

## **More Express Entry Updates**

Having reached the six-month mark after the implementation of the much-touted Express Entry system, many people are still trying to figure out the kinks in this new system and to understand what it is truly all about.

Although much of these have been discussed in previous columns, it may help to review some of the main features of the Express Entry system to avoid further misinformation and resulting frustrations for all concerned.

First, the Express Entry system did not create another immigration or permanent residence category. It is simply a new way of admitting applicants to the existing immigration programs, namely: the Federal Skilled Worker, Federal Skilled Trades, Canadian Experience Class and selected Provincial Nominee Programs.

Second, the Express Entry system has reversed the immigration application process in that instead of the applicants being allowed to submit then wait for their applications to be processed, they are simply asked to express their interest by creating a profile then made to wait until they are given an invitation to apply (ITA) before they can submit their application for permanent residence. In other words, the waiting period has become much more uncertain (albeit relatively faster for those who are given an ITA) for those wishing to immigrate to Canada.

Third, since the criteria for the existing immigration programs (Federal Skilled Workers, Federal Skilled Trades and Canadian Experience Class) remain the same, the Express Entry System continues to apply only to immigration applicants who qualify under the so-called high-skilled occupations, i.e. those falling under skill levels O, A or B in the National Occupation Classification (NOC). Those who are working in, or have work qualifications that fall under levels C or D (or the so-called "occupations requiring lower levels of formal training"), are not qualified to apply for permanent residence under the Express Entry. This was true before the introduction of the Express Entry system and remains true at present.

Only some provincial nominee programs (PNP) qualify under the Express Entry system because there are some PNP categories that are open to those working in NOC C and D occupations. The latter applicants can still apply for permanent residence under the relevant PNP class but they will not qualify under the current Express Entry system.

Similarly, caregivers under the Live-in Caregiver Program or the newly-created Caregiver for Children and Caregiver for People with High Medical Needs pathways, do not qualify under the current Express Entry framework. Although there are NOC A and B occupations under the new caregiver programs such as registered nurses, registered psychiatric nurses or licensed practical nurses, the Express Entry system still does not allow permanent resident applications

under the caregiver programs within this new framework. To qualify under Express Entry, these registered nurses must meet the criteria under the Federal Skilled Worker, Canadian Experience Class or one of the PNP programs.

Once the candidate is determined to have met the Express Entry criteria, he or she will be entered into the Express Entry pool and will be ranked based on the total points garnered under the Comprehensive Ranking System (CRS). The total maximum points one can get under the CRS is 1,200, with a maximum of 600 points allotted for the various skill/experience and skill transferability factors and another 600 points for a validated offer of employment (i.e. a positive labour market impact assessment or LMIA) or for an approved provincial nomination. CIC will then draw the highest ranking candidates from this Express Entry pool who will be given an invitation to apply (ITA) for permanent residence.

To date, CIC has conducted a dozen draws, with the following numbers of invitations to apply (ITAs) issued:

- On 31 January 2015, 779 ITAs for those with a CRS score of at least 886 points
- On 7 February 2015, 779 ITAs for those with a CRS score of at least 818 points
- On 20 February 2015, 849 ITAs for those with a CRS score of at least 808 points
- On 27 February 2015, 1187 ITAs for those with a CRS score of at least 735 points
- On 20 March 2015, 1620 ITAs for those with a CRS score of at least 481 points
- On 27 March 2015, 1637 ITAs for those with a CRS score of at least 453 points
- On 10 April 2015, 925 ITAs for those with a CRS score of at least 469 points
- On 17 April 2015, 715 ITAs for those with a CRS score of at least 453 points
- On 22 May 2015, 1361 ITAs for those with a CRS score of at least 755 points
- On 17 June 2015, 1501 ITAs for those with a CRS score of at least 482 points
- On 26 June 2015, 1575 ITAs for those with a CRS score of at least 469 points
- On 10 July 2015, 1516 ITAs for those with a CRS score of at least 463 points

The total number of Express Entry pool candidates who have been issued ITAs from the above twelve rounds of draws is 14,444.

Once an ITA is issued, the candidate will have 60 days within which to submit the permanent residence application. Those who receive an ITA will need to take this deadline seriously and ensure that all required documents are submitted by the deadline date. Extensions are rarely granted and only in exceptional circumstances. If the deadline is not met, the permanent residence application will be refused and the applicant will have to create another profile and be accepted into the EE pool once again before being considered for future ITA draws.

Another possible issue to watch out for is misrepresentation which could not only lead to a refusal but will bar one from reapplying for five years. Applicants must therefore ensure that the information they will enter in their profiles will match with the documents to be submitted after one receives an ITA. If you are unsure or are having problems navigating the Express Entry system, it is best to seek the assistance of a trusted immigration legal professional.

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