Canada, along with their responsibilities to deal with foreign governments and airlines on questions of control.

Q18. Won't a centralized system slow things down by adding an extra step?

A18. No. This system will provide more equal processing for applicants around the world and will speed up processing. Applicants will know very quickly if their application has been unsuccessful or whether they will be considered further. With advanced automation, the centralization of selection will have no delaying effects. Most delays are currently caused by too many cases clogging up the processing system. This proposal will virtually eliminate backlogs - leaving more time for visa officers to process visas and carry out other work (temporary visas, enforcement).

Q19. Why are you restricting visa applicants to a specific office abroad and obliging the candidate to specify the category in which they apply?

A19. This is necessary to have better control of the immigration process abroad, to become more efficient and to offer an improved quality of service. It will enable us to make use of economies of scale by not having to offer all services at all offices. Instead, specialized offices will handle certain types of cases. This can only be done if we insist that applicants specify the category in which they wish to apply.

Q20. Is the government admitting that the investor category is out of control? Will Quebec's investment arrangements be disallowed.

A20. There are certainly documented problems of fraud, poorly directed investments and delays in processing. The proposed legislative framework will enable the federal and provincial governments to ensure that the program achieves its objectives of contributing to economic development. Regulations to improve management and program performance will be worked out with the provinces and interested stakeholders.

The Minister tabled the primary findings of the Ministerial Task Force on the Immigrant Investor Program with the House

of Commons Standing Committee on Labour, Employment and Immigration on May 7, 1992 for its comments.

Q21. Doesn't this package favour the wealthy and the skilled over family and refugees?

A21. No. This package represents balance amongst the three main components of Canada's immigration program. Immigrants are admitted in fulfilment of three major objectives - family reunification, refugee protection and economic development. The bill does not change these objectives.

Q22. Hasn't it been the practise, confirmed by judicial decisions, to process all cases submitted before a legislative/regulatory change under the old system?

A22. We are proposing an authority not to "grandfather" some cases to ensure that the immigration program can respond more quickly to new policy directions and to domestic and international events.

Immediate families will not be affected - in fact, they will be processed faster. Some cases, such as parents, could be made subject to a numerical limit but their eligibility would not be affected. We will not disadvantage anyone whose case has been approved.

Q23. What is achieved by limiting the number of temporary employment authorizations? Will these limits apply to the free trade agreement and to the agricultural workers program? How are refugee claimants affected?

A23. We will try to ensure that the limit on employment authorizations is as generous as necessary to meet the genuine needs of Canadian employers. However, importing workers is not always the best solution to labour shortages. We must ensure that Canadian employers explore other in-Canada solutions such as job training for Canadians which contributes to the country's and to individual prosperity.

Q24. What is the rationale for the change of the levels reporting date and when will this happen?

A24. This date will be set by regulation but we are considering a June date. This would provide the department, as well as other government departments and immigrant serving agencies with more lead time to implement any changes the plan might propose for the next calendar year.

Q25. Why table a plan if the Minister has the authority to change it anytime?

A25 This authority provides flexibility for the program to respond to humanitarian situations or to economic

fluctuations. Minor changes may be needed if there are unanticipated changes in demand to immigrate. The intent is not to change plans frequently and so destroy the rationale for an orderly planning process.

Protecting Society

Q1. Are these measures adequate given the pressures of the environment?

A1. Current legislation makes it difficult to prevent abuse of the immigration system. The legislative changes proposed will permit Immigration to better protect Canadian Society.

Experience shows that illegal migrants, smugglers and counterfeiters are extremely resourceful in circumventing Immigration requirements and quickly adapting to measures designed to control them. The rights and benefits available in Canada are powerful incentives for coming here, legally or illegally. The proposed measures represent what is needed to ensure control in the 90s.

Q2. Why aren't airlines paying their fines - is it in protest against the government's inability to manage the system?

A2. There is more than one reason:

Airlines were not happy with the change in the law in 1988 which increased their responsibility to ensuring that their passengers are properly documented when they arrive in Canada. They have been particularly unhappy when fined for delivering a passenger who has destroyed documents en route or handed them on to a smuggler for recycling. Accordingly, a number of foreign airlines have joined forces in opposing payment of fines - particularly undocumented arrivals - until a court has ruled on the defence of "due diligence" in screening documents on embarkation to Canada-bound flights. There are currently some test cases before the courts which will establish case law on this issue.

The remedies available to the Government under the old legislation were not fully employed as, in some cases, they were considered overly-punitive. For example: our only guarantee for collecting overdue fines was through draw-down from a security deposit; our only remedy for non-payment of a security deposit, was to seize an aircraft, which may resemble using a sledgehammer to kill a fly if the deposit is relatively small, say \$10,000.

The old legislation relied on criminal prosecution as the only remedy for imposing fines when the carriers refused to pay criminal prosecution to enforce a regulatory remedy proved to be both impractical and extremely costly for both the government and the airlines - that is why we have eliminated fines altogether and replaced them with a simple administrative fee liability, based on the principle of cost recovery that can be recovered through a civil action in the event of non-payment.

We recognize that airlines are operating in a difficult economic environment and want to work with them in meeting their immigration responsibilities.

Q3. What do the airlines think of the change to penalties, given their present business environment? Will they cooperate and, if they don't, then what?

A3. We recognize that airlines face a difficult task in trying to interdict illegal migrants. We have therefore replaced a system that penalized carriers for delivering any improperly-documented passenger - even bona fide visitors with an expired passport - with one that has a financial impact on them only in respect of traffic that imposes a burden on Canadian taxpayers, i.e. those who are both improperly-documented and inadmissible and must therefore be processed through the inquiry and appeal process. There will be no administrative fee assessed against the carrier when the person is, in fact, a bona fide visitor to Canada or returning resident. We hope that the airlines will come to appreciate this as a more just approach to the problem.

For the airlines who were paying their fines under the old legislation, the new approach should be no more costly than the old one and they should take comfort in the fact that we are creating a fairer system by improving our chance to collect monies owed from all carriers. Those airlines which were not paying their fines will obviously be unhappy with the change because their cost of doing business will increase.

It is envisioned that the use of certificates and the power of the Federal Court to remedy non-compliance with directions to post cash security deposits, coupled with replacing criminal court action to impose penalties with civil court action to recover monies owed, will give us the tools we need to ensure airline cooperation. Those airlines that do cooperate will be the ones who receive the most assistance from Immigration in helping them to increase their interdiction capability and reap the financial benefits that go along with reduced levels of violation.

Q4. By increasing interdiction abroad, what guarantees are there that staff won't target third world nationals and thereby keep refugees from finding sanctuary in Canada? What do the countries where we carry out this work think of our efforts to dump our problems on them? What becomes of the people who are stopped especially if interdiction takes place in countries that haven't signed the Geneva Convention on Refugees?

A4. Interdiction is directed at preventing the movement of people who travel with fraudulent documentation. Fraudulent

documents are used by illegal migrants, asylum seekers, criminals and terrorists.

The use of improper documents knows no national boundaries. Canada is committed by legislation and philosophy to the protection of refugees.

Individual countries cannot unilaterally deal with the problem of illegal migration. Only a comprehensive international strategy will establish some control over illegal movements. Nations recognize that the movement of people affects all countries; cooperative multi-national strategies are being explored at this time.

The vast majority of interceptions concern improperly documented travellers in countries that are signatory to the Geneva Convention or who have transited countries that are signatories. They could have submitted claims in those countries. We are though, receiving a number of improperly documented arrivals who have already gone 'refugee shopping' by submitting multiple claims in several countries. The traveller intercepted in a non-signatory country could seek the assistance of the UNHCR which has offices in these countries.

- Q5. Given the patterns of illegal migration, aren't there risks in carrying out selective screening at ports of entry?
- A5. Other methods of examination in addition to personal interviews will allow us to focus resources on high risk areas. Rather than depleting resources examining Canadian citizens, permanent residents and genuine travellers, we will be able to deploy personnel into areas where a greater risk has been identified. For example, it will allow us to use resources to gather intelligence information on the movement of potential illegal migrants or to assist carriers to screen persons abroad.
- Q6. How will increased authority to search help detect illegal migration?
- A6. Currently the legislation provides the authority to seize and hold fraudulent and improperly issued documents, i.e., passports and travel documents. It does not provide the authority to search for these documents. Often persons who claim to have no documents on arrival will, in fact, have such documents. Without authority to search for these records the identity of the persons remains in doubt.

Smugglers and couriers often use the same travel documents a number of times to smuggle different persons into Canada. Prior to the arrival of the aircraft in Canada a "courier", often a Canadian citizen, will pick up the documents for

future use. Authority is needed to search in this circumstance.

- Q7. Didn't C-84 deal with smugglers? What are the dimensions of this problem?
- A7. People smuggling has been described as the crime of the nineties. It is a lucrative and comparatively safe alternative to drug smuggling. The perpetration of fraud and deception has reached new levels of sophistication that requires increased vigilance by immigration officers. The officers must also be adequately equipped to deal with this increasing problem. Bill C-84 did introduce legislation that assisted with the problem of smuggling. Stronger deterrent measures, such as increased fines, the authority to search for and seize documents and vehicles which may be used for illegal activity, are needed to deal with violators.
- Q8. How will you review the policy on removals moratoria? What should be the criteria to impose and lift a moratorium?
- A8. The international situation is constantly under review. Recommendations to halt or resume removals to certain countries, based on extensive analysis and evaluation, are acted upon by the government after lengthy consultation with a large number of agencies and sources of information. In general, the criteria involve the degree of danger persons would face if they were returned to any specific country.
- Q9. What is the objective in charging people for the costs of their removal?
- A9. The cost of enforcing the provisions of the Immigration Act is quite significant. There is no reason why Canada cannot recoup some of the cost involved in enforcement from the persons who have abused the system but who would like to return to Canada.
- Q10. How often will detention reviews take place? Is the change an admission you can't accept decisions from independent adjudicators?
- A10. In order to reduce the costs involved in detention reviews, we are proposing that detention reviews be done every thirty days after a first review within the first 48 hours of detention. This is as opposed to every seven days as is the case now.

This change simply brings the administration of the Immigration Act in line with long established procedures in the Criminal Code of Canada. This amendment in no way reflects a dissatisfaction with the decisions of independent

adjudicators, but rather reflects a desire to properly administer scarce resources.

Q11. What are the grounds for determining that someone is suspected of being a criminal so that they can be denied permission to enter Canada?

A11. Persons convicted of a crime would continue to be inadmissible to Canada.

An example of when a person without a criminal conviction would be suspected of being a criminal, is where there are police or intelligence reports which indicate that the person is, or has been involved in criminal activities.

Q12. What evidence is necessary and what would constitute "reasonable grounds" to believe a person would commit a crime and therefore be barred from Canada?

A12. Reasonable grounds would include past involvement in criminal activities, previous criminal convictions, and police and intelligence reports showing that a person has been involved in criminal activities.

Q13. How will the changes to medical inadmissibility provisions open the borders to the disabled?

A13. The provisions will enable the federal and provincial governments to declare by regulation which medical conditions would create an excess demand on or cost for our medical or social services. Therefore, the medical condition itself is not the bar - but what that condition means to Canada. A self-supporting disabled person would not automatically be barred. We will consult interest groups in defining these services and costs.

Q14. Would AIDS constitute a barrier?

A14. Not in and of itself - the condition would have to mean that the person is likely to place an excess demand on services or represent an excess treatment cost to be refused. AIDS testing is not a mandatory part of an immigration medical.

Refugee Determination

Q1. What is the overall scope of Canada's efforts on behalf of refugees?

A1. Canada compares favourably to other countries. In fact, Canada has been the only nation to receive the UN's Nansen Medal - international testimony to Canada's help to refugees.

To refugee claimants arriving at our border, we offer access to an oral hearing in a quasi-judicial setting, where the claimant has an opportunity to present full details of the claim, with right to counsel and a right of appeal. Few other countries provide all of these. In a comparative study of the determination systems of seven western countries, Professor H. Patrick Glenn of McGill University's Faculty of Law noted: "The regime of procedural justice applicable in Canada to alien non-residents is generous in comparison to that of other countries."

As for resettlement of refugees from abroad, Canada accepts more refugees per capita than any country - 180,000 between 1984 and 1991. Private groups play a significant role in resettling thousands of refugees each year by sponsoring them and providing settlement assistance.

Canada is also an active player on the international scene tackling the problems that create refugee situations - the recent Middle East Refugee conference in Ottawa for example, and supporting the work of international organizations such as the United Nations High Commissioner for Refugees.

Q2. What would be an acceptable percentage of successful refugee claims? Does the government want a figure more consistent with trends in western Europe?

A2. There is no ideal acceptance rate, since it depends on the composition of the refugee claimant movement. In the three years of the current system, the acceptance rate has been relatively high, because Canada has received large numbers of claimants from refugee producing countries. If the flow were to shift to a significant movement of migrants from non-refugee producing countries, such as we had in the years leading up to C-55, the percentage of successful claims could be expected to drop.

Although our acceptance rate is high compared with other countries, such as those in western Europe, it is worth noting that the success rate varies widely from country to country and depends on a variety of factors. Moreover, statistics can be misleading, since refugee definitions vary, even among countries signatory to the Convention, and several countries have provisions for excluding claimants

from "safe third" countries. Determination statistics should also be seen in the context of the overall process, including success rates on appeal, discretionary authority to allow refused claimants to remain, and widespread problems in enforcing negative decisions through removals.

- Q3. These changes, plus inability to admit the planned numbers of refugees from abroad, suggest the government is lessening its commitment to refugees. Is this so? Is this a latter day acceptance of some of the Nielson policies?
- A3. No, we are not lessening our commitment to refugees. We will continue to provide protection to those who need it, both in Canada and abroad. Our determination system will still contain the procedural guarantees which have earned Canada a reputation for fairness and generosity. By streamlining the process and removing bogus claimants, we will be able to recognize genuine refugees more quickly, reunite families sooner and foster earlier integration.
- Q4. What assurances do you have that the IRB will be able to properly do its job? Will you launch an inquiry into the IRB?
- A4. I do not think (The Minister does not think) an inquiry into the IRB is called for. In three years, the Board has conscientiously and thoroughly considered some 87,000 claims. The prompt response of Board Chairman Gordon Fairweather to incidents reflecting poor judgement demonstrates that the responsibility must be taken seriously and that unacceptable comportment will not be allowed to continue. A discipline process, a complaints process and ongoing training of members will ensure that high standards of consistent and quality decision-making are maintained.
- Q5. Will the proposed changes to the Board be applicable to other administrative tribunals? Will the disciplinary authorities proposed for the Chairman be applied against those members now removed from cases?
- A5. The selection of members of administrative tribunals is usually governed by the appropriate legislation. The amendments to the Immigration Act will not substantially change the selection of IRB members. Their appointment and their removal will continue to be decided by the Governor in Council. The Board Chairman will not acquire any disciplinary authorities he does not have under the current legislation.

Under the new procedures, the Chairperson of the Immigration and Refugee Board will be able to ask the Minister of Justice to have a Federal Court judge inquire into the conduct of an IRB member. The judge would then make recommendations to the Governor in Council. There does not

appear to be any reason why new procedures would not apply to any cases of alleged misconduct currently unresolved.

Q6. If you propose to deny claimants access to the system aren't you denying them a right to the oral hearing? What protections exist for claimants sent back to other countries? Will you seek to sign the Dublin Convention or other agreements and get your acceptance rates more in line with those countries? How will you proceed in the absence of agreements?

A6. The eligibility criteria are based on the premise that claimants should not have access to Canada's refugee status determination system if they already have protection in another country, if they came to Canada from another country which could provide fair consideration of their claim and protection against refoulement, or if they are criminal or security risks. We would look very closely at the procedures and protections offered by other countries before deciding if claimants can safely be returned to those countries for consideration of their claim. These factors would be an important consideration in reaching any agreement on sharing responsibility for determination of claims.

We are pursuing bilateral negotiations with the United States, which also has a system of oral hearings for refugee claimants. At the same time, we are involved in multinational consultations. The Dublin Convention currently excludes countries outside the European Community, but Canada has expressed an interest in a formula which might permit our adherence to this agreement. We would obviously prefer to base the burden-sharing principle on formal agreements, but the existence of an agreement is only one of the factors to be considered by the Governor in Council in prescribing a country. Other factors are whether the country is party to the Convention, its human rights record and its refugee determination policies and procedures.

Q7. What savings will be realized by eliminating the first hearing? Will jobs be lost and what happens to the employees?

A7. The intention is not to cut jobs, but to allow those involved in the process to do the work more quickly and efficiently.

Eliminating the first-level hearing will reduce processing times by several months and will cut the costs needed for the presence of an adjudicator, IRB member, Case Presenting Officer, federally funded duty counsel and interpreter at several sessions of a formal hearing. This is expected to amount to savings of \$ 35 million annually.

Nevertheless, inquiries will continue to be held on certain issues of admissibility, requiring the services of case presenting officers and adjudicators.

Q8. What protection is there to refugees who might otherwise be turned away by Senior Immigration Officers who are only supposed to make administrative decisions?

A8. Exclusion orders and conditional departure orders will be made by senior immigration officers only with respect to those persons who lack required documentation or have returned in violation of a previous removal order. Where an inadmissible person also submits a refugee claim, a removal order will be conditional on the outcome of the claim. All decisions of senior immigration officers will be subject to judicial review before the Federal Court.

Q9. How much faster will hearings be held?

A9. Currently, the initial hearing process takes an average of 4 to 5 months. Elimination of that step in the process will save that time. Legislating the expedited hearing process before the Refugee Division will result in further efficiencies in the process.

Q10. Aren't you worried that the system will bog down in litigation and appeals?

A10. There will no doubt be court challenges to the amendments, particularly the provisions respecting responsibility sharing. We are confident, however, that the amendments are well-founded in law and that we will successfully defend them in court.

There are also provisions in the amendments whereby claimants may appeal negative determinations to the Federal Court of Canada, with leave of a judge of that Court, in much the same manner as under the current legislation. There will be some delay while the Court decides applications for leave and appeals; however, our past experience indicates that these delays will last only a few months in the majority of cases. In any event, all persons in Canada have the right to ensure that they have been treated in accordance with the law. It is our responsibility to protect claimants rights in this respect.

Q11. Will you shift the duty counsel resources saved to the provinces to help them meet legal aid bills? What do people now do to get legal help in their dealings with the department?

A11. As there will no longer be a first level hearing, there will no longer be a need for the designated counsel program. This will result in savings to the federal government which

paid legal fees for claims arising at the border. Provinces will no longer have to cover legal fees for for the first level hearing on claims arising within Canada. It remains our concern to ensure that the rights of all claimants are protected.

Q12. Isn't the talk about burden-sharing somewhat hypocritical given the relatively small numbers of claimants who arrive here directly from their homelands?

A12. In fact, with expanding air links around the world, an increasing number of refugee claimants are arriving in Canada directly from their homelands or via other countries which are not party to the Convention. The significant numbers of claimants who take advantage of transit stops in Gander are an example. The recent emergence of a route from Asia and Africa via Bulgaria to Ottawa quickly attracted illegal migrants. In any event, burden-sharing involves more than the determination of refugee claims made within a country or at its borders. It includes joint action to find solutions to the problems of asylum movements through a variety of activities. Canada will continue to play an active role in the resettlement of refugees identified outside the country.

Q13. What is a consortium approach to dealing with refugee issues?

A13. Through the "consortium" approach, efforts of many countries can be focussed on a particular area of concern, encouragement can be directed to those governments willing to try to improve the circumstances of their citizens, and aid efforts can be planned while taking into account the potential disruption they may have on individuals.

Q14. How much faster will the changes to the Federal Court allow cases to move?

A14. The leave requirement of the current legislation will not be changed; however, as the Federal Court - Trial Division will now have jurisdiction to decide applications for leave and review, there will be more judges available to consider these matters. The capacity of the Court to hear reviews should therefore be increased up to 3-fold.

Q15. Why did you reject the Law Reform Commission recommendation to defer the landing of successful refugee claimants and keep families apart? Will you implement other of their recommendations?

A15. The government believes that it is not fair to force a refugee to wait for another two years to discover whether that protection will be extended. It is also preferable to assist refugees to establish themselves and their families in Canada rather than delay their landing to determine whether they are capable of doing so themselves.

The Law Reform Commission has made a number of other recommendations which support the proposed amendments, for example, with respect to abolishing the credible basis hearing and the IRB Chairman's ability to establish guidelines for panels hearing refugee claims.

Q16. Is it fair to say that the "safe third country" list was never implemented because of administrative complexities and foreign policy concerns?

A16. The "safe third country" concept was ahead of its time. Since it was introduced into the legislation, three similar agreements have been negotiated by a number of western countries, the most notable being the "Dublin Convention" of the European Community.

The "safe third country" provisions of Bill C-55 were not proclaimed to be in force as it was believed that it would be a cumbersome process to ensure the rights of returned persons. The proposed amendments to the Act allow Canada to negotiate suitable agreements with other countries. Further, the circumstances in other countries will be periodically reviewed to ensure that it is appropriate to return persons to these countries.

Q17. Why are refugees exempted from the medical inadmissibility provisions? If they are liable to place an excessive demand on health and/or social services, should they not just be given temporary refuge in Canada without being landed? Could they not stay in Canada only as long as the conditions in their country warranted it?

A17. A person who has been determined to be a refugee cannot be removed to the country where persecution is feared unless that person is a serious criminal or threat to security. This commitment is an essential aspect of the Geneva Convention, as is our commitment to family reunification of a refugee family in Canada. We would not remove a refugee who places an excessive demand on health or social services and under the current legislation would issue a Permit. In the meantime, the person is in Canada and placing a demand on systems so no purpose would be served by withholding permanent resident status.

Q18. Will there be cuts in shifting adjudicators to the IRB? What is their status and does this reflect dissatisfaction with their independence within CEIC?

A18. The purpose of this move is to emphasize that adjudicators are independent decision makers. The move should satisfy those critics who believe that the Minister and the department influence adjudicators' decisions although courts have rejected this argument.

Adjudicators will continue to be appointed through the normal civil service recruitment and selection process.

The transfer of Adjudication Branch from EIC to the IRB will take place when this bill receives Royal Assent and is implemented. There may be some cuts because of the elimination of the first level hearing. We will use attrition, transfer and work force adjustment to minimize the impact on employees. Precise numbers of affected jobs are not yet known. The union has been made aware of this and other changes.

Q19. Will the prohibition against those who are welfare dependent be used against refugee claimants?

A19. Indigent refugee claimants will not be refused for this reason.

Q20. Why have you again rejected the call for an appeal based on the facts of a refugee claim?

A20. This system provides for the benefit of the doubt to most of those whose claims are heard. Decisions are rendered by independent authorities who receive special training and on-going professional development to ensure their decisions are consistent and of the highest quality. We seriously examine the humanitarian and compassionate factors of rejected claimants. We are satisfied that there are adequate protections to the claimant.

Q21. How does a claimant bar third parties from the refugee hearing? Does this change apply to detention reviews, other inquiries and proceedings before the IRB?

A21. The Immigration Act has been amended to comply with the Federal Court ruling in the Pacific Press case. Essentially, a refugee claimant will have to satisfy an adjudicator that holding a hearing in the presence of third parties would adversely affect the family. These changes will apply only to Immigration Inquiries and CRDD hearings.

Service Improvements

Q1. With legislated landing in Canada criteria, what flexibility will officials/Minister have to deal with meritorious cases that fall outside the criteria?

A1. The Minister or the Minister's delegate will retain discretion to issue a Minister's Permit to allow someone who qualifies as neither a visitor nor immigrant to enter or remain in Canada. A person who remains in Canada on a Minister's Permit for 5 consecutive years becomes eligible for permanent residence which must be authorized by the Governor in Council.

Consequently, even someone whose situation is not covered by legislated criteria, can, at the Minister's discretion, remain in Canada and, if the Minister so recommends, eventually become a permanent resident.

Q2. Is it fair to make someone live in Canada for 5 years on a Permit and then possibly remove them; you rejected a 2 year waiting period for refugees?

A2. We expect that most persons who qualify for landing in Canada will do so because their personal circumstances bring them within the legislated criteria. Obviously, those allowed to remain in Canada on a Minister's Permit cannot qualify for landing in Canada according to any of these criteria.

A Minister's Permit is issued when other, non-prescribed but exceptional circumstances exist which justify someone's presence in Canada even though the person may not otherwise legally enter or remain here. The decision to issue a Permit (or even to extend one) is entirely discretionary and does not imply that permanent residence will eventually be granted. If the exceptional circumstances which justified the Permit and hence the person's presence in Canada no longer apply, it is completely reasonable to require such a person to leave Canada.

A38(2) allows a person who has been in Canada on a Minister's Permit for a minimum of 5 years to be landed; however the decision to land someone via A38(2) is discretionary.

Q3. What if a province withholds its consent to a landing from within Canada?

A3. The Government of Canada will always consult and seek consent from any province which agrees to be involved in these decisions. The Government will take provincial views into consideration but the final decision to land someone from within Canada is retained by the Government of Canada.

Quebec is the only province, with whom Canada currently has an agreement requiring the province's consent for a landing made within Canada. If an application to Quebec from within Canada is rejected by the province, the individual could apply to the federal government on humanitarian or compassionate grounds or choose to leave Canada.

Q4. What will it take to prove Returning Resident status? Is this measure aimed at former emigrants from Hong Kong who maintain ties with the colony?

A4. The Act remains unchanged; permanent residents are deemed to have abandoned Canada if they are outside Canada for more than 183 days in any 12 month period. This abandonment is presumed unless a permanent resident satisfies an immigration officer or adjudicator that Canada has not been abandoned as the permanent residence.

The Act would enable the Minister to designate a document acceptable as proof of permanent resident status. The main issue remains one of intent to abandon Canada and an independent adjudicator will continue to make such decisions.

These provisions apply to all returning residents and are not directed at immigrants of any particular nationality.

Q5. How will your new process respond to representations and how quickly can people expect answers?

A5. Frustration by clients and third parties in obtaining information from Canada Immigration Centres, Regional Headquarters, Visa Offices recently integrated into CEIC, and National Headquarters has lead us to develop a strategy for handling representations. The new process will include:

- a. an external relations plan which would provide information to third parties, in a more systematic way, on standardization and changes to the delivery system;
- b. a specialized unit in Toronto, Montreal and Vancouver which would handle all client and third-party inquiries regarding status of an application - within the bounds of privacy legislation.

Q6. Clients already experience frustration and delay in dealing with your offices. Won't this be worse if offices are closed, staff cut back and mail service used more and more?

A6. A client survey completed in October 1991, based on 791 clients, did show that most of our clients prefer mail-in service which eliminates time spent in our waiting rooms. Technological improvements to our telephone answering capability will provide service improvements. This,

combined with our continued efforts at centralization and standardization of procedure, will improve client satisfaction.

Q7. What is the status of the CAIPS project and will you be able to deal with the problems already well documented?

A7. CAIPS is presently in use at all 11 missions in the United States as well as at the missions in London, Paris, Hong Kong, Bangkok and Manila. It will also be in use at the mission in Bangkok towards the end of April 1992 and further CAIPS expansion to other missions is planned. Even now more than half of all immigrants are processed using CAIPS.

Q8. The concern for quality service seems to be limited to CICs; what about visa offices?

A8. Efforts pre-dating this legislative initiative have been under way to strengthen the quality of service offered by visa offices abroad. In fact, roughly \$35M has been allocated over the next 4 years for this purpose. A number of improvements have been made, such as: the application of enhanced technology to communications systems among offices and between offices and Canada; more funding of emergency personnel to help clear up backlogs; the introduction of specific training on "quality of service" to staff at all levels. In addition, there is a pilot project currently in place to implement the concept of "total quality management" involving among other things a much improved "front-line service". Initial results are very encouraging and the objective is to expand this to all visa offices.

Q9. What has been done to improve service at CICs?

A9. Among the initiatives have been mail-in service for family sponsorships and student visa extensions. More work of this sort is planned coupled to efforts to simplify forms. In major centres, we are using multilingual telephone answering/messaging systems and providing specialized services at other Centres. Procedures at ports of entry are now being examined. This is all consistent with the objective of providing quality client service with scarce resources.

Federal-provincial concerns

Q1. What is the status of agreements and negotiations given the Western Premiers' Communique (Nipawin, Sask., May 1991) and the Premiers' Communique (Whistler, B.C., August 1991)?

A1. These communiqués emphasized the importance of immigration to the provinces and expressed support for: a federal-provincial meeting or forum for responsible Ministers to discuss funding and settlement patterns; a supported national approach to immigration and settlement policies and; a financial framework and increased provincial involvement in immigrant selection supported by bilateral arrangements.

Currently we have immigration agreements with seven provinces; British Columbia, Ontario and Manitoba have yet to sign a first agreement. Since these communiqués were issued, Saskatchewan has come close to finalizing a revised agreement and Alberta and Manitoba have initiated discussions.

Q2. How does this package affect the powers granted Quebec under the Canada-Quebec Accord?

A2. The powers and authorities granted to Quebec in the Canada-Quebec Accord are protected and actually reflected in the bill. For example, federal selection powers are specifically limited where provinces, through formal agreements with the federal government, have such powers.

Q3. How do the provinces view this package?

A3. Informal consultations show the provinces to be generally supportive. They support the need for sound management of a balanced program and, like the federal government, want to achieve the program's social, humanitarian and economic objectives.

Q4. Does this package of immigration amendments affect the current discussions on a constitutional proposal relating to the negotiation or amendment of immigration agreements?

A4. No. The constitutional discussions are on-going and unrelated to these specific immigration legislative proposals. Nevertheless, the legislation will continue to authorize the federal government to enter into agreements with the provinces to facilitate the formulation, coordination and implementation of immigration policies and programs. The amendments will provide the flexibility required to honour commitments when powers are devolved to provinces through federal-provincial agreements.

- Q5. The text of this legislative package often refers to "a province that has entered into an agreement pursuant to section 108, whereby...". Does this refer specifically to Quebec? Is Quebec being given preferential treatment?
- A5. This text refers to any province that has entered into an agreement and provides for different treatment, depending on the actual responsibilities covered in the agreement. Of course, this refers to Quebec as well.

Integration

Q1. What will the government do to help immigrants and refugees integrate into Canadian society?

A1. The Immigrant Integration Strategy signals the government's commitment to helping newcomers participate fully in all aspects of Canadian life. Under the strategy, programs and services include:

- . a language training policy that provides a wider range of flexible training options (integration and labour market language training) to more adult immigrants;
- . funding through the Immigrant Settlement and Adaptation Program for the provision of settlement services such as reception, orientation, translation and interpretation, and referral to community services;
- . a permanent and expanded Host Program that links newcomers with Canadians - giving Canadians a chance to play a direct role in welcoming and assisting newcomers, and improving newcomers' sense of well-being and acceptance in the community;
- . pilot reception services for immigrants in Toronto and Vancouver; and
- . resource materials for visa officers abroad, language teachers, immigrant serving agencies and mainstream organizations that present a realistic picture of what immigrants can expect of Canada and what Canadians expect of them.

Over the coming years we will be reviewing federal settlement services and, in consultation with all partners in the integration process, determine ways in which we can improve their effectiveness - including ways to reduce welfare dependency and link welfare recipients to settlement and employment services.

NOTES

APPENDIX E

GENERAL OCCUPATIONS LIST

AND

DESIGNATED OCCUPATIONS LIST



General Occupations List - 1992

Occupations
open to prospective
immigrants

Effective date: July 1, 1992

Produced by Public Affairs and the Immigration Policy Group
Employment and Immigration Canada

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General Occupations List - 1992

Occupations open to prospective immigrants

CCDO CODE	OCCUPATIONAL TITLE	POINTS	CCDO CODE	OCCUPATIONAL TITLE	POINTS
1171	ACCOUNTANTS, AUDITORS AND OTHER FINANCIAL OFFICERS	1	1179-194	STATIONS-RELATIONS ADMINISTRATOR	1
1173	ORGANIZATION AND METHODS ANALYSTS	1	1179-198	PROPERTY ADMINISTRATOR	1
1174	PERSONNEL AND RELATED OFFICERS		1179-200	FOOD-AND-BEVERAGE CONTROLLER	1
1174-110	LABOUR-RELATIONS SPECIALIST	1	1179-202	FREIGHT-TRAFFIC CONSULTANT	1
1174-118	PERSONNEL OFFICER	1	1179-204	COST ESTIMATOR	1
1174-119	EMPLOYMENT RECRUITER	1	1179-205	GRAPHOANALYST	1
1174-121	OUTPLACEMENT RELOCATION SPECIALIST	1	2111	CHEMISTS	1
1174-122	OCCUPATIONAL ANALYST	1	2112	GEOLOGISTS AND RELATED OCCUPATIONS	1
1174-126	FINANCIAL-AIDS OFFICER	1	2117	PHYSICAL SCIENCES TECHNOLOGISTS AND TECHNICIANS	
1174-132	COUNSELLOR, PRE-RETIREMENT	1	2117-110	CHEMICAL TECHNOLOGIST	1
1174-134	EMPLOYMENT INTERVIEWER	1	2117-114	FOREST-PRODUCTS TECHNOLOGIST	1
1175	PURCHASING OFFICERS AND BUYERS, EXCEPT WHOLESALE AND RETAIL TRADE	1	2117-118	GEOLOGICAL TECHNOLOGIST	1
1176	INSPECTORS AND REGULATORY OFFICERS, NON-GOVERNMENT		2117-122	GEOPHYSICAL TECHNOLOGIST	1
1176-110	SAFETY INSPECTOR	5	2117-126	LABORATORY PHYSICAL SCIENCES TECHNOLOGIST	1
1176-114	INSURANCE INSPECTOR, LOSS-PREVENTION	5	2117-130	TEXTILE TECHNOLOGIST	1
1176-122	SAFETY CO-ORDINATOR	5	2117-232	HOLOGRAPHIC TECHNICIAN	1
1176-126	TRAFFIC INSPECTOR	5	2117-240	ASSAYER	1
1176-130	RADIATION-CONTAMINATION MONITOR	5	2117-244	WATER-PURIFICATION TECHNICIAN	1
1176-134	SERVICE-STATION INSPECTOR	5	2117-246	CHEMICAL TECHNICIAN, HEAVY WATER PLANT AND NUCLEAR-GENERATING STATION	1
1176-138	ACREAGE-QUOTA-ASSIGNMENT OFFICER	5	2117-248	CHEMICAL TECHNICIAN	1
1176-142	DINING-SERVICE INSPECTOR	5	2117-252	GEOLOGICAL TECHNICIAN	1
1176-146	INSPECTOR, TRAVEL ACCOMMODATION	5	2117-256	HYDROLOGY TECHNICIAN	1
1176-150	GAS-CUSTOMER-LIAISON AGENT	5	2117-260	METEOROLOGICAL TECHNICIAN	1
1176-154	AMMUNITION-SAFETY INSPECTOR	5	2117-264	LABORATORY PHYSICAL SCIENCES TECHNICIAN	1
1179	OCCUPATIONS RELATED TO MANAGEMENT AND ADMINISTRATION, N.E.C.		2117-268	TEXTILE TECHNICIAN	1
1179-118	AGENT	1	2117-272	GEOPHYSICAL-EQUIPMENT OPERATOR, AIRBORNE	1
1179-138	CAMPAIGN CONSULTANT	1	2117-276	GEOPHYSICAL TECHNICIAN	1
1179-139	TOUR OPERATOR	1	2131	AGRICULTURISTS AND RELATED SCIENTISTS	1
1179-140	TRAVEL AGENT	1	2139	OCCUPATIONS IN LIFE SCIENCES, N.E.C.	
1179-142	CO-ORDINATOR, TOURISM	1	2139-110	FORESTER	1
1179-146	PUBLIC-RELATIONS AGENT	1	2141	ARCHITECTS	1
1179-148	INTERPRETATION-VISITOR SERVICES COORDINATOR	1	2142	CHEMICAL ENGINEERS	1
1179-149	COMMUNITY ARTS COORDINATOR	1	2143	CIVIL ENGINEERS	
1179-150	INDUSTRIAL-DEVELOPMENT REPRESENTATIVE	1	2143-110	MATERIALS AND TESTING ENGINEER	1
1179-154	SALES-PROMOTION ADMINISTRATOR	1	2143-114	STRUCTURAL-DESIGN ENGINEER	1
1179-158	TECHNICAL-SERVICE CONSULTANT	1	2143-118	CIVIL ENGINEER, GENERAL	1
1179-174	MANAGEMENT-SEMINAR LEADER	1	2143-122	AIRPORT ENGINEER	1
1179-178	CORPORATE SECRETARY	1	2143-126	BUILDINGS AND BRIDGE ENGINEER	1
1179-180	QUANTITY SURVEYOR	1	2143-127	COASTAL ENGINEER	1
82	ADMINISTRATIVE OFFICER	1	2143-128	OCEAN ENGINEER	1
1179-186	CORPORATE PLANNER	1	2143-130	ENVIRONMENTAL ENGINEER	1
1179-190	CONTRACTS ADMINISTRATOR	1	2143-134	HIGHWAY ENGINEER	1
1179-192	CONFERENCE AND MEETING PLANNER	1	2143-138	IRRIGATION AND DRAINAGE ENGINEER	1

CCDO CODE	OCCUPATIONAL TITLE	POINTS	CCDO CODE	OCCUPATIONAL TITLE	POINTS
2143-142	PIPELINE ENGINEER	1	2159-123	BIOMEDICAL ENGINEER, RESEARCH AND DEVELOPMENT	1
2143-146	RAILWAY ENGINEER	1	2159-124	BIOMEDICAL ENGINEER, CLINICAL	1
2143-150	SOIL ENGINEER	1	2159-126	GAS AND STEAM-DISTRIBUTION ENGINEER	1
2143-154	WATER-RESOURCES ENGINEER	1	2159-130	CRYOGENICS ENGINEER	1
2144	ELECTRICAL ENGINEERS		2159-134	GEOLOGICAL ENGINEER	1
2144-110	DESIGN AND DEVELOPMENT ENGINEER, ELECTRICAL AND ELECTRONIC	1	2159-138	FOREST ENGINEER	1
2144-114	RESEARCH ENGINEER, ELECTRICAL AND ELECTRONIC	1	2159-142	WELDING ENGINEER	1
2144-118	ELECTRICAL ENGINEER, GENERAL	1	2159-146	FIRE-PREVENTION ENGINEER	1
2144-122	ELECTRONIC ENGINEER, GENERAL	1	2159-150	TRAFFIC ENGINEER	1
2144-126	AUDIO ENGINEER	1	2159-154	CORROSION ENGINEER	1
2144-130	DISTRIBUTION ENGINEER	1	2159-158	LOGGING ENGINEER, OIL WELL	1
2144-134	ELECTRICAL AND ELECTRONIC AEROSPACE ENGINEER	1	2161	SURVEYORS	
2144-138	ELECTRICAL-EQUIPMENT ENGINEER	1	2161-114	SURVEYOR	1
2144-142	ELECTRICAL-SYSTEMS-PLANNING ENGINEER	1	2165	ARCHITECTURAL AND ENGINEERING TECHNOLOGISTS AND TECHNICIANS	
2144-146	ILLUMINATING ENGINEER	1	2165-110	AEROSPACE-ENGINEERING TECHNOLOGIST	1
2144-150	PLANT ENGINEER, ELECTRICAL	1	2165-114	ARCHITECTURAL TECHNOLOGIST	1
2144-154	SIGNAL ENGINEER	1	2165-118	CHEMICAL-ENGINEERING TECHNOLOGIST	1
2144-158	TELEPHONE ENGINEER	1	2165-122	CIVIL-ENGINEERING TECHNOLOGIST	1
2144-162	TRANSMISSION ENGINEER	1	2165-126	ELECTRICAL-ENGINEERING TECHNOLOGIST	1
2145	INDUSTRIAL ENGINEERS	1	2165-130	ELECTRONIC-ENGINEERING TECHNOLOGIST	1
2147	MECHANICAL ENGINEERS		2165-134	INDUSTRIAL-ENGINEERING TECHNOLOGIST	1
2147-110	POWER ENGINEER, MECHANICAL	1	2165-138	MARINE-ENGINEERING TECHNOLOGIST	1
2147-114	TOOL ENGINEER	1	2165-142	MECHANICAL-ENGINEERING TECHNOLOGIST	1
2147-118	MECHANICAL ENGINEER, GENERAL	1	2165-146	METALLURGICAL-ENGINEERING TECHNOLOGIST	1
2147-122	AUTOMOTIVE ENGINEER	1	2165-150	MINING-ENGINEERING TECHNOLOGIST	1
2147-126	HEATING-VENTILATING AND AIR-CONDITIONING ENGINEER	1	2165-154	NUCLEAR-ENGINEERING TECHNOLOGIST	1
2147-130	LUBRICATION ENGINEER	1	2165-156	NUCLEAR TECHNOLOGIST	1
2147-134	MECHANICAL ENGINEER, GAS UTILIZATION	1	2165-158	PETROCHEMICAL-ENGINEERING TECHNOLOGIST	1
2147-138	PROPULSION ENGINEER, AEROSPACE VEHICLES	1	2165-160	MANUFACTURING COST ESTIMATOR	1
2147-142	REFRIGERATION ENGINEER	1	2165-162	MOULD DESIGNER	1
2151	METALLURGICAL ENGINEERS	1	2165-210	AEROSPACE-ENGINEERING TECHNICIAN	1
2153	MINING ENGINEERS	1	2165-214	AGRICULTURAL-ENGINEERING TECHNICIAN	1
2154	PETROLEUM ENGINEERS	1	2165-218	CHEMICAL-ENGINEERING TECHNICIAN	1
2155	AEROSPACE ENGINEERS		2165-222	CIVIL-ENGINEERING TECHNICIAN	1
2155-110	AEROSPACE ENGINEER, DESIGN AND DEVELOPMENT	1	2165-225	DRILLING-FLUID TECHNICIAN, OFFSHORE DRILLING RIG	1
2155-114	AEROSPACE ENGINEER, MASS PROPERTIES	1	2165-226	ELECTRICAL-ENGINEERING TECHNICIAN	1
2155-118	AEROSPACE ENGINEER, GENERAL	1	2165-228	METROLOGY TECHNICIAN	1
2155-122	AEROSPACE ENGINEER, FLIGHT-TEST	1	2165-230	ELECTRONIC-ENGINEERING TECHNICIAN	1
2155-126	AEROSPACE ENGINEER, MATERIALS AND PROCESSES	1	2165-234	GEOLOGICAL-ENGINEERING TECHNICIAN	1
2155-130	AEROSPACE ENGINEER, FLIGHT OPERATIONS	1	2165-238	INDUSTRIAL-ENGINEERING TECHNICIAN	1
2155-134	AEROSPACE ENGINEER, FLIGHT SUPPORT	1	2165-242	MARINE-ENGINEERING TECHNICIAN	1
2157	NUCLEAR ENGINEERS	1	2165-246	MECHANICAL-ENGINEERING TECHNICIAN	1
2159	ARCHITECTS AND ENGINEERS, N.E.C.		2165-250	METALLURGICAL-ENGINEERING TECHNICIAN	1
2159-110	AGRICULTURAL ENGINEER	1	2165-254	MINING-ENGINEERING TECHNICIAN	1
2159-114	CERAMICS ENGINEER	1	2165-258	NUCLEAR-ENGINEERING TECHNICIAN	1
2159-118	MARINE ENGINEER	1	2165-262	PETROCHEMICAL-ENGINEERING TECHNICIAN	1
2159-122	SHIP-CONSTRUCTION ENGINEER	1	2165-266	PETROLEUM-ENGINEERING TECHNICIAN	1
			2165-270	POLLUTION CONTROL TECHNICIAN	1

CCDO CODE	OCCUPATIONAL TITLE	POINTS	CCDO CODE	OCCUPATIONAL TITLE	POINTS
2279	OTHER OCCUPATIONS IN ARCHITECTURE AND ENGINEERING, N.E.C.		2797	INSTRUCTORS AND TRAINING OFFICERS, N.E.C.	
2169-110	PHOTOGRAMMETIST	5	2797-118	INSTRUCTOR, AIRLINE PILOT	1
2169-112	REMOTE SENSING TECHNICIAN	5	2797-120	TRAINING SPECIALIST, COMPUTERS	1
2169-114	AERIAL-PHOTOGRAPH ANALYST	5	2797-122	FLYING INSTRUCTOR	1
2169-118	STEPEOPLLOTTER	5	2797-126	FLYING INSTRUCTOR, HELICOPTER	1
2169-122	MOSAICER	5	2797-128	SEWING INST. IUCTOR	1
2169-126	DRAUGHTING CLERK, TRANSIT	5	2797-130	GROUND-SCHOOL INSTRUCTOR	1
2169-130	FORMS DESIGNER	5	2797-134	INSTRUCTOR, POLICE	1
2181	MATHEMATICIANS, STATISTICIANS AND ACTUARIES	1	2797-138	INSTRUCTOR, FLIGHT ATTENDANT	1
2183	SYSTEMS ANALYSTS, COMPUTER PROGRAMMERS AND RELATED OCCUPATIONS	5	2797-142	TRAINING REPRESENTATIVE	1
2311	ECONOMISTS	1	2797-146	INSTRUCTOR, AUTO DRIVING	1
2315	PSYCHOLOGISTS	1	3115	VETERINARIANS	1
2331	SOCIAL WORKERS		3137	PHYSIOTHERAPISTS, OCCUPATIONAL AND OTHER THERAPISTS	
2331-110	SOCIAL-WORK SUPERVISOR	5	3137-110	AUDIOLOGIST	10
2331-114	COMMUNITY-ORGANIZATION WORKER	5	3137-114	SPEECH PATHOLOGIST	10
2331-118	PAROLE OFFICER	5	3137-116	CLINICAL OCCUPATIONAL THERAPY SPECIALIST	10
2331-122	PROBATION OFFICER	5	3137-117	COMMUNITY OCCUPATIONAL THERAPIST	10
2331-124	SOCIAL WORKER	5	3137-118	OCCUPATIONAL THERAPIST	10
2331-126	SOCIAL WORKER, CASE WORK	5	3137-122	PHYSIOTHERAPIST	10
2331-130	SOCIAL WORKER, GROUP	5	3137-130	REMEDIAL GYMNAST	10
2331-134	COUNSELLOR, ADDICTION	5	3139	NURSING, THERAPY AND RELATED ASSISTING OCCUPATIONS, N.E.C.	
2333	OCCUPATIONS IN WELFARE AND COMMUNITY SERVICES		3139-110	SURGICAL ASSISTANT	1
2333-115	CHILD-CARE WORKER	5	3139-111	OPERATING ROOM ASSISTANT	1
2333-116	COMMUNITY-DEVELOPMENT WORKER	5	3139-113	MUSIC THERAPIST	1
2333-117	TEACHING HOMEMAKER	5	3139-114	RECREATIONAL THERAPIST	1
2333-119	HALF-WAY HOUSE SUPERVISOR	5	3139-115	ART THERAPIST	1
2333-120	GERIATRIC-ACTIVITIES AIDE	5	3139-116	DANCE THERAPIST	1
2333-124	DETENTION-HOME WORKER	5	3151	PHARMACISTS	1
2339	OCCUPATIONS IN SOCIAL WORK AND RELATED FIELDS, N.E.C.		3152	DIETITIANS AND NUTRITIONISTS	1
2339-110	RESEARCH OFFICER, SOCIAL WELFARE	5	3155	RADIOLOGICAL TECHNICIANS	
2339-114	STUDENT-ACTIVITIES ADVISER	5	3155-108	DIAGNOSTIC MEDICAL SONOGRAPHER	5
2349	OCCUPATIONS IN LAW AND JURISPRUDENCE, N.E.C.		3155-110	NUCLEAR-MEDICINE TECHNICIAN	5
2349-114	LAW CLERK	1	3155-114	DIAGNOSTIC-RADIOLOGICAL TECHNICIAN	5
2349-117	PATENT SEARCHER	1	3155-118	RADIOTHERAPY TECHNICIAN	10
2349-118	CONTRACT CLERK	1	3156	MEDICAL LABORATORY TECHNOLOGISTS AND TECHNICIANS	
2349-122	LAND-TITLES CLERK	1	3156-110	BIOCHEMISTRY TECHNOLOGIST	5
2349-126	TITLE EXAMINER	1	3156-112	CYTOGENETICS TECHNOLOGIST	5
2351	LIBRARIANS, ARCHIVISTS AND CONSERVATORS	1	3156-114	CYTOTECHNOLOGIST	5
2399	OTHER OCCUPATIONS IN SOCIAL SCIENCES AND RELATED FIELDS, N.E.C.		3156-116	ELECTRON MICROSCOPY TECHNOLOGIST	5
2399-110	REHABILITATION SPECIALIST	5	3156-118	HISTOLOGY TECHNOLOGIST	5
2399-114	COUNSELLOR, REHABILITATION	5	3156-122	MEDICAL-LABORATORY TECHNOLOGIST	5
2399-122	COUNSELLOR, MARRIAGE	5	3156-123	IMMUNOLOGY TECHNOLOGIST	5
2399-126	COUNSELLOR, ATTENDANCE	5	3156-124	IMMUNOHEMATOLOGY TECHNOLOGIST	5
2399-130	HYPNOTHERAPIST	5	3156-126	MICROBIOLOGY TECHNOLOGIST	5
			3156-130	LABORATORY TECHNICIAN, VETERINARY	5
			3157	DENTURISTS, DENTAL HYGIENISTS, DENTAL ASSISTANTS AND DENTAL TECHNICIANS	
			3157-110	DENTAL HYGIENIST	10
			3157-126	DENTURIST	1

CCDO CODE	OCCUPATIONAL TITLE	POINTS	CCDO CODE	OCCUPATIONAL TITLE	POINTS
3157-138	DENTAL TECHNICIAN, GENERAL	1	4135-122	SPECIAL-ENDORSEMENT CLERK	1
3157-142	DENTAL CERAMIST	1	4135-182	UTILITY CLERK, BANK	1
3157-146	DENTAL TECHNICIAN, CROWN AND BRIDGE	1	4135-186	FOREIGN-REMITTANCE CLERK	1
3157-150	DENTAL TECHNICIAN, METAL	1	4135-190	RESERVES CLERK	1
3157-154	ORTHODONTIC TECHNICIAN	1	4143	ELECTRONIC DATA-PROCESSING EQUIPMENT OPERATORS	1
3157-158	DENTURE SETTER	1	4143-110	COMPUTER OPERATOR	1
3157-162	FRAMEWORK FINISHER, DENTURES	1	4143-112	COMPUTERIZED-INFORMATION PROCESSOR	1
3157-166	MOULDER, BENCH	1	4151	PRODUCTION CLERKS	1
3157-170	ORTHODONTIC-BAND MAKER	1	4151-110	PRODUCTION CO-ORDINATOR	1
3159	OTHER OCCUPATIONS IN MEDICINE AND HEALTH, N.E.C.		4151-114	MATERIAL CO-ORDINATOR	1
3159-110	PROSTHETIST-ORTHOTIST	10	4151-118	MOTOR VEHICLE REPAIR CO-ORDINATOR	1
3159-134	RESPIRATORY TECHNOLOGIST	10	4151-122	CONTROL CLERK, ADVERTISING	1
3159-138	ELECTROENCEPHALOGRAPHIC TECHNICIAN	10	4155	STOCK CLERKS AND RELATED OCCUPATIONS	1
3313	PRODUCT AND INTERIOR DESIGNERS		4155-110	PRODUCTION-SUPPLY CLERK	1
3313-110	EXHIBITION AND DISPLAY DESIGNER	1	4155-111	STOREKEEPER, DRILLING RIG	1
3313-114	INTERIOR DESIGNER AND DECORATOR	1	4192	ADJUSTERS, CLAIM	1
3313-118	FURNITURE DESIGNER	1	4192-110	CLAIM ADJUSTER	1
3313-122	SET DESIGNER	1	4192-114	SERVICE REPRESENTATIVE	1
3313-126	STAINED-GLASS ARTIST	1	4192-118	CLAIM EXAMINER	1
3313-130	FUR DESIGNER	1	4192-120	MARINE-CARGO SURVEYOR	1
3313-134	GARMENT DESIGNER	1	4199	OTHER CLERICAL AND RELATED OCCUPATIONS, N.E.C.	1
3313-138	INDUSTRIAL-PRODUCTS DESIGNER	1	4199-150	COPY CUTTER	1
3313-142	SHOE DESIGNER	1	4199-154	BUS-TRANSPORTATION-SERVICE CO-ORDINATOR	1
3313-146	TEXTILE DESIGNER	1	4199-162	SUGGESTION-PROGRAM CLERK	1
3313-150	COMMERCIAL-DESIGN ARTIST	1	4199-164	ENGINEERING CLERK	1
3313-154	PACKAGE DESIGNER	1	5131	TECHNICAL SALES OCCUPATIONS AND RELATED ADVISERS	1
3313-158	POTTERY DESIGNER	1	5133	COMMERCIAL TRAVELLERS	1
3313-162	WOMEN'S FASHION DESIGNER	1	5133-110	MANUFACTURERS' AGENT	1
3313-166	DESIGNER, PAPER SECURITIES	1	5133-114	PHARMACEUTICAL REPRESENTATIVE	1
3313-174	EMBROIDERY DESIGNER	1	5133-118	SALES REPRESENTATIVE, TEXTBOOKS	1
3313-178	HANDBAG DESIGNER	1	5133-122	SALES REPRESENTATIVE, CANVAS PRODUCTS	1
3313-182	SIGN DESIGNER	1	5133-126	SALES REPRESENTATIVE, COMMERCIAL AND INDUSTRIAL EQUIPMENT AND SUPPLIES	1
3313-184	OFFICE-SPACE PLANNER	1	5133-130	SALES REPRESENTATIVE, FOOD PRODUCTS	1
3314	ADVERTISING AND ILLUSTRATING ARTISTS	1	5133-132	SALES REPRESENTATIVE, WINE, BEER AND SPIRITS	1
3330	PRODUCERS AND DIRECTORS, PERFORMING AND AUDIOVISUAL ARTS	1	5133-134	SALES REPRESENTATIVE, GARMENTS AND OTHER TEXTILE PRODUCTS	1
3351	WRITERS AND EDITORS, PUBLICATION	1	5133-138	SALES REPRESENTATIVE, MOTOR VEHICLES AND EQUIPMENT	1
3355	TRANSLATORS AND INTERPRETERS	1	5133-142	SALES REPRESENTATIVE, PETROLEUM PRODUCTS	1
4111	SECRETARIES AND STENOGRAPHERS		5133-146	SALES REPRESENTATIVE, PLASTIC PRODUCTS	1
4111-110	SECRETARY	5	5133-150	SALES REPRESENTATIVE, PULP AND PAPER PRODUCTS	1
4111-111	EXECUTIVE SECRETARY	5	5133-154	SALES REPRESENTATIVE, RUBBER PRODUCTS	1
4111-112	LEGAL SECRETARY	5			
4111-113	MEDICAL SECRETARY	5			
4111-114	COURT REPORTER	5			
4111-115	TECHNICAL SECRETARY	5			
4131	BOOKKEEPERS AND ACCOUNTING CLERKS				
4131-114	BOOKKEEPER	1			
4135	INSURANCE, BANK AND OTHER FINANCE CLERKS				
4135-110	GENERAL CLERK, INSURANCE	1			
4135-114	POLICY-CHANGE CLERK	1			
4135-118	PROPERTY AND EQUIPMENT INSURANCE CLERK	1			

CCDO CODE	OCCUPATIONAL TITLE	POINTS	CCDO CODE	OCCUPATIONAL TITLE	POINTS
	SALES WORKERS, COMMODITIES, N.E.C.				
5135-110	SALESPERSON, MOTOR VEHICLES	1	7717	MINING AND QUARRYING: CUTTING, HANDLING AND LOADING OCCUPATIONS	
5135-111	LEASING REPRESENTATIVE, MOTOR VEHICLES	1	7717-110	BUCKETWHEEL-EXCAVATOR OPERATOR	1
5135-114	SALESPERSON, SEWING MACHINES	1	7717-112	HYDRAULIC COAL-MONITOR OPERATOR	1
5135-116	SALESPERSON, COMPUTERS	1	7717-116	POWER-SHOVEL OPERATOR	1
5135-118	SALESPERSON, HEARING AIDS	1	7717-118	CONTINUOUS-MINING-MACHINE OPERATOR	1
5135-120	SALESPERSON, LIVESTOCK	1	7717-120	LONGWALL COAL-SHEARER OPERATOR	1
5135-121	SALESPERSON, ART	1	7717-122	CUTTING-MACHINE OPERATOR	1
5135-122	SALESPERSON, MUSICAL INSTRUMENTS AND SUPPLIES	1	8137	MOULDING, COREMAKING AND METAL CASTING OCCUPATIONS	
5135-123	AUTOMOTIVE PARTSPERSON	1	8137-110	PATTERN MOULDER	10
5135-124	SALESPERSON, WOOD BURNING APPLIANCES	1	8165	DISTILLING, SUBLIMING AND CARBONIZING OCCUPATIONS, CHEMICALS AND RELATED MATERIALS	
5135-125	INDUSTRIAL ENGINES AND EQUIPMENT PARTSPERSON	1	8165-110	PETROLEUM-PROCESS OPERATOR	1
5135-126	SALESPERSON, PARTS	1	8215	SLAUGHTERING AND MEAT CUTTING, CANNING, CURING AND PACKING OCCUPATIONS	
5174	ADVERTISING SALES OCCUPATIONS	1	8215-110	BUTCHER, ALL-ROUND	1
5191	BUYERS, WHOLESALE AND RETAIL TRADE		8215-122	SKINNER, ANIMAL	1
5191-110	BUYER	1	8215-198	BUTCHER	1
5191-112	GRAIN-ELEVATOR MANAGER	1	8311	TOOL-AND-DIE-MAKING OCCUPATIONS	
6111	FIRE-FIGHTING OCCUPATIONS		8311-110	TOOL AND DIE MAKER	5
6111-122	FIRE-FIGHTER, CRASH	1	8311-112	MOULD MAKER	5
6111-126	FIRE-FIGHTER	1	8311-114	DIAMOND-TOOL MAKER	5
6119	PROTECTIVE SERVICE OCCUPATIONS, N.E.C.		8311-118	DIE MAKER, BENCH, STAMPING	5
6119-110	CONSERVATION OFFICER	1	8311-122	DIE MAKER, WIRE-DRAWING	5
	CHEFS AND COOKS		8311-126	DIE SINKER, BENCH	5
6121-111	CHEF-COOK, GENERAL	10	8311-130	TOOL MAKER, BENCH	5
6121-112	HEAD CHEF	10	8311-134	CARBIDE-TOOL MAKER	5
6121-113	BANQUET CHEF	10	8311-138	DIE FINISHER	5
6121-114	COOK, SMALL ESTABLISHMENT	10	8311-142	DIE MAKER, JEWELLERY	5
6121-115	CHEF, PATISSIER	10	8311-146	EXTRUSION-DIE TEMPLATE MAKER	5
6121-116	CHEF, SAUCIER	10	8313	MACHINIST AND MACHINING-TOOL SETTING-UP OCCUPATIONS	
6121-117	CHEF, ROTISSEUR	10	8313-153	NUMERICAL CONTROL MACHINIST	1
6121-118	COOK, DOMESTIC	10	8313-154	MACHINIST, GENERAL	1
6121-119	CHEF, GARDE-MANGER	10	8316	INSPECTING AND TESTING OCCUPATIONS, METAL MACHINING	
6121-120	CHEF, ENTREMETIER	10	8316-110	INSPECTOR, TOOL AND GAUGE	5
6121-121	CATERER	10	8316-114	INSPECTOR, MACHINE SHOP	5
6121-122	COOK, INSTITUTION	10	8316-118	GEAR INSPECTOR	5
6121-123	WORKING SOUS-CHEF	10	8316-122	PROPELLER INSPECTOR	5
6121-124	COOK, KOSHER FOODS	10	8331	FORGING OCCUPATIONS	
6121-126	COOK, FOREIGN FOODS	10	8331-110	DIE SETTER	10
6121-127	COOK, FIRST	10	8331-114	BLACKSMITH	10
6121-129	COOK, THERAPEUTIC DIET	10	8331-118	POWER-HAMMER OPERATOR	10
6121-132	COOK, CAMP	10	8335	WELDING AND FLAME CUTTING OCCUPATIONS	
6143	BARBERS, HAIRDRESSERS AND RELATED OCCUPATIONS		8335-110	WELDER SETTER, RESISTANCE	1
6143-110	MAKE-UP ARTIST	1	8335-112	WELDER, DRILLING RIG	1
6143-112	IMAGE CONSULTANT	1	8335-114	WELDER-FITTER	1
6143-114	BARBER	1	8335-118	WELDER, TOOL AND DIE	1
6143-118	HAIRDRESSER	1	8335-120	WELDER, PIPELINE	1
7199	OTHER FARMING, HORTICULTURAL AND ANIMAL-HUSBANDRY OCCUPATIONS, N.E.C.		8335-122	WELDER, PRESSURE VESSELS	1
7199-142	ANIMAL ATTENDANT, POUND	1			
7199-182	MAPLE-SYRUP MAKER	1			

CCDO CODE	OCCUPATIONAL TITLE	POINTS	CCDO CODE	OCCUPATIONAL TITLE	POINTS
	SALES WORKERS, COMMODITIES, N.E.C.				
5-1 0	SALESPERSON, MOTOR VEHICLES	1			
5135-111	LEASING REPRESENTATIVE, MOTOR VEHICLES	1			
5135-114	SALESPERSON, SEWING MACHINES	1			
5135-116	SALESPERSON, COMPUTERS	1			
5135-118	SALESPERSON, HEARING AIDS	1			
5135-120	SALESPERSON, LIVESTOCK	1			
5135-121	SALESPERSON, ART	1			
5135-122	SALESPERSON, MUSICAL INSTRUMENTS AND SUPPLIES	1			
5135-123	AUTOMOTIVE PARTSPERSON	1			
5135-124	SALESPERSON, WOOD BURNING APPLIANCES	1			
5135-125	INDUSTRIAL ENGINES AND EQUIPMENT PARTSPERSON	1			
5135-126	SALESPERSON, PARTS	1			
5174	ADVERTISING SALES OCCUPATIONS	1			
5191	BUYERS, WHOLESALE AND RETAIL TRADE				
5191-110	BUYER	1			
5191-112	GRAIN-ELEVATOR MANAGER	1			
6111	FIRE-FIGHTING OCCUPATIONS				
6111-122	FIRE-FIGHTER, CRASH	1			
6111-126	FIRE-FIGHTER	1			
6119	PROTECTIVE SERVICE OCCUPATIONS, N.E.C.				
6119-110	CONSERVATION OFFICER	1			
	CHEFS AND COOKS				
6121-111	CHEF-COOK, GENERAL	10			
6121-112	HEAD CHEF	10			
6121-113	BANQUET CHEF	10			
6121-114	COOK, SMALL ESTABLISHMENT	10			
6121-115	CHEF, PATISSIER	10			
6121-116	CHEF, SAUCIER	10			
6121-117	CHEF, ROTISSEUR	10			
6121-118	COOK, DOMESTIC	10			
6121-119	CHEF, GARDE-MANGER	10			
6121-120	CHEF, ENTREMETIER	10			
6121-121	CATERER	10			
6121-122	COOK, INSTITUTION	10			
6121-123	WORKING SOUS-CHEF	10			
6121-124	COOK, KOSHER FOODS	10			
6121-126	COOK, FOREIGN FOODS	10			
6121-127	COOK, FIRST	10			
6121-129	COOK, THERAPEUTIC DIET	10			
6121-132	COOK, CAMP	10			
6143	BARBERS, HAIRDRESSERS AND RELATED OCCUPATIONS				
6143-110	MAKE-UP ARTIST	1			
6143-112	IMAGE CONSULTANT	1			
6143-114	BARBER	1			
6143-118	HAIRDRESSER	1			
7199	OTHER FARMING, HORTICULTURAL AND ANIMAL-HUSBANDRY OCCUPATIONS, N.E.C.				
7199-142	ANIMAL ATTENDANT, POUND	1			
7199-182	MAPLE-SYRUP MAKER	1			
7717	MINING AND QUARRYING: CUTTING, HANDLING AND LOADING OCCUPATIONS				
7717-110	BUCKETWHEEL-EXCAVATOR OPERATOR	1			
7717-112	HYDRAULIC COAL-MONITOR OPERATOR	1			
7717-116	POWER-SHOVEL OPERATOR	1			
7717-118	CONTINUOUS-MINING-MACHINE OPERATOR	1			
7717-120	LONGWALL COAL-SHEARER OPERATOR	1			
7717-122	CUTTING-MACHINE OPERATOR	1			
8137	MOULDING, COREMAKING AND METAL CASTING OCCUPATIONS				
8137-110	PATTERN MOULDER	10			
8165	DISTILLING, SUBLIMING AND CARBONIZING OCCUPATIONS, CHEMICALS AND RELATED MATERIALS				
8165-110	PETROLEUM-PROCESS OPERATOR	1			
8215	SLAUGHTERING AND MEAT CUTTING, CANNING, CURING AND PACKING OCCUPATIONS				
8215-110	BUTCHER, ALL-ROUND	1			
8215-122	SKINNER, ANIMAL	1			
8215-198	BUTCHER	1			
8311	TOOL-AND-DIE-MAKING OCCUPATIONS				
8311-110	TOOL AND DIE MAKER	5			
8311-112	MOULD MAKER	5			
8311-114	DIAMOND-TOOL MAKER	5			
8311-118	DIE MAKER, BENCH, STAMPING	5			
8311-122	DIE MAKER, WIRE-DRAWING	5			
8311-126	DIE SINKER, BENCH	5			
8311-130	TOOL MAKER, BENCH	5			
8311-134	CARBIDE-TOOL MAKER	5			
8311-138	DIE FINISHER	5			
8311-142	DIE MAKER, JEWELLERY	5			
8311-146	EXTRUSION-DIE TEMPLATE MAKER	5			
8313	MACHINIST AND MACHINING-TOOL SETTING-UP OCCUPATIONS				
8313-153	NUMERICAL CONTROL MACHINIST	1			
8313-154	MACHINIST, GENERAL	1			
8316	INSPECTING AND TESTING OCCUPATIONS, METAL MACHINING				
8316-110	INSPECTOR, TOOL AND GAUGE	5			
8316-114	INSPECTOR, MACHINE SHOP	5			
8316-118	GEAR INSPECTOR	5			
8316-122	PROPELLER INSPECTOR	5			
8331	FORGING OCCUPATIONS				
8331-110	DIE SETTER	10			
8331-114	BLACKSMITH	10			
8331-118	POWER-HAMMER OPERATOR	10			
8335	WELDING AND FLAME CUTTING OCCUPATIONS				
8335-110	WELDER SETTER, RESISTANCE	1			
8335-112	WELDER, DRILLING RIG	1			
8335-114	WELDER-FITTER	1			
8335-118	WELDER, TOOL AND DIE	1			
8335-120	WELDER, PIPELINE	1			
8335-122	WELDER, PRESSURE VESSELS	1			

CCDO CODE	OCCUPATIONAL TITLE	POINTS	CCDO CODE	OCCUPATIONAL TITLE	POINTS
8335-126	WELDER, COMBINATION	1	8584-166	QUILTING-MACHINE FIXER	
8351	WOOD PATTERNMAKING OCCUPATIONS		8584-170	MAINTENANCE MECHANIC, COMPRESSED-GAS-PLANT	
8351-110	PATTERNMAKER, WOOD	5	8584-178	OIL-TOOL REPAIRER	10
8395	PATTERNMAKERS AND MOULDMAKERS, N.E.C.		8584-182	POWDER-LINE REPAIRER	10
8395-126	PATTERNMAKER, METAL	5	8584-186	TREATMENT-PLANT MECHANIC	10
8533	ELECTRICAL AND RELATED EQUIPMENT INSTALLING AND REPAIRING OCCUPATIONS, N.E.C.		8584-188	FARM-EQUIPMENT INSTALLER	10
8533-110	ELECTRICAL REPAIRER	1	8584-190	WELDING-EQUIPMENT REPAIRER	10
8533-118	REFRIGERATION MECHANIC	1	8584-194	OVEN-EQUIPMENT REPAIRER	10
8533-122	REPAIRER, ELECTRIC MOTOR	1	8584-198	SEWING-MACHINE MECHANIC	10
8533-126	REPAIRER, MAJOR APPLIANCE	1	8584-202	AMMUNITION-ASSEMBLING-MACHINE ADJUSTER	10
8533-130	ELECTRICIAN, AIRCRAFT	1	8584-206	CARTON-FORMING-MACHINE REPAIRER	10
8533-134	ELECTRICIAN, MARINE EQUIPMENT	1	8584-210	FIBREGLASS-FORMING-MACHINE REPAIRER	10
8533-138	ELECTRICIAN, RAIL TRANSPORT	1	8584-214	LAUNDRY-MACHINE MECHANIC	10
8533-142	REPAIRER, ELECTRICAL INSTRUMENTS	1	8584-218	RECORD-PROCESS-EQUIPMENT REPAIRER	10
8533-162	REPAIRER, AIR-CONDITIONER	1	8584-222	SEAMER-MACHINE REPAIRER	10
8533-166	REPAIRER, ELECTRIC TOOL	1	8584-226	TOBACCO-MACHINE ADJUSTER	10
8533-170	REPAIRER, PORTABLE APPLIANCE	1	8584-230	CARD GRINDER	10
8561	SHOEMAKING AND REPAIRING OCCUPATIONS		8584-234	SHEARING-MACHINE FIXER	10
8561-110	SHOEMAKER, CUSTOM	1	8584-238	MACHINE-CLOTHING REPLACER	10
8561-114	SHOE REPAIRER	1	8584-242	ROLL BUILDER	10
8562	UPHOLSTERERS		8584-326	DAIRY-EQUIPMENT REPAIRER	10
8562-110	UPHOLSTERER, ALL AROUND	1	8584-330	FARM-EQUIPMENT MECHANIC	10
8562-111	CUSTOM UPHOLSTERER	1	8584-350	MINE-HOIST REPAIRER	10
8562-112	PATTERNMAKER-AND-UPHOLSTERER, AIRCRAFT	1	8584-354	CRANE REPAIRER	
8562-114	VEHICLE-UPHOLSTERY REPAIRER	1	8584-358	CONVEYOR REPAIRER	1
8582	AIRCRAFT MECHANICS AND REPAIRERS		8584-378	CONSTRUCTION-EQUIPMENT MECHANIC	10
8582-110	AIRCRAFT MECHANIC	1	8584-382	DIESEL MECHANIC	10
8582-114	AIRCRAFT-ACCESSORIES MECHANIC	1	8586	INSPECTING AND TESTING OCCUPATIONS, EQUIPMENT REPAIR, N.E.C.	
8584	INDUSTRIAL, FARM AND CONSTRUCTION MACHINERY MECHANICS AND REPAIRERS		8586-110	AIRCRAFT INSPECTOR, REPAIR	1
8584-110	PRINTING-MACHINERY MECHANIC	10	8586-114	LOCOMOTIVE INSPECTOR	1
8584-112	HEAVY-DUTY-EQUIPMENT MECHANIC	10	8586-134	AIRCRAFT-HYDRAULICS TESTER	1
8584-114	LOOM FIXER	10	8586-142	RAILWAY-CAR INSPECTOR	1
8584-118	MACHINE FIXER, TEXTILE	10	8586-150	WHEEL-AND-AXLE INSPECTOR	1
8584-122	MILLWRIGHT	10	8587	WATCH AND CLOCK REPAIRERS	
8584-126	ORE-PROCESSING-EQUIPMENT REPAIRER	10	8587-110	WATCH REPAIRER	1
8584-130	POWERHOUSE REPAIRER	10	8588	PRECISION-INSTRUMENT MECHANICS AND REPAIRERS	
8584-132	MECHANICAL MAINTAINER, NUCLEAR-GENERATING STATION AND HEAVY WATER PLANT	10	8588-110	AIRCRAFT-INSTRUMENT MECHANIC	5
8584-134	METALWORKING-MACHINERY MECHANIC	10	8588-118	INSTRUMENT REPAIRER	5
8584-138	CHEMICAL-PROCESS-EQUIPMENT MECHANIC	10	8588-126	CAMERA REPAIRER	5
8584-140	PLASTICS PROCESSING EQUIPMENT MECHANIC	10	8588-130	PHOTO-FINISHING-EQUIPMENT REPAIRER	5
8584-142	BAKERY-MACHINERY MECHANIC	10	8588-134	GAS-METER REPAIRER	5
8584-146	BOILERHOUSE REPAIRER	10	8589	MECHANICS AND REPAIRERS, EXCEPT ELECTRICAL, N.E.C.	
8584-150	FORGE-SHOP-MACHINERY REPAIRER	10	8589-122	GUNSMITH	5
8584-154	GUM-WRAPPING-MACHINE MECHANIC	10	8589-144	REPAIRER, SMALL ENGINES	5
8584-158	TANNERY-MACHINERY REPAIRER	10	8589-146	LOCKSMITH	5
8584-162	PACKAGING-MACHINE MECHANIC	10	8589-150	PNEUMATIC-TOOL REPAIRER	
			8589-154	PNEUMATIC-TUBE REPAIRER	5
			8589-162	HYDRAULIC-UNIT REPAIRER	5
			8589-166	PNEUMATIC-UNIT TESTER AND REPAIRER	5

CCDO CODE	OCCUPATIONAL TITLE	POINTS	CCDO CODE	OCCUPATIONAL TITLE	POINTS
89-170	SCALE MECHANIC	5	9533-122	POWER ENGINEER, GENERAL	5
9-178	AIR-COMPRESSOR REPAIRER	5	9533-124	STEAM OPERATOR	5
8731	ELECTRICAL POWER LINE WORKERS AND RELATED OCCUPATIONS		9533-126	BOILER OPERATOR, PULVERIZED COAL	5
8731-110	LINE MAINTAINER, EMERGENCY SERVICE	5	9533-128	BUILDING SYSTEMS TECHNICIAN	5
8731-114	LINE REPAIRER	5	9533-134	COMPRESSOR OPERATOR, CAISSON	5
8731-118	LINE MAINTAINER	5	9551	RADIO AND TELEVISION BROADCASTING EQUIPMENT OPERATORS	5
8731-122	CABLE INSTALLER-REPAIRER	5	9555	SOUND AND VIDEO RECORDING AND REPRODUCTION EQUIPMENT OPERATORS	
8735	WIRE COMMUNICATIONS AND RELATED EQUIPMENT INSTALLING AND REPAIRING OCCUPATIONS		9555-110	SOUND MIXER	5
8735-110	CENTRAL-OFFICE-EQUIPMENT REPAIRER	1	9555-114	STEREO-TAPE EDITOR	5
8735-114	RURAL-TELEPHONE MAINTAINER	1	9555-118	RE-RECORDING MIXER	5
8735-118	ELECTRICIAN, COMMUNICATIONS EQUIPMENT	1	9555-122	VIDEO-AND-SOUND RECORDER	5
8735-122	PRIVATE-BRANCH-EXCHANGE REPAIRER	1	9555-126	VIDEO-RECORDING-EQUIPMENT OPERATOR	5
8735-126	STATION REPAIRER	1	9555-130	SOUND-EFFECTS TECHNICIAN	5
8735-134	TELEGRAPH-EQUIPMENT REPAIRER	1	9557	MOTION PICTURE PROJECTIONISTS	1
8735-136	CABLE INSTALLER	1	9591	PHOTOGRAPHIC PROCESSING OCCUPATIONS	
8735-138	LINE INSTALLER-REPAIRER	1	9591-110	PHOTOGRAPH ENLARGER	1
8735-146	REPAIRER, SHOP	1	9591-112	NEGATIVE-CONTACT-FRAME OPERATOR	1
8735-154	CENTRAL-OFFICE-EQUIPMENT INSTALLER	1	9591-114	FILM DEVELOPER	1
8735-158	PRIVATE-BRANCH-EXCHANGE INSTALLER	1	9591-118	NEGATIVE RETOUCHER	1
8735-162	TELEPHONE-STATION INSTALLER	1	9916	INSPECTING, TESTING, GRADING AND SAMPLING OCCUPATIONS, N.E.C.	
8735-166	TELECOMMUNICATIONS-EQUIPMENT INSTALLER	1	9916-110	RADIOGRAPHER, INDUSTRIAL	1
8735-170	CABLE-TELEVISION INSTALLER	1	9916-114	TESTER, ULTRASONIC	1
8735-182	FRAME WIRER, TELEPHONES	1			
8736	INSPECTING AND TESTING OCCUPATIONS				
8736-114	CABLE TESTER	5			
8736-126	TESTER AND REGULATOR	5			
8736-130	EXCHANGE TESTER	5			
8736-138	TERMINAL AND REPEATER TESTER	5			
8736-142	TRANSMISSION TESTER	5			
8736-160	POWERLINE PATROLLER	5			
9531	POWER STATION OPERATORS				
9531-110	LOAD DISPATCHER	1			
9531-114	SUBSTATION INSPECTOR	1			
9531-118	DIESEL-PLANT OPERATOR	1			
9531-122	POWER-SWITCHBOARD OPERATOR	1			
9531-130	POWER-CONTROL-ROOM OPERATOR	1			
9531-134	NUCLEAR-REACTOR OPERATOR	1			
9531-138	HYDRO-ELECTRIC-STATION OPERATOR	1			
9531-142	TURBINE OPERATOR, STEAM	1			
9531-144	FIELD OPERATOR, NUCLEAR-GENERATING STATION	1			
9531-146	CENTRAL OFFICE POWER-ROOM OPERATOR	1			
9531-154	FEEDER-SWITCHBOARD OPERATOR	1			
9533	STATIONARY ENGINE AND AUXILIARY EQUIPMENT OPERATING AND MAINTAINING OCCUPATIONS				
9533-110	BOILER OPERATOR	5			
9533-114	REFRIGERATION OPERATOR	5			
9533-118	DIESEL ENGINE OPERATOR, STATIONARY	5			



1992 Designated Occupations List for prospective immigrants

Effective date: August 1, 1992

CCDO	OCCUPATIONAL TITLE	LICENSING	TARGET
NEWFOUNDLAND			
3137-118	OCCUPATIONAL THERAPIST	YES	10
3137-122	PHYSIOTHERAPIST	YES	10
PRINCE EDWARD ISLAND			
NO DESIGNATIONS			
NOVA SCOTIA			
NO DESIGNATIONS			
NEW BRUNSWICK			
NO DESIGNATIONS			
QUEBEC			
EXCLUSIVE PROVINCIAL SELECTION OF INDEPENDENT IMMIGRANTS.			
ONTARIO			
3137-114	SPEECH PATHOLOGIST	YES	40
3137-118	OCCUPATIONAL THERAPIST	YES	40
3137-122	PHYSIOTHERAPIST	YES	80
3155-118	RADIOTHERAPY TECHNICIAN (TECHNOLOGIST)	YES	30
MANITOBA			
3137-118	OCCUPATIONAL THERAPIST	YES	10
3137-122	PHYSIOTHERAPIST	YES	25
3155-118	RADIOTHERAPY TECHNICIAN (TECHNOLOGIST)	YES	10

CCDO	OCCUPATIONAL TITLE	LICENSING	TARGET
SASKATCHEWAN			
2315-134	PSYCHOLOGIST, CLINICAL	YES	11
3137-114	SPEECH PATHOLOGIST	YES	10
3137-118	OCCUPATIONAL THERAPIST	YES	12
3137-122	PHYSIOTHERAPIST	YES	20
3155-118	RADIOTHERAPY TECHNICIAN (TECHNOLOGIST)	YES	10
3157-110	DENTAL HYGIENIST	YES	15
8313-154	MACHINIST, GENERAL	YES	10
ALBERTA			
3115-110	VETERINARIAN	YES	10
3137-114	SPEECH PATHOLOGIST		30
3137-118	OCCUPATIONAL THERAPIST	YES	30
3137-122	PHYSIOTHERAPIST	YES	40
3157-110	DENTAL HYGIENIST	YES	25
8311-110	TOOL AND DIE MAKER	YES	15

CCDO	OCCUPATIONAL TITLE	LICENSING	TARGET
BRITISH COLUMBIA			
2165-110	AEROSPACE-ENGINEERING TECHNOLOGIST		10
2183-114	SYSTEMS ANALYST, ENGINEERING & SCIENTIFIC		35
2183-122	PROGRAMMER, ENGINEERING & SCIENTIFIC		50
3137-114	SPEECH PATHOLOGIST		25
3137-118	OCCUPATIONAL THERAPIST	YES	25
3137-122	PHYSIOTHERAPIST	YES	30
3155-118	RADIOTHERAPY TECHNICIAN (TECHNOLOGIST)	YES	10
3157-110	DENTAL HYGIENIST	YES	30
6121-112	HEAD CHEF		40
7115-126	FARMER, NURSERY		20
8313-153	NUMERICAL CONTROL MACHINIST		20
9916-110	RADIOGRAPHER, INDUSTRIAL		10

CCDO	OCCUPATIONAL TITLE	LICENSING	TARGET
NWT			
NO DESIGNATIONS			
YUKON			
NO DESIGNATIONS			

Notes:

Applicants in designated occupations destined to the designating region will be awarded:

- 1) 10 units of assessment for the occupation factor
- 2) 10 units of assessment for designated occupation under the arranged employment factor
- 3) processing priority for designated occupations as defined in the Regulations.

Produced by Public Affairs and
the Immigration Policy Group
Employment and Immigration Canada

For copies and information contact:

Enquiries Centre
Employment and Immigration Canada
Ottawa - Hull
K1A 0J9

Tel: (819) 994-6313

APPENDIX F

PROCESSING FEES

Immigration Cost Recovery Fees

<u>Service</u>	<u>Fee</u>
Immigration Services	
Application for permanent residence	
Application for landing in Canada requiring visa exemption and sponsorship undertaking	
Applicant plus one dependant	\$ 450
Dependant under age 19, who is not a spouse	\$ 50
Dependant 19 and over, spouse	\$ 450
Entrepreneur, investor and self-employed	
Applicant plus one dependant	\$ 750
Dependant under age 19, who is not a spouse	\$ 50
Dependant 19 and over, spouse	\$ 450
Order-In-Council	
Each request	\$ 250
Family Business Application	
Each application	\$ 250
Certificate of Record of Landing	
Individual	\$ 25
Family	\$ 50
Returning Resident Permit	
Individual	\$ 75
Family	\$ 150
Visitor Services	
Visitor Visa	
Individual	\$ 50
Family	\$ 100
Collective Certificate - Per person	\$ 40
Visitor Extension	
Individual	\$ 50
Family	\$ 100
Discretionary Entry	
Individual	\$ 75
Family	\$ 150
Group (2 to 14) Entertainers	\$ 150
Student Authorization	
Individual	\$ 75
Family	\$ 150
Employment Authorization	
Individual	\$ 100
Family	\$ 200
Group (2 to 14) Entertainers	\$ 200
Replacement of Immigration Record	
Individual	\$ 25
Family	\$ 50
Combination of Documents - Maximum Rate	\$ 225

Other Services

Minister's Permit		
Individual		\$ 100
Family		\$ 200
Group (2 to 14) Entertainers		\$ 200
Extension to Minister's Permit		
Individual		\$ 100
Family		\$ 200
Group (2 to 14) Entertainers		\$ 200
Call-out/Overtime (in Canada)	\$100 minimum or \$27/hr.	
Minister's Consent to Return after Deportation		
Individual		\$ 250
Criminal Rehabilitation		
Individual		\$ 250
Transcript of Inquiry *		
Each Transcript		\$ 75
Investment Proposal Assessment		
Each Amendment		\$4500
Investment Proposal Amendment		
Each Amendment		\$1500
File Transfer *		
Each Request		\$ 50
Sale of Data**		
Each request for specific information		\$ 20

* Subject to the Goods and Services Tax.

** Includes maximum 5 minutes central processor unit time; each additional minute to be charged at \$20 per minute

All fees must be paid in Canadian dollars in Canada and/or the equivalent local currency overseas.

Please note that Convention Refugees and people who enter Canada under any Canadian government humanitarian program are normally exempt from these fees.

Since the charges apply to the cost of considering the application, there is no refund if the applicant is not successful.

If you or your constituents have any questions or would like more information before they submit their formal application, please contact your local CIC.

Current as of time of printing.

Please check with your local CIC that information is still current.

Case Processing Times (In Days) By Offices Abroad

Office	Family Class		Assisted Relatives		Independents	
	Case	Mean Time	Case	Mean Time	Case	Mean Time
Abidjan	70	541	8	534	14	541
Ankara	58	162	3	335	13	250
Athens	39	184	12	212	20	292
Atlanta	52	313	24	427	49	421
Bangkok	443	399	67	447	0	0
Beijing	894	301	13	785	0	0
Belgrade	122	217	42	389	38	685
Berne	25	100	4	422	27	372
Bogota	71	323	3	534	21	326
Bonn	61	142	10	419	25	339
Boston	30	488	10	733	127	480
Bridgetown	40	461	3	503	7	530
Brussels	9	102	4	181	27	211
Budapest	19	49	4	48	31	111
Buenos Aires	22	165	4	466	21	318
Buffalo	149	165	37	540	150	406
Cairo	61	182	10	302	32	333
Chicago	22	230	5	413	31	342
Colombo	116	597	22	705	3	671
Copenhagen	4	208	1	139	2	337
Dallas	21	384	7	429	26	467
Damascus	56	318	24	536	20	459
Dar es Salaam	0	0	0	0	0	0
Detroit	70	323	24	376	144	395
Dhaka	0	0	0	0	0	0
Dublin	8	55	9	83	41	131
Georgetown	58	771	0	0	0	0
Guatemala	145	168	7	217	3	824
Helsinki	0	0	0	0	0	0
Hong Kong	1500	581	246	663	438	608
Islamabad	160	264	7	582	2	249
Kingston	414	442	17	439	9	699
Kuala Lumpur	34	288	32	628	11	696
Lima	114	239	10	392	17	307
Lisbon	165	234	83	543	207	321
London	315	175	135	259	228	236
Los Angeles	72	370	6	428	49	600

Office	Family Class		Assisted Relatives		Independents	
	Case	Mean Time	Case	Mean Time	Case	Mean Time
Madrid	6	564	2	414	13	358
Manila	1005	498	25	970	25	784
Mexico	50	111	36	349	73	328
Minneapolis	17	274	3	419	45	415
Moscow	24	256	83	393	6	507
Nairobi	89	256	21	462	12	728
New Delhi	1843	430	87	651	33	1005
New York	140	507	39	643	272	531
Paris	54	276	11	349	514	219
Port-au-Prince	288	297	4	403	12	211
Port of Spain	303	377	27	563	7	290
Pretoria	35	290	18	363	22	387
Rabat	73	286	1	211	82	474
Rome	38	231	20	282	46	352
San Francisco	17	699	16	700	30	747
San José	53	424	10	712	3	645
Santiago	41	219	6	555	5	464
Sao Paulo	21	125	1	502	18	454
Seattle	47	296	14	423	111	495
Seoul	66	239	23	713	12	752
Singapore	56	236	17	501	16	407
Stockholm	28	145	2	756	3	384
Sydney	305	196	29	326	97	226
Tel Aviv	54	264	23	497	49	451
The Hague	15	260	12	405	16	286
Tokyo	30	301	0	0	10	499
Vienna	7	195	6	189	10	144
Warsaw	699	182	43	338	13	236
Washington	28	523	7	496	36	656
Office not stated	68	77	19	114	15	61
Total/Average:	10939	374	1498	494	3439	408

FULL IMMIGRATION PROCESSING MISSIONS ABROAD
[Reference at IS 28.05 2)a]]

ABIDJAN - Republic of Côte d'Ivoire

Street Address: Immeuble Trade Center, 23 av. Nogues
Postal Address: The Canadian Embassy, 01 C.P. 4104,
Abidjan 01, Côte d'Ivoire
Tel: 32-20-09 Telex No.: 23593
Answerback: DOMCAN CI
Cable Address: Domcan CI
Code: 6068 FAX: 011-255-32-77-28

ANKARA

Street Address: The Canadian Embassy, Nenehatun Caddesi
No. 75, Gaziosmanpasa, Ankara, Turkey
Tel: 136-12-75, -76, -77, -78, -79 Telex No.: 42369
Answerback: 42369 DCAN TR.
Cable Address: Domcan Ankara
Code: 6103 FAX: 8011-90-4-146-4437

ATHENS - Hellenic Republic

Street Address: The Canadian Embassy, 4 Ioannou Gennadiou
St., Athens 115 21, Greece
Tel: 7239-510 Telex No.: 215584
Answerback: 215584 DOM GR.
Cable Address: Mapleleaf Athens.
Code: 6002 FAX: 8011-301-724-7123

ATLANTA - United States of America

Street Address: Canadian Consulate General, Visa Section,
400 South Tower, One CNN Center, Atlanta, Ga. 30303-2705
Tel: (404) 577-6810 Telex No.: 543197
Answerback: DOMCAN ATL.
Code: 6046 FAX: 81-404-524-5046

BANGKOK - Kingdom of Thailand

Street Address: Boonmitr Bldg., 11th Floor, 138 Silom Road,
Bangkok 10500
Postal Address: The Canadian Embassy, P.O. Box 2090,
Bangkok 10500, Thailand
Tel: 234-1561, -8 Telex No.: 2671
Answerback: 82671 DOMCAN TH.
Cable Address: Domcan Bangkok
Code: 6076 FAX: 8011-66-2-236-6463

BEIJING (PEKING) - People's Republic of China

Street Address: The Canadian Embassy, 10 San Li Tun Road,
Chao Yang District, Beijing, China
Tel: 52-1475, 52-1571, 52-1724, 52-1741, 52-1684,
52-1907, 52-2705, 52-3423 Telex No.: 22717
Answerback: 22717 CANAD CN
Cable Address: Domcan Peking
Code: 6155 FAX: 8011-86-1-532-1684

BELGRADE - Socialist Federal Republic of Yugoslavia

Street Address: The Canadian Embassy,
Kneza Milosa 75, 11000
Belgrade, Yugoslavia
Tel: 641-399 Telex No.: 11137
Answerback: 11137 YU DOMCA
Cable Address: Domcan Belgrade
Code: 6004

BERLIN - Federal Republic of Germany

Address: Canadian Consulate, Immigration Section
Europa-Centre, 100^e Berlin 30, Germany
Tel: (011-49-30)261-1161
Telex No.: 93803 (unclassified telexes only; protected telexes
must be directed to Bonn until further notice.)
Answerback: 93803 DMCN EI.
Code: 6013 FAX: (011-49-30)262-9206
(Protected Facsimilies must be sent to Bonn until further notice)
Satellite office of Bonn

BERNE - Swiss Confederation

Street Address: Belpstrasse 11, 3007 Berne.
Postal Address: The Canadian Embassy, Immigration Section,
P.O.Box1261, 3001 Berne
Tel: (031) 25-22-61 Telex No.: 911308
Answerback: 911308 DMCN CH
Cable Address: Domcan Berne
Code: 6005 FAX: 8011-41-3144-7315

BOGOTA - Republic of Colombia

Street Address: The Canadian Embassy, Calle 76, No. 11-52
Postal Address: (airmail) The Canadian Embassy, Immigration
Section, Apartado Aereo 052978, Bogota 2, Colombia
Tel: 217-5555 Telex No.: 44568
Answerback: 44568 DMCA CO.
Cable Address: Domcan Bogota
Code: 6063 FAX: 8011-57-1-235-6253

BONN - Federal Republic of Germany

Street Address: The Canadian Embassy, Immigration Office,
Godesberger Allee 119, D5300, Bonn 2
Tel: (0228) 810060 Telex No.: 886421
Answerback: 886421 DOMCA D.
Cable Address: Domcan Bonn
Code: 6013 FAX: 8011-49-228-230857

BOSTON - United States of America

Street Address: The Consulate General of Canada, 3 Copley
Street, Suite 400, Boston, MA. 02116
Tel: (617) 262-3760 (Nightline: (617) 262-7767, -8562, -9735)
Telex No.: 940625
Answerback: DOMCAN BSN.
Code: 6047 FAX: 81-617-262-3415

BRIDGETOWN - Barbados

Street Address: Commonwealth Development
Corporation Building, Bishop's Court Hill, St. Michael
Postal Address: The Canadian High Commission,
P.O. Box 404,
Bridgetown, Barbados
Tel: 429-3550 Telex No.: 2247
Answerback: 2247 CANADA WB.
Cable Address: DOMCAN BRIDGETOWN
Code: 6069 FAX: 81-809-429-3780

BRUSSELS - Kingdom of Belgium
Street Address: The Canadian Embassy,
2, avenue de Tervuren, 1040 Brussels, Belgium
Tel: 02/735-60-40 Telex No.: 21613
Answerback: 21613 DOMCAN B.
Cable Address: Domcan Brussels
Code: 6009 FAX: 8011-32-2-735-3383

BUCHAREST - Socialist Republic of Romania
Street Address: 36 Nicolae Iorga, 71118 Bucharest
Postal Address: The Canadian Embassy, P.O. Box 2966 Post
Office No. 22, Bucharest, Romania
Tel: 50-65-80, 50-62-90, 50-63-30, 50-61-40, 50-64-85,
50-59-56 Telex No.: 10690
Answerback: 10690 CANAD R.
Code: 6106

BUDAPEST - Republic of Hungary
Street Address: The Canadian Embassy,
Budakeszi ut. 32, 1121
Budapest, Hungary
Tel: 387-312, 387-512, 387-711, 387-712 Telex No.: 22-4588
Answerback: 224588 CANADA H.
Cable Address: Canada Budapest
Code: 6010

BUENOS AIRES - Argentine Republic
Street Address: Suipacha 1111, 25th Floor, Brunetta Bldg.,
Suipacha and Santa Fé.
Postal Address: The Canadian Embassy,
Casilla de Correo 1598,
Buenos Aires, Argentina
Tel: 312-9081/8 Telex No.: 21383
Answerback: 21383 CANAD AR.
Cable Address: Domcan Buenos Aires
Code: 6044 FAX: 8011-54-1-312-9775

BUFFALO - United States of America
Street Address: The Consulate General of Canada, Suite 3550,
1 Marine Midland Centre, Buffalo, New York 14203-2884
Tel: (716) 852-1247 Telex No.: 91329
Answerback: DOMCAN BUF.
Code: 6048 FAX: 81-716-852-4340

CAIRO - Arab Republic of Egypt
Street Address: 6 Sharia Mohamed Fahmi el Sayed,
Garden City
Postal Address: The Canadian Embassy,
Kasr el Doubara Post Office,
Cairo, Egypt
Tel: 354-3110 Telex No.: 92677
Answerback: 92677 CANCAR UN.
Cable Address: Domcan Cairo
Code: 6011 FAX: 8011-202-355-7276

CHICAGO - United States of America
Street Address: The Consulate General of Canada, Suite 1200,
310 South Michigan Ave., Chicago, Ill. 60604-4295
Tel: (312) 427-1031 Telex No.: 254171
Answerback: DOMCAN CGO.
Cable Address: Domcan Chicago
Code: 6012 FAX: 81-312-922-0637

COLOMBO - Democratic Socialist Republic of Sri Lanka
Street Address: 6 Gregory's Road, Cinnamon Gardens,
Colombo 7
Postal Address: The Canadian High Commission,
P.O. Box 1006,
Colombo, Sri Lanka
Tel: 59-58-41; -42; -43; -44; 59-87-97 Telex No.: 21106
Answerback: 21106 DOMCAN CE.
Cable Address: Domcanada Colombo
Code: 6110 FAX: 8011-94-1-502-643

COPENHAGEN - Kingdom of Denmark
Street Address: The Canadian Embassy, Kr. Bemikowsgade 1,
1105 Copenhagen K, Denmark
Tel: (01) 12-22-99 Telex No.: 27036
Answerback: 27036 DMCNC DK.
Cable Address: Domcan Copenhagen
Code: 6014 FAX: 8011-45-1-14-0585

DALLAS - United States of America
Street Address: The Consulate General of Canada,
St. Paul Tower, Suite 1700, 750 North St. Paul St.,
Dallas, Texas 75201
Tel: (214) 922-9812 Telex No.: 732637
Answerback: DOMCAN DAL.
Cable Address: Canadian Dallas
Code: 6049 FAX: 81 (214) 922-9815

DAMASCUS - Syrian Arab Republic
Street Address: Sheraton Hotel, 1st Floor, Omayad Square,
Damascus
Postal Address: The Canadian Embassy, P.O. Box 3394,
Damascus, Syria
Tel: 330535; 332409 Telex No.: 412422
Answerback: CANADA SY412422
Code: 6099

DETROIT - United States of America
Street Address: The Consulate General of Canada,
600 Renaissance Centre, Suite 1100,
Detroit, Mich. 48243-1704
Tel: (313) 567-2340 Telex No.: 230715
Answerback: DOMCAN DET
Cable Address: Canadian Detroit
Code: 6050 FAX: 81-313-567-2164

DUBLIN - Ireland
Street Address: The Canadian Embassy,
65 St. Stephen's Green, Dublin 2, Ireland
Tel: 781-988 Telex No.: 25488.
Answerback: 25488 DMCN EI.
Cable Address: Domcan Dublin
Code: 6015 FAX: 8011-353-1-781285

GUATEMALA CITY - Republic of Guatemala
Street Address: Galerias Espana, 6th Floor, 7 Avenida 11-59,
Zona 9
Postal Address: The Canadian Embassy, P.O. Box 400,
Guatemala, C.A.
Tel: 321411, -13, -17, -18, -19; 321426, -28, -29
Telex No.: 5206
Answerback: 5206 CANADA GU.
Cable Address: Canadian Guatemala City
Code: 6117 FAX: (502) (2) 321 419

HELSINKI - Republic of Finland
Street Address: P. Esplanadi 25B, 00100 Helsinki 10
Postal Address: The Canadian Embassy, P.O. Box 779, 00101
Helsinki 10, Finland
Tel: 17-11-41 Telex No.: 121363
Answerback: 121363DMCNH SF
Cable Address: Domcan Helsinki
Code: 6018 FAX: 8011-358-0-60-10-60

HONG KONG
Street Address: Exchange Square, Tower One, 11/14 Floors,
8 Connaught Place
Postal Address: Office of the Commission for Canada,
P.O. Box 11142 G.P.O., Hong Kong
Tel: (5) 8100880 Telex No.: 73391
Answerback: 73391 DOMCA HX.
Cable Address: DOMCAN HONG KONG
Code: 6019 FAX: 8011-852-5-810-6736

ISLAMABAD - Islamic Republic of Pakistan
Street Address: Diplomatic Enclave, Sector G-5
Postal Address: The Canadian Embassy, G.P.O. Box 1042,
Islamabad, Pakistan
Tel: 821101, 821102, 821103, 821104, 821109, 821302, 821306
Telex No.: 5700
Answerback: 5700 DOCAN PK.
Cable Address: Domcan Islamabad
Code: 6020 FAX: 8011-92-51-823-466

KINGSTON - Jamaica
Street Address: Royal Bank Bldg., 30-36 Knutsford Blvd.,
Kingston 5
Postal Address: The Canadian High Commission,
P.O. Box 1500, Kingston 10, Jamaica
Tel: 926-1500, -1, -2, -3, -4, -5, -6, -7 Telex No.: 2130
Answerback: 2130 BEAVER JA.
Cable Address: Beaver Kingstonja
Code: 6021 FAX: 81-809-926-1702

KUALA LUMPUR - Malaysia
Street Address: 7th Floor, Plaza MBF, 172 Jalan Ampang,
50540 Kuala Lumpur, Malaysia
Postal Address: Canadian High Commission, Immigration
Section, P.O. Box 10990, 50732 Kuala Lumpur, Malaysia
Tel: 261-2000 Nightline: 261-2031 Telex No. 30269
Answerback: DOMCAN MA30269
Cable Address: DOMCAN Kuala Lumpur
Code: 6123 FAX: 8011-60-3-261-3428

LIMA - Republic of Peru
Street Address: Federico Gerdes 130 (Antes Calle Libertad)
Miraflores
Postal Address: The Canadian Embassy, Casilla 1212,
Lima, Peru
Tel: 444015; 443841; 443864; 443893; 443920; 443940.
Night line: 444032 Telex No.: 25323
Answerback: 25323 PE DOMCAN
Cable Address: Domcan Lima
Code: 6125 FAX: 8011-5114-444347

LISBON - Portuguese Republic
Street Address: The Canadian Embassy, Immigration Section,
Avenida Da Liberdade 144/56, 2nd Floor.
Lisbon 1200, Portugal
Tel: 347-6352 Telex: 12377
Answerback: 12377 DOMCAN P.
Cable Address: Domcan Lisbon
Code: 6022 FAX: 347-6466

LONDON - United Kingdom of Great Britain
and Northern Ireland
Street Address: The Canadian High Commission, Immigration
Section, 38 Grosvenor St., London, W1X 0AA, England, U.K.
Tel: (01) 409-2071 Telex No.: 261592, 261593
Answerback: 261592, 261593 CDALDN G.
Code: 6023 FAX: 8011-441-491-3968

LOS ANGELES - United States of America
Street Address: The Consulate General of Canada,
Immigration Section, 300 South Grand Avenue,
Los Angeles, CA 90071
Tel: (213) 687-7432 Telex No.: 674119
Answerback: DOMCAN LSA.
Code: 6051 FAX: 81-213-620-8827

MADRID - Kingdom of Spain
Street Address: Edificio Goya, Calle Nunez de Balboa 35
Postal Address: The Canadian Embassy, Immigration Office,
Apartado 207, Madrid 1, Spain
Tel: 431-4300 Telex No.: 27347
Answerback: DOMCAN E.
Cable Address: Mapleleaf Madrid
Code: 6024 FAX: 8011-34-1431-2367

MANILA - Republic of the Philippines
Street Address: 9th Floor, Allied Bank Centre, 6754 Ayala Ave.,
Makati, Metro Manila
Postal Address: The Canadian Embassy, Immigration Section,
P.O. Box 901, Commercial Centre, Makati, Rizal, Manila,
Philippines
Tel: 815-95-36 Telex No.: 63676
Answerback: 63676 DOMCAN PN.
Cable Address: Domcan Manila
Code: 6025 FAX: 8011-63-2-815-9595

MEXICO CITY - United Mexican States
Street Address: Calle Schiller No. 529 (Rincon del Bosque),
Colonia Polanco, 11560 Mexico, D.F.
Postal Address: Apartado Postal 105-05, 11580 Mexico, D.F.
Tel: 254-32-88 Telex No.: 1771191
Answerback: 1771191 DMCN ME.
Cable Address: Domcan Mexico City
Code: 6062 FAX: 8011-525-254-3103

MINNEAPOLIS - United States of America
Street Address: The Consulate General of Canada, 701 Fourth
Ave. South, Minneapolis, Minn. 55415
Tel: (612) 333-4641 Telex No.: 290229
Answerback: DOMCAN MPS.
Code: 6052 FAX: 81-612-332-4061

MOSCOW - Union of Soviet Socialist Republics
Street Address: The Canadian Embassy, 23 Starokonyushenny
Pereulok, Moscow, U.S.S.R.
Tel: 241-9155, 241-3067, 241-5070 Telex No.: 413401
Answerback: 413401 DMCAN SU.
Cable Address: Canada Moscow
Code: 6075 FAX: 8011-7-241-9155 Ext. 227

NAIROBI - Republic of Kenya
Street Address: Comcraft House, Hailé Sélassié Ave.
Postal Address: The Canadian High Commission, P.O. Box
30481, Nairobi, Kenya
Tel: 334-033, -4, -5, -6 Telex No.: 22198
Answerback: 22198 DOMCAN
Cable Address: Domcan Nairobi
Code: 6055 FAX: 8011-254-2-334-035

NEW DELHI - Republic of India
Street Address: 7/8 Shantipath, Chanakyapuri, New Delhi
110021
Postal Address: The Canadian High Commission,
Immigration Section, P.O. Box 5209, New Delhi, India
Tel: 60-8161 (ten lines) Telex No.: 03166346
Answerback: 03166346 DMCN IN.
Cable Address: Mapleleaf New Delhi
Code: 6029 FAX: 8011-9111-608-161 Ext. 401

NEW YORK - United States of America
Street Address: The Consulate General of Canada,
1251 Ave. of the Americas, New York, N.Y. 10020-1175
Tel: (212) 768-2400 Telex No.: 126242
Answerback: DOMCAN NYK.
Cable Address: Domcan New York City
Code: 6030 FAX: 81-212-768-2440

PARIS - French Republic
Street Address: The Canadian Embassy, 35, av. Montaigne,
75008 Paris VIIIe
Tel: 47.23.01.01 Telex No.: 280806
Answerback: CANAD A 280806F and CANAD B 280806F
Cable Address: Stadacona Paris
Code: 6031 FAX: 8011-33-1-4723-5628

PORT-AU-PRINCE - Republic of Haiti
Street Address: Edifice Banque Nova Scotia, Route de Delmas
Postal Address: The Canadian Embassy, C.P. 826,
Port-au-Prince, Haiti
Tel: 2-2358, 2-4231, 2-4919 Telex No.: 3490069
Answerback: DOMCAN 2030069
Cable Address: Domcan Port-au-Prince
Code: 6061 FAX: 8011-509-138-720

PORT OF SPAIN - Republic of Trinidad and Tobago
Street Address: 3rd Floor, Huggins Bldg., 74 South Quay
Postal Address: The Canadian High Commission, Immigration
Section, P.O. Box 565, Port of Spain, Trinidad and Tobago
Tel: 623-7254 Telex No.: 22429
Answerback: 22429 DOMCAN WG.
Cable Address: Mapleleaf Port of Spain
Code: 6033 FAX: 81-809-624-4016

PRAGUE - Czechoslovak Socialist Republic
Street Address: The Canadian Embassy, Mickiewiczova 6,
Prague 6, Czechoslovakia
Tel: 32-6941 Telex No.: 121061
Answerback: 911308 DMCN CH.
Cable Address: Domcan Prague
Code: 6129

PRETORIA - Republic of South Africa
Street Address: 10th Floor, Kingsley Centre, Corner Church
and Beatrix St's, Arcadia, Pretoria 0083
Postal Address: The Canadian Embassy, Immigration Section,
P.O. Box 26016, Arcadia, Pretoria 0007, South Africa
Tel: (012) 341-7581 Telex No.: 3-22112
Answerback: 3-22112 CANAD SA.
Cable Address: Candom Pretoria
Code: 6067 FAX: 8011-27-12-323-1564

RABAT - Kingdom of Morocco
Street Address: 31 Hamza Street, Rabat-Adgal, Morocco
Postal Address: The Canadian Embassy, C.P. 709,
Rabat-Adgal, Morocco
Tel: 77-13-75 Telex No.: 31964
Answerback: CDARABAT 31964M
Code: 6060 FAX: 8011-212-77-28-87

RIYADH - Kingdom of Saudi Arabia
Postal Address: The Canadian Embassy,
P.O. Box 94321, Riyadh 11693, Saudi Arabia
Tel: 488-2288; 488-0292; 488-0275; 488-0531; 488-1221
Telex No.: 404893
Answerback: 404893 DOMCAN SJ.
Cable Address: DOMCAN RIYADH
Code: 6120

ROME - Italian Republic
Street Address: The Canadian Embassy, Immigration Section,
Via Zara 30, 00198 Rome, Italy
Tel: 440-3028 or -3029 Telex No.: 610056
Answerback: 610056 DOMCAN I.
Cable Address: Canadian Rome
Code: 6034 FAX: 88-48-752

SAN JOSÉ - Republic of Costa Rica
Street Address: 6th Floor, Cronos Building,
Calle 3 y Ave. Central
Postal Address: The Canadian Embassy,
Apartado Postal 10303, San José, Costa Rica
Tel: 55-35-22 Telex No.: 2179
Answerback: 2179 DOMCAN CR.
Cable Address: Domcan San José
Code: 6133

SANTIAGO - Republic of Chile
Street Address: Ahumada 11, 10th Floor
Postal Address: The Canadian Embassy, Casilla 427,
Santiago, Chile
Tel: 6962256, -7, -8, -9 Telex No.: 240341
Answerback: DMCAN CL.
Cable Address: Domcan Santiago de Chile
Code: 6064 FAX: 8011-562-696-0738

SAO PAULO - Federative Republic of Brazil
Street Address: Edificio Ebujaass Glikmanis, Av. Paulista 1106,
1st Floor
Postal Address: The Consulate General of Canada,
Immigration Section, Caixa Postal 01499601499,
SAO PAULO, Brazil
Tel: 285-5099 Telex No.: 1123230
Answerback: 1123230 CCAN BR
Code: 6134 FAX: 8011-5511-251-5057

SEATTLE - United States of America
Street Address: The Consulate General of Canada,
412 Plaza 600, Sixth and Stewart, Seattle, Wash. 98101-1286
Tel: (206) 443-1777 Telex No.: 328762
Answerback: DOMCAN SEA.
Code: 6054 FAX: 81-206-443-1782 Ext. 107

SEOUL - Republic of Korea
Street Address: 10th Floor, Kolon Building,
45 Mugyo-Dong, Jung-Ku
Postal Address: P.O. Box 6299, Seoul 100, Korea
Tel: 776-4062, -4068. Yongsan 8994 Night Line: 776-4069
Telex No.: 27425
Answerback: CANADA K27425
Cable Address: DOMCAN SEOUL
Code: 6058 FAX: 8011-82-2-755-0686

SINGAPORE - Republic of Singapore
Street Address: 80 Anson Road, #14-00 & #15-01,
IBM Towers, Singapore 0207
Postal Address: The Canadian High Commission,
Robinson Road, P.O. Box 845, Singapore 9016, Singapore
Tel: 225-6363 Telex No.: 21277
Answerback: DOMCAN RS. 21277
Cable Address: Canadian Singapore
Code: 6057 FAX: 8011-65-225-2450

STOCKHOLM - Kingdom of Sweden
Street Address: Tegelbacken 4 (Seventh Floor)
Postal Address: The Canadian Embassy, Immigration Section,
P.O. Box 16129, S-10323 Stockholm 16, Sweden
Tel: 23-79-20 Telex No.: 10687
Answerback: 10687 DOMCAN S.
Cable Address: Mapleleaf Stockholm
Code: 6036 FAX: 8011-46-8-242491

SYDNEY - Commonwealth of Australia
Street Address: The Consulate General of Canada, 8th Floor,
A.M.P. Centre, 50 Bridge Street, Sydney,
N.S.W. 2000, Australia
Tel: 231-6522 STD 02 Telex No.: 20600
Answerback: CANGOVT AA 20600
Cable Address: Canadian Sydney
Code: 6038 FAX: 8011-61-2-223-4230

TEL AVIV - State of Israel
Street Address: 7, Rehov Havakuk, Tel Aviv 63505.
Postal Address: The Canadian Embassy, Immigration Section,
P.O. Box 6410, Tel Aviv 61063, Israel
Tel: (03) 448147, -48, -62 Telex No.: 341293
Answerback: CANAD IL.
Cable Address: Domcan Tel Aviv
Code: 6039 FAX: 8011-972-3-527-2333

THE HAGUE - Kingdom of the Netherlands
Street Address: The Canadian Embassy, Groot Hertoginnelaan
8, Seventh Floor, 2517 EG The Hague, Netherlands
Tel: 070-64-48-25 Telex No.: 31270
Answerback: 31270 DOMCN NL.
Cable Address: Domcan The Hague
Code: 6040 FAX: 8011-31-70-56-1111

TOKYO - Japan
Street Address: The Canadian Embassy, Visa Section, 5-25,
Akasaka 8-chome, Minato-ku, Tokyo 107, Japan
Tel: 403-9176 Telex No.: 22218
Answerback: DOMCAN J22218
Cable Address: DOMCAN TOKYO
Code: 6041 FAX: 8011-81-3-479-5320

VIENNA - Republic of Austria
Address: The Canadian Embassy, Immigration Section,
Dr. Karl Lueger Ring 10, A-1010 Vienna, Austria
Tel: 8011-43-222-533-3691 Telex No.: 115320
Answerback: 115320 DMCAN A.
Cable Address: Mapleleaf Vienna
Code: 6042 FAX: 8011-43-222-535-4473

WARSAW - Polish People's Republic
Street Address: The Canadian Embassy, Ulica Matejki 1/5,
Warsaw 00-481, Poland
Tel: 29-80-51 Telex No.: 81-3424
Answerback: 813424 CAA PL.
Cable Address: Domcan Warsaw
Code: 6059

WASHINGTON - United States of America
Address: The Canadian Embassy, 501 Pennsylvania Ave.,
N.W., Washington, D.C. 20001
Tel: (202) 682-1740 Telex No.: 89664
Answerback: DOMCAN A WSH.
Cable Address: Beaver Washington
Code: 6136 FAX: 81-202-682-7726

LIMITED IMMIGRATION PROCESSING MISSIONS ABROAD
[Reference at IS 28.05 2)b)]

ACCRA - Republic of Ghana
Street Address: 42 Independence Ave.
Postal Address: The Canadian High Commission,
P.O. Box 1639, Accra, Ghana
Tel: 228555, 228502 Telex No.: 2024
Answerback: 2024 DOMCAN GH.
Cable Address: Domcanada Accra
Code: 6100

ADDIS ABABA - Ethiopia
Street Address: African Solidarity Insurance Building, 6th Floor,
Churchill Avenue
Postal Address: The Canadian Embassy, P.O. Box 1130,
Addis Ababa, Ethiopia
Tel: 15 11 00, 15 12 28, 15 13 19, 15 92 00 Telex No.: 21053
Answerback: DOMCAN Addis
Cable Address: Domcan Addis Ababa
Code: 6101

ALGIERS - People's Democratic Republic of Algeria
Street Address: 27 Bis rue d'Anjou, Hydra
Postal Address: The Canadian Embassy, P.O. Box 225,
Gare Alger, Algiers, Algeria
Tel: 60-66-11 Telex No.: 52036
Answerback: CANAD ALGER
Cable Address: CANAD ALGER
Code: 6102

AMMAN - Hashemite Kingdom of Jordan
Street Address: The Canadian Embassy,
Pearl of Shmeisani Bldg. SH Shmeisami, Amman, Jordan
Tel: 666124. -5, -6 Telex No.: 23080
Answerback: 23080 CANAD JO
Cable Address: Canada Embassy P.O. Box 815403
Code: 6147

BAGHDAD - Republic of Iraq
Street Address: 47/17 Al Mansour
Postal Address: The Canadian Embassy,
P.O. Box 323 Central Post Office, Baghdad, Iraq
Tel: 542-1459, 542-1932, 542-1933
Telex No.: 212486
Answerback: 212486 DMCAN IK.
Cable Address: DMCAN
Code: 6104

BAMAKO - Republic of Mali
Postal Address: Office of the Canadian Embassy,
P.O. Box 188, Bamako, Mali
Tel: 22-22-36 Telex No.: 2530
Answerback: Domcan Bamako
Code: 6139

BRASILIA - Federative Republic of Brazil
Street Address: Ave. das Nacoes, Number 16,
Setor das Embaixadas Sul
Postal Address: The Canadian Embassy,
Caixa Postal 07-0961, 70.410 Brasilia D.F., Brazil
Tel: (61) 223-7515 Telex No.: 611296
Answerback: 611296 ECAN BR.
Cable Address: Canada Brasilia
Code: 6105

CANBERRA - Commonwealth of Australia
Street Address: The Canadian High Commission,
Commonwealth Ave., Canberra A.C.T. 2600, Australia
Tel: (062) 733-844 Telex No.: 62017
Answerback: Domcan AA62017
Cable Address: Domcan Canberra
Code: 6107

CARACAS - Republic of Venezuela
Street Address: Edificio Torre Europe, 7th Floor,
Avenida Francisco de Miranda, Chacaito
Postal Address: The Canadian Embassy, Apartado 62302,
Caracas 1060A, Venezuela
Tel: 951-6166, 951-6167, 951-6168 Telex No.: 23377
Answerback: 23377 DOMCA VE.
Cable Address: Domca Caracas
Code: 6108

CONAKRY - Republic of Guinea
Postal Address: Office of the Canadian Embassy, P.O. Box 99,
Conakry, Guinea
Tel: 46-37-32, 46-37-33, 46-36-26 Telex No.: 2170
Answerback: 2170 DOMCAN GE.
Code: 6142

DAKAR - Republic of Senegal
Street Address: 45, av. de la République
Postal Address: The Canadian Embassy, P.O. Box 3373,
Dakar, Senegal
Tel: 210290 Telex No.: 632
Answerback: 632 DOMCAN SG.
Cable Address: Domcan Dakar
Code: 6112

DAR-ES-SALAAM - United Republic of Tanzania
Street Address: Pan Africa Insurance Building,
Samora Machel Avenue
Postal Address: The Canadian High Commission,
P.O. Box 1022, Dar-es-Salaam, Tanzania
Tel: 20651/2/3 Telex No.: 41015
Answerback: 41015 DOMCAN
Cable Address: Domcan Dar-es-Salaam
Code: 6113

DHAKA - People's Republic of Bangladesh.
Street Address: House CWN 16/A, Road 48, Gulshan
Postal Address: The Canadian High Commission,
G.P.O. Box 569, Dhaka, Bangladesh
Tel: 88-34-76 Telex No.: 642328
Answerback: 642328DMCN BJ
Cable Address: DOMCAN Dhaka
Code: 6111

GENEVA - Swiss Confederation
Street Address: Permanent Mission of Canada,
10A Avenue de Budé 1202, Geneva, Switzerland
Tel: (022) 33-90-00 Telex No.: 22686
Answerback: DM CNG CH
Cable Address: Domcan Geneva
Code: 6115

HARARE - Republic of Zimbabwe
Street Address: 45 Baines Ave.
Postal Address: The Canadian High Commission,
P.O. Box 1430, Harare, Zimbabwe
Tel: 79-38-01 Telex No.: 24465
Answerback: 24465HRA
Cable Address: CANAD, Harare
Code: 6132

HAVANA - Republic of Cuba
Street Address: The Canadian Embassy,
Calle 30 No. 518 Esquina a7a, Miramar, Havana, Cuba
Tel: 26421, -22, -23 Telex No.: 51-1586
Answerback: 51-1586 CANCU
Cable Address: Domcan Havana
Code: 6118 FAX: (53)22-70-44

JAKARTA - Republic of Indonesia
Street Address: 5th Floor, WISMA Metropolitan,
Jalan Jendral Sudirman
Postal Address: The Canadian Embassy, P.O. Box 52/JKT,
Jakarta, Indonesia
Tel: 510709 Telex No.: 44345
Answerback: 44345 DMCAN JKT.
Cable Address: Domcan Jakarta
Code: 6119

KIGALI - Rwandese Republic
Street Address: 60, rue du Commerce,
Postal Address: The Canadian Embassy, P.O. Box 1177,
Kigali, Rwanda
Tel: 732.10, 732.78 Telex No.: 22592
Answerback: 22592 DOMCAN RW.
Code: 6121

KINSHASA - Republic of Zaire
Street Address: Edifice Shell,
coin av. Wangata et boul. du 30-juin
Postal Address: The Canadian Embassy, P.O. Box 8341,
Kinshasa, Zaire
Tel: 22-706, 24-346, 27-839, 27-551
Telex No.: 21303
Answerback: 21303 DOMCAN ZR.
Cable Address: Domcan Kinshasa
Code: 6122

LAGOS - Federal Republic of Nigeria
Street Address: Committee of Vice-Chancellors Building
Plot 8A, 4 Idowu-Taylor St., Victoria Island
Postal Address: The Canadian High Commission,
P.O. Box 54506, Ikoyi Station, Lagos, Nigeria
Tel: 612-382, -383, -384, -385, -386
Telex No.: 21275
Answerback: 21275 DOMCAN NG.
Cable Address: Domcan Lagos
Code: 6072

LIBREVILLE - Gabonese Republic
Postal Address: The Canadian Embassy, P.O. Box 4037,
Libreville, Gabon
Tel: 72.41.54, 72.41.56, 72.41.69 Telex No.: 5527 GO.
Answerback: DOMCAN 5527 GO.
Code: 6124

LUSAKA - Republic of Zambia
Street Address: Barclays Bank, North End Branch, Cairo Road
Postal Address: The Canadian High Commission,
P.O. Box 31313, Lusaka, Zambia
Tel: 216161 Telex No.: ZA 42480
Answerback: DOMCAN ZA 42480
Cable Address: Domcan Lusaka
Code: 6126

MELBOURNE - Commonwealth of Australia
Street Address: The Consulate General of Canada, 6th Floor,
1 Collins Street, Melbourne, Victoria, Australia 3000
Tel: (03) 654-1433 Telex No.: 30501
Answerback: CANGOVTT AA 30501
Cable Address: Canadian Melbourne
Code: 6127

NIAMEY - Republic of the Niger
Street Address: Sonara II Building, Avenue du Premier Pont,
Niamey
Postal Address: Office of the Canadian Embassy, P.O. Box 362
Niamey, Niger
Tel: 73-36-86/87, 73-37-58 Telex No.: 5264
Answerback: DOMCAN 5264 NI.
Code: 6141

OSLO - Kingdom of Norway
Street Address: Oscar's Gate 20, Oslo 3
Postal Address: The Canadian Embassy, Oscar's Gate 20,
0352 Oslo 3, Norway
Tel: 46-69-55/59 Telex No.: 71880
Answerback: 71880 DOMCAN
Cable Address: Domcan Oslo
Code: 6043

OUAGADOUGOU - Burkina-Faso
Postal Address: Office of the Canadian Embassy,
P.O. Box 548, Ouagadougou, Burkina-Faso
Tel: (226) 3320-93 Telex: OUAGA CCCB 5264BF
Code: 6140

TAIPEI - Taiwan

Street Address: Canadian Trade Office, 13th Floor
365 Fu Hsing N. Road, Taipei, Taiwan

Telex No.: (785) 29484 (unclassified telexes only)

Answerback: CANTAI

Code: 6156 Fax: 886-2-712-7244 (unclassified facsimiles only)

* All classified mail to be sent to the Commission for Canada in
Hong Kong, marked "For Visa Service in Taipei".

TEHRAN - Iran

Street Address: 57 Javad - Sarfaraz Street Ostad - Motahari
Ave., Tehran

Postal Address: The Canadian Mission, P.O. Box 11365-4647,
Tehran, Iran

Code: 6065

TUNIS - Republic of Tunisia

Street Address: 3, rue du Sénégal, Place Palestine, Tunis

Postal Address: The Canadian Embassy, C.P. 31, Belvédère,
Tunis, Tunisia

Tel: 286-577, 337, -619, -004, -114

Telex No.: 15324

Answerback: 15324 DOMCANTN.

Cable Address: Domcan Tunis

Code: 6135

YAOUNDÉ - Republic of Cameroon

Street Address: Immeuble Stamatiades,
Place de l'Hôtel de Ville

Postal Address: The Canadian Embassy,
P.O. Box 572, Yaoundé, Cameroon

Tel: 23-02-03, 22-29-22, 22-19-36, 22-18-87, 22-10-90,
22-18-22 Telex No.: 8209

Answerback: DOMCAN 8209 KN.

Cable Address: Domcan Yaoundé

Code: 6138