



PROCESS OF IMMIGRATION TO CANADA



TABLE OF CONTENT

• Introduction	2
• Residents and residing places	3
• Purpose of immigration	5
• System of immigration	7
• Qualifications to migrate in Canada	10
• Non- direct or other routes of immigration	12
• Types of visas for Canada	14
• Licenses and documentations required	17
• Economic impact of immigrants on Canada	19
• Recent changes in the immigration rules	20
• How we can help ?	22

INTRODUCTION

Immigration, process through which individuals become permanent residents or citizens of another country. Historically, the process of immigration has been of great social, economic, and cultural benefit to states. The immigration experience is long and varied and has in many cases resulted in the development of multicultural societies; many modern states are characterized by a wide variety of cultures and ethnicities that have derived from previous periods of immigration.

Immigration, Refugees and Citizenship Canada ("IRCC"), Canada's federal immigration authority, admits 300,000 immigrants to Canada annually, mainly under the economic class and the family reunification class.

Canada has long been a country of net immigration and has designed its current immigration policy around attracting highly educated and skilled migrants for entry into its labor force

Canada has built a reputation over the last half century for welcoming immigrants and valuing multiculturalism. Foreign-born people make up about one-quarter of Canada's population. Immigrants have helped the country counter aging demographics and fuel economic growth,

Immigration has long played a vital role in Canada's economy, providing a relatively young stream of workers. Immigrants have become increasingly important as the native-born labor force ages and the fertility rate remains low, at roughly 1.4 births per woman, far below the global average of 2.4. Immigrants account for more than one-quarter of Canada's labor force.



RESIDENTS AND RESIDING PLACES



The greatest share of new Canadian permanent residents came from India, followed by China, the Philippines, and Nigeria. The current government plans to steadily increase immigration levels over the next several years, with the goal of accepting five hundred thousand new permanent residents into the country each year by 2025.

India, China, and Afghanistan were the top three source countries for new Canadian permanent residents in 2022, with India remaining the leading source of immigration for Canada, and China coming in second. However, the percentage of immigrants from these two countries has decreased in comparison to the previous year. Other top source countries include Nigeria, the Philippines, France, Pakistan, Iran, the United States of America, and Syria.

Canada's immigration policy is geared towards attracting highly skilled immigrants who can contribute to the economy and fill gaps in the labor market. The country's economic immigration programs aim to attract entrepreneurs, investors, and highly skilled workers who can help Canada grow its economy.

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The provincial nominee program, in particular, is designed to help provinces and territories address their unique labor market needs by selecting and nominating immigrants who meet those needs.

In 2022, the following 10 countries were Canada's top immigration sources according to each immigrant's country of citizenship. Each country is listed alongside the number of immigrants that came from that country and the percent of Canada's total permanent residents number accounted for by that country.

1. India ("118, 095 immigrants") – 27%
2. China ("31,815 immigrants") – 7.2%
3. Afghanistan ("23,735 immigrants") – 5.4%
4. Nigeria ("22,085 immigrants") – 5.05%
5. Philippines ("22,070 immigrants") – 5.04%
6. France ("14,145 immigrants") – 3.2%
7. Pakistan ("11,585 immigrants") – 2.6%
8. Iran ("11,105 immigrants") – 2.5%
9. United States of America ("10,400 immigrants") – 2.3%
10. Syria ("8,500 immigrants") – 1.9%



PURPOSE OF IMMIGRATION

Immigration is the process of moving to a new country or region with the intention of staying and living there. People may choose to immigrate for a variety of reasons, such as employment opportunities, to escape a violent conflict, environmental factors, educational purposes, or to reunite with family.

Immigration, in its simplest definition, is the movement of people from one place or country into another one. It is a simple yet fundamental aspect of human history.

Immigration is a concept that pre-dates existing laws. Long ago, nomadic tribes traveled from place to place to find fresh and fertile lands, pastures for their livestock, and rich areas for hunting and fishing.

In modern times, immigration still continues all over the world. In the past decade, the demographic composition of people traversing borders has significantly changed.

- **Push factors**

Reasons that compel or push people to leave the area of where they reside and settle someplace else. Common factors can include armed conflict, disaster exposure, gender inequality, and many more. In simple terms, push factors are negative reasons that prompt individuals to leave.



- **Pull factors**

The exact opposite of push factors. They attract or pull people to move and settle in a particular area. Common pull factors may include better work opportunities, greater security, and access to adequate healthcare and education. Simply put, pull factors are positive reasons that prompt individuals to move.



- **Quality of life**

Conditions that influence an individual's quality of life vary from person to person, but may be the leading factors leading to immigration. These can include labor standards, poverty, and the overall state of a country to provide a quality life. Data analysis has even shown that there is an increase in the immigrant's quality of life due to migration that is reflected in financial status and job satisfaction.

- **War and conflict**

A major socio-political factor pushing individuals to leave their place of origin is the presence of war and conflict and oppression because of one's ethnicity, religion, gender, race, and culture poses a significant risk to quality of life, which increases the odds of an individual settling elsewhere. People fleeing conflict zones, human rights violations, and government persecution are asylum seekers that desire international protection and a safer region.



- **Environmental factors**

Natural disasters and climate change are environmental factors that disproportionately affect impoverished families, especially in less developed countries. Individuals that experience regular occurrences of floods, hurricanes, and earthquakes are most likely to immigrate. Additionally, climate change is expected to worsen weather events, leading to an increase in immigration flow. Environmental immigrants are obliged to leave their point of origin, be it temporarily or permanently, and either move within their country or abroad to avoid the adversities of nature.

SYSTEM OF IMMIGRATION

There are many services and benefits given by the Canada to attract more immigrants to settle in and be the part of the country and some of them are :-

1. Express entry

The application process for skilled immigrants who want to settle in Canada permanently and take part in their economy. There are 3 immigration programs managed through express entry:

- **Canadian experience class** for skilled workers who have Canadian work experience work experience must have been gained in the 3 years before an individual apply;
- **Federal skilled worker program** for skilled workers with foreign work experience must meet criteria for education and other factors; and
- **Federal skilled trades program** for skilled workers who are qualified in a skilled trade must have a valid job offer or a certificate of qualification.

2. Provincial nominee program

This program is for workers who have the skills, education and work experience to contribute to the economy of a specific province or territory, want to live in that province and want to become permanent residents of Canada. Each province and territory has its own streams ("immigration programs that target certain groups") and requirements.

3. Atlantic immigration program

The Atlantic immigration program is a pathway to permanent residence for skilled foreign workers and international graduates from a Canadian institution who want to work and live in 1 of Canada's 4 Atlantic provinces—New Brunswick, Nova Scotia, Prince Edward Island or Newfoundland and Labrador. The program helps employers hire qualified candidates for jobs they haven't been able to fill locally.

4. Canadian refugee protection program

The Canadian refugee system has two main parts of

- **The refugee and humanitarian resettlement program**, for people who need protection from outside Canada; and

- **The in- Canada asylum program** for people making refugee protection claims from within Canada

5. Self employed

The self-employed persons program allows people to immigrate to Canada permanently as a self-employed person. If someone is interested in this program, they must:

- have relevant experience in cultural activities or athletics; and
- be willing and able to make a significant contribution to the cultural or athletic life of Canada.



6. Agri - food pilot

The pilot provides a pathway to permanent residence for experienced, non-seasonal workers in specific industries and with specific occupations. To apply for permanent residence under the agri-food pilot needs are:-

- eligible Canadian work experience in one or more of the eligible industries and occupations;
- a full-time, non-seasonal job offer from a Canadian employer in one of the eligible industries and occupations ("outside of Quebec");
- to meet or exceed the language requirements;
- to meet or exceed the educational requirements;
- to have settlement funds ("if applicable"); and
- to maintain temporary resident status ("if already in Canada").



7. Economic mobility pathway

The Economic Mobility Pathways Pilot ("EMPP") combines refugee resettlement and economic immigration. It's a pathway that helps skilled refugees immigrate to Canada through existing economic programs and qualified candidates to fill job openings. There are now 2 ways by which one can apply for the "EMPP":

- through one of 3 selected economic programs
 - Atlantic immigration program;
 - Provincial nominee program;
 - Rural and northern immigration program; and
 - This is referred to as the regional "EMPP". A person need to be eligible for one of the above programs and apply first to a province, territory or "RNIP" community ("depending on which program they are choosing.")
- or, directly through "EMPP" this is referred to as the federal "EMPP". It includes a job offer and no job offer stream and then need to meet the work experience, education and language requirements.



8. Rural and northern immigration program

The rural and northern immigration pilot is a community-driven program. It's designed to spread the benefits of economic immigration to smaller communities .There are 4 steps to applying for permanent residence under this pilot.

- Check that a person meet both
 - immigration, refugees and citizenship Canada eligibility requirements; and
 - the community-specific requirements.
- Find an eligible job with an employer in one of the participating communities.;
- Once someone have a job offer, submit the application for recommendation to the community.;
- If a community recommends an individual, apply for permanent residence.

QUALIFICATIONS TO MIGRATE TO CANADA

Each immigration program has its own minimum eligibility requirements. It is important to verify their eligibility prior to applying.

When submitting an application, the Canadian government will request various documents to verify their work experience, education, identity, and criminal and medical background. The types of required documents depend on the program to which an individual is applying.

Online and point-based express entry system and Provincial Nominee Program ("PNP") are two most popular and easiest pathways of Canada immigration on Permanent Residence ("PR") visa. The eligibility requirements of both programs are more or less the same.

Express entry has six selection factors, based on which immigration, refugees and citizenship Canada offices assesses the applicants.

1. Age: The minimum age to apply is 18 years, while there is no upper age limit. However, a person get maximum points and in the age group of 18-35 years. Although there is no other age limit for the immigration to Canada

2. Education: Although higher secondary is the minimum qualification, a person may need more increased capabilities, depending on the occupation and need to provide "ECA" ("Educational Credential Assessment") from an approved assessing authority, i.e., to verify the qualification as per Canadian education standards.



3. Work experience: The work experience requirement for all three categories of Express entry:

- **Federal Skilled Worker("FSW")**– A person need to have a minimum of 1-year full-time work experience within ten years. However, to gain higher immigration points, more experience than this is required.
- **Federal Skilled Trader("FST")**– At least two years of full-time work experience in a skilled trade within five years.
- **Canadian Experience Class("CECE")** – At least one year of skilled work experience in Canada, in the last three years before



4. Language ability: Proficiency in English or French is necessary. Also, provide the approved language test result to claim language ability points. The minimum language ability required for all three categories of the Express entry system:

- **Federal Skilled Worker ("FSW")** – Canadian Language Benchmark ("CLB") 7 for all language abilities, i.e. Speaking, Listening, Reading and Writing.
- **Federal Skilled Trades ("FST")**- "CLB" 5 for speaking and listening, and "CLB" 4 for reading and writing.



5. Adaptability: Earn adaptability points for spouse's past education, work experience, relative, etc. in Canada, or spouse/partner has "CLB" 4 level of language proficiency.

6. Arranged employment: A person get valuable points for having arranged a job offer from Canada.

NON - DIRECT OR OTHER ROUTES OF IMMIGRATION

Alternative pathways are channels of migration not necessarily designed for peoples, but which can be used by people, in order to avoid using costly and often dangerous routes through the asylum channels. They complement standard resettlement programmes. These pathways include labor, international study and family migration, as well as humanitarian visas and private sponsorship schemes.

1. Temporary work permit

A Temporary Work Visa ("TRV") for Canada is a combination of a temporary resident visa and a work permit. With a "TRV", a person is allowed to stay in Canada for 6 months or less, while the work permit for Canada allows to also work in the job that have already found or to look for a job.

2. Study permit

The study permit is a document they issue that allows foreign nationals to study at Designated Learning Institutions ("DLIs") in Canada. Most foreign nationals need a study permit to study in Canada. Their study permit is not a visa. It doesn't let them enter Canada and may also need a visitor visa or an electronic travel authorization "eTA"). If the government approve their study permit, they issue one with their study permit.





3. Intra company transfer

"ICT" is an immigration pathway under the international mobility program that allows qualified foreign business owners to transfer their businesses to Canada and acquire a work permit. Through the "ICT" pathway, an individual will be able to secure an "ICT" work permit and eventually Permanent Residence ("PR"). In most cases, the principal applicant's spouse and children will gain an open work permit and study permit, respectively.

- **Working holiday**

If a person don't have a job offer, want to work for more than one employer in Canada, in more than one location and they'd like to earn some money so that they can travel. The type of work permit a person get for working holiday is an open work permit.

- **Young professionals**

If an individual have a job offer in Canada that counts toward their professional development, they'll work for the same employer in the same location during their stay in Canada. The type of work permit a person get in the young professionals category is an employer-specific work permit.

- **International co-op (Internship)**

If someone is a student registered at a post-secondary institution, have a job offer for a work placement or internship in Canada they need to do this work placement or internship to complete their studies and will work for the same employer in the same location during their stay in Canada. The type of work permit a person get in the International. Co-op (Internship) category is an employer-specific work permit.



TYPES OF VISAS FOR CANADA

Canada provide visas to those people who have qualified in their respective tests and those visas which are provided by Canada are:-



1. Canadian visitor visa

The Canadian visitor visa, also known as "TRV" ("Temporary Resident Visa"), is an immigration document, which permits foreign nationals to enter or travel to Canada. If a person is not from a visa-exempt country, they will mandatorily need to have a visitor visa to travel to Canada. This visa is generally issued for a period of up to six months.

- **Tourist visa** to enter or travel to the country solely for tourism purposes. It could be either a single-entry visa or multiple-entry visa.
- **Super visa** issued to grandparents or parents of Canadian citizens or those with a Permanent Resident
- **Diplomatic and official visa** for official purposes.
- **Business visa** is issued to people who want to travel to Canada for business-related matters. This visa is usually valid for a period of up to six months.
- **A temporary residence permit visa** is issued to individuals who want to visit Canada for varying purposes and are not eligible for the "TRV" (Temporary Resident Visa).
- **Working holiday visa** meant for young individuals from thirty nations to travel for work.
- **Birth visa** issued for women who are pregnant and want to give birth in Canada.
- **Organ donor visa** for individuals who want to travel to Canada to donate a lifesaving
- **Felicitation visa** issued to a Canadian citizen who possesses dual citizenship.
- **Temporary work visa** to candidates who have a job offer in the country for less than 6 months.



2. Permanent residence visa

Permanent residence visas are given to people who want to live, work and settle in Canada. Also known as an immigrant visa, there are different types of visa in Canada for Indians.

- **The immigrant investor program** is for individuals who wish to invest in the Canadian economy. The Government of Canada will return this amount without interest in five years.
- **The startup visa program** is for individuals who want to personally involve themselves and contribute to the economy of Canada business so that he can create employment and maintain the same within 3 years of being in Canada.
- **Family sponsorship program** aims at reuniting families. It lets dependents and spouses of Canadian citizens or permanent residents to immigrate to Canada on a permanent basis.
- **Self-employed persons visa** is given to people who have. Candidates who have this visa can begin their own Canadian venture. However, they must show their skills in specific areas and explain how they will fund the business.
- **Live-in caregiver program** is issued to people who are qualified to care for disabled people, the elderly, or children. When in Canada, they will have to stay in private homes.



4. Provincial nominee program visas



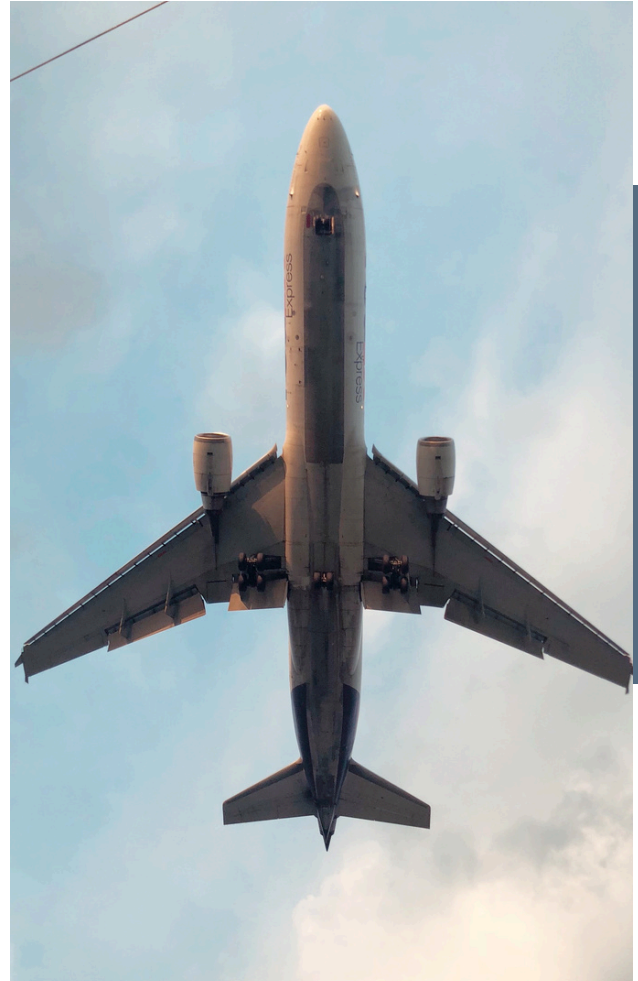
The provincial nominee program visa is for workers who want to live in a specific province and become permanent resident of Canada. The candidate must have the education, work experience, and skills to contribute to the local economy ("i.e., the economy of that specific territory or province"). Each territory and province has its own immigration programs with different requirements and targeting specific groups.



3. Express entry program visa

Express entry is one of the most popular Canada visa types for work. It is divided into three categories, each of which caters to diverse aspects of the economy of Canada.

- **Skilled workers visa** is for candidates must earn a minimum of 67 points in the "CRS" ("Comprehensive Ranking System") to be eligible and have sufficient funds for financially supporting themselves and their family members.
- **Canadian experience class ("CEC")** is for candidates who apply for permanent resident under the "CEC" qualify if they are presently in Canada on a study permit or a temporary foreign worker visa. However, they should twelve months of experience working, knows French or English language.



5. Canada student visa

The Canadian study permit is a document that permits foreign citizens to pursue their studies at "DLIs" (Designated Learning Institutions) in Canada. However, this study permit differs from a visa that lets a person travel to Canada. In addition to this study permit, they must apply for a student visa, provided meet the eligibility criteria. This visa is needed if the duration of their course is more than 6 months. international students should have a "TRV" visa if the duration of their course is less than six months.

LICENSE AND DOCUMENTATION REQUIRED

The documents specified below are mandatory. As such, all applicants would need to provide them. The authorities would consider applications submitted without these documents as incomplete and reject them.

- The medical examination confirmation
- Police certificates ("PCs")
- The copy of passport / travel document bio data Page
- The proof of work experience
- The proof of funds



The documents listed in this section are mandatory, if applicable. This means that applicants might need to submit these documents based on their personal circumstances as well as those of the applicants' dependents. The authorities would reject the applications as incomplete.

- The copy of the birth certificate
- The proof of studies
- The provincial or territorial certificate of qualification
- The letter of offer from the employer
- The use of a representative form
- The evidence of a common-law union and cohabitation
- The marriage certificate
- The divorce certificate and the legal separation agreement
- The death certificate
- The adoption certificate



In case applicants do not provide these documents with their applications (when applicable), the authorities would reject the applications as incomplete. This is especially the case if the applicants do not provide the documents according to the proper specifications. The submission of these documents would typically depend on the situation applicable to them.

- The proof of relationship to a relative in Canada, the status of the relative in Canada and the residence status of the relative in Canada
- Digital photographs
- The other name documents
- The authority to release personal information to a designated individual form
- The documents related to the Electronic Applications for Permanent Residence ("e-APRs") not captured in other fields

ECONOMIC IMPACT OF IMMIGRANTS ON CANADA

The Canadian economy is partially calculated by the labor force and their payment of taxes. The more immigrants working, the stronger the labor force gets, especially when the national population is getting older, retiring, and not having as many children as before. The top occupations invited to immigrate under the express entry program are software engineers and designers, information systems analysts, computer programmers, financial auditors and accountants, and more. Migration impact on the economy of Canada can be seen under three headings: labor market, public purse and economic growth.

Labor markets

- Migrants accounted for 47% of the increase in the workforce in the United States and 70% in Europe over the past ten years.
- Migrants fill important niches both in fast-growing and declining sectors of the economy.
- Like the native-born, young migrants are better educated than those nearing retirement.
- Migrants contribute significantly to labor-market flexibility, notably in Europe.

Public purse

- Migrants contribute more in taxes and social contributions than they receive in benefits.
- Labor migrants have the most positive impact on the public purse.
- Employment is the single biggest determinant of migrants' net fiscal contribution.

Economic growth

- Migration boosts the working-age population.
- Migrants arrive with skills and contribute to human capital development of receiving countries.
- Migrants also contribute to technological progress.



RECENT CHANGES IN THE IMMIGRATION RULES

The Canadian government has recently introduced new immigration rules of Canada which will come into effect in 2023-2025. These changes are aimed at making the process of immigrating to Canada simpler and more efficient. The main changes include: -

- Introducing a new points-based system for express entry
- Increasing the number of economic immigrants admitted each year
- Creating a new pathway to permanent residency for international students

New points based system

The Canadian government has released its new immigration strategy, which will come into effect in 2023. The strategy includes several changes to the current system, including a new points-based system for assessing potential immigrants.

Under the new system, potential immigrants will be awarded points based on their skills, education, and work experience. The government has also said that it plans to give preference to those who have family members already living in Canada.

Occupation-based Express entry draws

There are many different types of occupation-based express entry draws that the Canadian government may hold. The most common is the federal skilled worker program, provincial nominee programs, the atlantic immigration pilot program.

Six-month processing time for express entry

According to the new rules, individuals applying for permanent residence through express entry will have their applications processed within six months. This is a significant decrease from the current processing time of approximately eight to twelve months.



Travel Updates for foreign Students

They must also have a valid passport and a return ticket home. They must also submit to a health check and provide proof of insurance. Finally, they must register with the local police department. According to the Canada immigration new rules, all students traveling to Canada must be fully vaccinated against COVID-19.

Mandatory Covid-19 Vaccination

All immigrants will be required to receive the Covid-19 vaccine. This is a mandatory requirement for all new immigrants and those who have already been approved for immigration but have not yet arrived in Canada.

Lift of the ban on direct flights to India

The "IRCC" announced that the ban on direct flights to India will be lifted. It will allow travelers to book their tickets and travel directly to India without having to go through Canada first.



Extra points for French language skills

To get the points, an individual will need to take a language test from an authorized provider and submit their results with express entry profile. If a person is awarded the points, they will be added to their score in the Comprehensive Ranking System ("CRS"). This could help a person get an invitation to apply for permanent residence at a subsequent draw from the express entry pool.

Changes to the Alberta Immigrant Nominee Program ("AINP")

The "AINP" is a provincial nominee program that allows Alberta to nominate individuals who will contribute to the economy and live in the province. The "AINP" has recently made changes that may impact their ability to immigrate to Alberta through this program. The "AINP" has now aligned its eligibility criteria with that of the federal express entry system. Second, the "AINP" has eliminated its strategic recruitment stream. Finally, all applicants to the "AINP" must now meet



HOW WE CAN HELP?

Our team can provide best possible combination of experts in the migration and can bring the right amount of expertise, experience, and capability needed to explore perspectives and insights for the future.

Legal advice:

Our team can provide legal advice on the regulatory framework for all the documentation a person may need in migration, and to drive efficiencies, unlock new value, improve the customer experience and generate new business models.

Contract drafting and negotiation:

Our team can assist with drafting and negotiating contracts. This can help ensure that contracts are legally sound and protect the interests of the individual person.

Dispute resolution:

Our team can help businesses resolve disputes through negotiation, mediation, or litigation. This can help protect the reputation and financial interests.

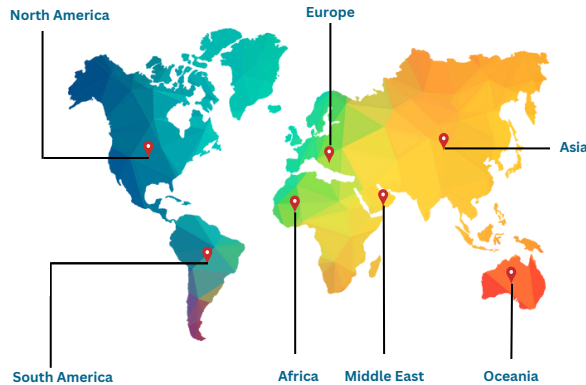
Due diligence:

Our team can conduct due diligence on potential partners or suppliers to ensure they are legally compliant and financially stable.

Compliance monitoring:

Our team can assist businesses in ensuring compliance with local laws and regulations, including tax laws, labor laws, and environmental regulations.

SERVING CLIENTS WORLDWIDE



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