



Matrixvisa Inc.

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Immigration Law and International Recruitment

Newsletter: 24 October 2009

Immigration News

Due to recent changes in visa requirements for Mexican Citizens, a Mexican Supreme Court judge was initially refused a visa by a Canadian visa officer in Mexico City. The officer indicated that the judge was not earning enough (i.e. his salary was too low). A spokesperson of the Minister of Citizenship and Immigration Canada (CIC) indicated that CIC do not agree with facts presented by the judge in his complaint. Fortunately the visitor visa was later issued.

In the province of Ontario it is expected that provincial laws will be enacted that will provide for penalties of CAD50,000 and a 2,5 years jail sentence for employers that are employing foreign workers illegally.

It is also expected that recruiters of foreign workers to be licensed in Ontario, which is already compulsory in British Columbia, Alberta and Manitoba. This change is being pushed forward as the media was full of reports of live-in-caregivers receiving unacceptable treatment from a few employers. It is worth mentioning that about 30,000 live-in-caregivers are coming to Canada every year of which about 8,000 are in Ontario.

Immigrants are advised not to pay any fees to recruiters for finding jobs in Canada as it is illegal in many provinces and furthermore, reputable recruiters are paid by employers.

The Minister of Citizenship and Immigration replied to our office's inquiry about the quota which was set at 405 people in the Federal Skilled Worker Class at the Canadian High Commission in Pretoria. The response was sent by Shannon Duncan of the Ministerial Inquiries Division in Ottawa:

Vancouver: 604-395-0801 604-648-8216 (F), 701 West Georgia St, Suite 1500, Vancouver, BC, V7Y 1C6, Canada
Toronto: 416-607-6625, 416-849-0126 (F), Suite 704, 10 Kingsbridge Garden Circle, Mississauga, Ontario, L5R 3K6, Canada
International/National Mail: Suite 241, Unit 6, 2400 Dundas St West, Mississauga, ON, L5K2R8, Canada
Edmonton: 780-409-0931, 780-401-3533 (F), Executive Centre, Suite 1150, Manulife Place, 10180- 101 Street, Edmonton, T5J 3S4
Saskatoon: 306-683-9606
Calgary: 403-441-2706, 403-206-7781 (F)
South Africa: 087-750-0341, 086-686-4650 (F)

Quote

I am replying to your e-mail of September 21, 2009, in which you raised questions related to immigration targets at Citizenship and Immigration Canada (CIC).

As you are aware, admission ranges for permanent residence are set on an annual basis and are announced in the Annual Report to Parliament on Immigration. The levels plan, approved by the Minister and presented to the House of Commons on an annual basis is the most important parameter from which the operational target is set for regions in Canada and missions overseas. Once the operational target for missions overseas is decided, each mission is assigned their respective target, taking into consideration the inventory by category, the resources available, the acceptance rate and the complexity of the workload, the temporary resident workload, and the ministerial commitments. Targets are reviewed throughout the year and are potentially adjusted regularly to respond to changing circumstances. Once the quota for each specific category is reached, no further applications in that category are considered.

On a more specific note related to Pretoria and Accra, you are probably aware that both Pretoria and Accra are responsible for immigration applications from many countries. Every year, Accra receives more applications than Pretoria and has accumulated a larger inventory. For this reason, it is likely that, again next year; Accra will have higher targets than Pretoria.

CIC has already started consultations to prepare the operational targets for 2010. As soon as the levels plan is adopted at the House of Commons, the operational targets for the missions overseas will be finalized.

With the new instructions on processing federal skilled workers issued by the Minister in November 2008, we expect to process these applicants within six to 12 months. This commitment will be taken into consideration when setting missions target in this category.

A distinction in the economic category should be made between the Federal Skilled Workers applications received before February 27, 2008, and those submitted since that date. They constitute two sub categories of the Economic component. The new instructions and the processing times commitments apply to the applications submitted since February 27, 2008.

I trust that this information will help to address your concerns.

Unquote

My deductions are as follows:

- Citizenship and Immigration Canada (CIC) can change the target for a particular office within a specific year and target it as flexible.
- It seems as if the Minister of CIC's guideline of processing of a visa of between 6-12 months will take precedence over a target for a specific visa office.
- When more South Africans apply for permanent residence visas in the Federal Skilled Worker Class, the quota at the Canadian High Commission will be increased.

Political News

After a threat of a fall (Autumn) election by the liberals during the past 2-3 months it seems as if that has disappeared with the ruling Conservative Party increasing its support to 41 % and the opposition (Liberal Party) is at 27 % support.

This could result in new policy statements by the ruling Conservative Party.

Provincial Economic News

The province of Ontario has racked up a deficit of CAD24, 7 billion thus far for the financial year of 2009. The expectation is that in 2010 the deficit in Ontario will be another CAD21 billion and in 2011 it would be CAD19, 4 billion. In 2008 the deficit was 6, 4 billion. The total provincial debt is CAD137, 9 billion and the interest payments will be CAD9, 4 billion.

Note: Be careful about the term "billion": In North America a billion is a thousand million or 10 to the power 9 and in some ex-common wealth countries such as South Africa a billion is a thousand million or 10 to the power 12 or also known as a "miljard" in Dutch or Afrikaans.

The problems was caused by (inter alia)

- a. Bailout of General Motors and Chrysler
- b. Tax income that fell by 48 % last year
- c. Increase in demand for provincial public services caused by the recession

According to the Price Waterhouse Coopers' Automotive Institute, the number of vehicles manufactured in Ontario will drop from 2 million in 2008 to 1,9 million in 2013 and Mexico will grow from 2,1 to 2,5 million vehicles over the same period and the USA will grow from 8,5 to 9,8 million.

The US government has awarded 2, 4 billion to ensure that the automotive industry in the USA especially Michigan is expanding. The US government is also ready with legislation such as the Advanced Vehicle Technology Act that will further seek to enhance the USA's automotive industry.

As the automotive industry is slowly weakening here, the hope is that the new green industry is will fill the void. We are seeing daily articles in the media about the possibility of increased employment in green industries such as solar and wind power. A company, Satcon has provided power inverters to SunEdison Canada (See <http://www.sunedison.com/>) and Skypower (See <http://www.skypower.com/>) to build Canada's first solar farm near Stone Mills, Ontario. The facility is called First Light, will create 9, 1 MW power which is sufficient to power a 1000 homes.

Here is picture of the ground mounted photo-voltaic solar system.



Just west of Ottawa, a French company EDF Nouvelles Co. is building a 23,4 MWatt solar park and is expected to be ready by 31 Dec 09.

A new multi-national company that will start to manufacture solar equipment is Automation Tooling Systems Inc. from Cambridge Ontario. ATS (See <http://www.atsautomation.com/>) is already manufacturing solar modules through its subsidiary Photowatt in France, but might move some of this manufacturing to Ontario.

The Ontario government has received over a 100 applications for roughly 500 wind energy projects, but the majority will only be implemented over the next 5-10 years.

In Alberta the premier has indicated that the annual deficit of CAD7 billion will be erased. The first step is to prevent salary increases for 6500 senior provincial officials which will save CAD22 million over 2 years.

The Economy

The Canadian dollar strengthened against the USD to become close to parity. At present it is about USD0,97 for CAD1,00. The result is that more Canadians shop in the USA and Canadians exports to the USA could be negatively affected.

Some bankers indicate that this will be the long term future of the Canadian Dollar as Canada has the world's second largest oil reserves, which will not be a good sign for our manufacturing sector.

Immigrants that have visas for the USA can complete cross border shopping, but be careful of long line ups at the border and watch the import duty exemptions:

- CAD400 for 48 hours or more per person for personal goods
- CAD750 for 7 days or longer

The details can be seen here: <http://cbsa-asfc.gc.ca/publications/dm-md/d2/d2-3-1-eng.pdf>

It seems as if the sale of new cars in Canada have stalled as sales of new cars fell with 0,3 % from July 2009 to 126 401 in August 2009.

It was reported that small businesses in Canada has provided about one third of all employment from 1998-2008 and in 2008 alone it created 70% of all jobs in the Canadian economy. We have also seen that some major companies such as Nortel have collapsed and employees losing a lot of money in pension funds that cannot be sustained.

Although home projects are increasing, new residential construction is down by about CAD84 billion in 12 months which resulted in losses of 41,000 construction jobs, 13,000 building material jobs and 10,400 distribution related jobs.

The quarterly house prices have increased with 11% with the number of homes being sold in Toronto with 28% and Vancouver with 108%. Some banks are of the opinion that this is not sustainable and that the sales increased to fast to be sustainable.

This sounds terrible, but immigrants need to remember that Canada developed 250,000 to 350,000 thousand jobs per year for many years. Furthermore it should be mentioned that unemployment in Canada is roughly at 8 % (9,3 % in Ontario) which is significantly lower than the estimated 45% unemployment rate in South Africa.

Retail sales in Canada has increased with 0,8% in Aug to CAD34,5 billion in retail sales, which is another indication the economy is slowly improving.

Day to Day Living: Driving

Some of our clients complained that their South African driver's licenses had to be handed over to the Alberta Government when they applied for an Alberta driver's license. After research we determined that it is a lawful action in terms of the following legislation.

ALBERTA REGULATION 320/2002 of Alberta Traffic Safety Act

OPERATOR LICENSING AND VEHICLE CONTROL REGULATION

Prior operator's licence

13(1) An applicant for an operator's licence who holds a subsisting driver's licence, permit or other document issued by a jurisdiction outside Alberta shall surrender it to the Registrar before being issued an operator's licence.

Some clients only presented their international driver's license and 'lost' that. I believe the intention of this regulation is to take back other Canadian licenses (provincial), not licenses from other countries. If a foreign driver's license (such as a South African driver's license) belongs to the South African government (like a passport) I do not believe a province in Canada can force someone to surrender the document. Until this law is changed immigrants will be forced to surrender their driver's license.

Immigrants will notice that some services are provided by provincial governments: For example, in Manitoba the automobile insurance is provided by the province and in Ontario the wine and liquor sales are provided by the province through its own retail facilities called the LCBO (see <http://www.lcbo.com>). In Ontario insurance for automobiles is in private hands and is being increased between 11 and 19 percent as insurance rates are reviewed annually (average of 14 %).

Immigrants can search for good insurance rates by using this website: www.insurancehotline.com and/or calling insurance companies direct.

Best wishes



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CCIC @Certified Canadian Immigration Consultant

Member in Good Standing of CSIC as required by the Immigration and Refugee Protection Regulations of Canada

Membership Number M041426

Commissaire A L' Assermentation, Quebec/Commissioner of Oaths, Quebec, Canada

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Pour le Quebec, Avec jurisdiction dans tout le Canada et tous les pays

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