

icccrc
IMMIGRATION CONSULTANTS OF
CANADA REGULATORY COUNCIL



crcic
CONSEIL DE RÉGLEMENTATION DES
CONSULTANTS EN IMMIGRATION DU CANADA

**IMMIGRATION CONSULTANTS OF CANADA
REGULATORY COUNCIL**

CONTINUING PROFESSIONAL DEVELOPMENT REGULATION

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Continuing Professional Development Regulation

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SECTION 1 PURPOSE

The Immigration Consultants of Canada Regulatory Council (ICCRC) regulates and oversees the practices of immigration consultants. ICCRC's objective is to effectively and fairly regulate immigration consultants with accountability and transparency.

SECTION 2 DEFINITIONS

- i. "Accredited CPD activities" means professional development activities pursuant to Section 6 and approved by ICCRC.
- ii. "CPD" means continuing professional development.
- iii. "Council" or "ICCRC" means the Immigration Consultants of Canada Regulatory Council.
- iv. "Director of Education" means a person hired by ICCRC to perform the duties described herein.
- v. "Event" means an educational seminar, workshop, or conference.
- vi. "Provider" means a not-for-profit organization, a government agency, a provincially-accredited educational institution, an organization with a reputation of offering events clearly of outstanding benefits to the members of ICCRC, or an organization officially recognized by another regulatory body for continuing professional development.
- vii. "Registrar" means a person hired by ICCRC to perform the duties described herein.
- viii. "Term" means a one year period to complete CPD requirements pursuant to Section 4.

SECTION 3 SCOPE AND EXEMPTIONS TO MEETING CPD REQUIREMENTS

- i. Active Members

Members in good standing with ICCRC are required to achieve the minimum CPD requirements set out in Section 4 in order to maintain practicing status.
- ii. Members on Leave

A Member on leave, duly approved by the Registrar, is not required to achieve the full CPD requirements for the duration of the leave. A Member will receive one (1) CPD hour reduction for each month he/she is on leave.
- iii. Suspended Members

A suspended member is required to maintain the minimum CPD requirements or to submit a remedial CPD plan to the Registrar for approval before reinstatement.

iv. New Members

New members, in the year of becoming a member with ICCRC, are required to complete one CPD hour for each month or partial month remaining in the calendar year for a maximum of 12 CPD hours. Members who join the ICCRC in October, November or December are not required to earn any CPD hours for that calendar year. The term for earning 16 CPD hours begins in January of the following year.

SECTION 4 MINIMUM CPD REQUIREMENTS AND TERM

- i. Effective January 1, 2014 a Member is required to earn 16 CPD hours by December 31, 2014 and for each calendar year thereafter.

SECTION 5 OVERALL SUBJECT MATTER REQUIREMENTS

- i. Only Canadian immigration related programs count towards credits for CPD hours. The primary objective is to increase a member's professional competence. The content should deal with all or any of the following topics:
- Immigration and Refugee Protection Act (IRPA)
 - Immigration and Refugee Protection Regulations
 - Immigration and Refugee Board and its divisions
 - The Balanced Refugee Reform Act
 - CBSA Immigration Procedures and Practices
 - Provincial Nominee Program
 - Québec Immigration legislations
 - Information on Labour Market Opinion and Arranged Employment Opinion
 - Enforcement agencies immigration procedures and practices
- ii. A Provider or Member may submit a request to the Director of Education for additional topics to be considered.
- iii. CPD hours do not include practice management education currently offered by ICCRC.

SECTION 6 ELIGIBLE CPD ACTIVITIES

- i. ICCRC's policy is to accommodate the professional development needs of a Member by providing a wide range of professional development opportunities. CPD activities include:
- a. Attending an educational seminar, workshop, conference, or academic immigration course;
 - b. Participating in online "real time" courses, streaming video, web and/or teleconference courses where there is an opportunity to ask and answer questions;
 - c. Reviewing a recorded version of an accredited CPD event;

- d. Teaching in an accredited immigration practitioner program at a post-secondary institution, facilitating a CPD event, moderating or speaking at conferences, or facilitating group case study discussions relating to Canadian immigration;
- e. Writing articles for publication with immigration content;
- f. Publishing or editing books relating to the study or practice of immigration; or
- g. Participating in group case study discussions relating to immigration.

SECTION 7 CPD ACTIVITIES NOT ELIGIBLE

- i. The following activities, including but not limited to, are ineligible for CPD credit:
 - a. Content and activities designed for or targeted at clients;
 - b. Content and activities relating to marketing or maximizing profit;
 - c. Activities relating to self-study;
 - d. Pro bono work;
 - e. Activities relating to mentoring other members other than group case study discussions in Section 6.i.d; or
 - f. Activities relating to observing proceedings before a tribunal or court.

SECTION 8 ACCREDITATION OF CPD ACTIVITIES

- i. All CPD activities are approved by ICCRC in any of the following three ways:
 - a. By pre-approval of the Provider as referenced in Section 9;
 - b. By an application by a Member for approval of individual CPD activities; or
 - c. By an application by a Provider for approval of individual CPD activities.
- ii. Further to Section 8.i.a, all documents supporting an application must be in either English or French. Documents translated to English or French must be completed by a certified translator.
- iii. All applications by a Provider or Member for approval of individual CPD activities must demonstrate compliance with the approved subject matter requirements and accredited CPD activities set out in Sections 5 and 6. Applications shall be submitted for approval to the Director of Education at least thirty (30) days prior to the activity. In exceptional circumstances credit may be approved retroactively.

- iv. Further to Section 8.ii, a Provider must submit an application to approve group case study discussions at least sixty (60) days prior to the date of the CPD activity.
- v. A Provider shall not advertise or promote a CPD activity unless and until ICCRC has approved, in writing, the content and number of credit hours for such activity.

SECTION 9 APPROVAL OF CPD HOURS FOR PROVIDERS

- i. A Provider shall request in writing events to be approved. Requests must be written in clear, coherent language and free of grammatical and spelling errors or they will not be approved.
- ii. Requests shall be in electronic form by email to the Director of Education at info@iccrcc-crcic.ca with the following information:
 - Confirmation that the event is hosted by a not-for-profit organization, a government agency, a provincially-accredited educational institution, an organization with a reputation of offering events clearly of outstanding benefits to the members of ICCRC, or an organization officially recognized by another regulatory body for continuing professional development
 - Name of the organization
 - Name of event
 - Date of event
 - Time (start and end time) of the event
 - Location of event
 - An agenda that includes information to be covered during the event
 - Names and credentials of instructors for the event
 - Cost for attendance of the event
 - Information on how interested members can attend the event (e.g., registration, etc.)
 - A link to more information about the event (i.e., website)
 - Appropriate contact information for the organization
- iii. Only activities offered in either of Canada's Official Language, English or French, will be considered for CPD credit.
- iv. The Director of Education recommends CPD hours for the event based on information provided within five (5) business days. Failure to articulate requests as required in Section 9.i and ii will delay processing time of the request for CPD hours.
- v. If approved, the event is posted in the event section on ICCRC's website along with the number of CPD hours approved for the event.
- vi. A Provider shall submit a draft agenda of the event at the time of the request. A final agenda is required to confirm that the content delivered matched the initial agenda before CPD hours are credited to Members.
- vii. Further to Section 6.i.d, a Provider must submit a detailed case study, including discussion questions for approval. A group case study discussion is limited to a maximum of 15 participants.

- viii. ICCRC may revoke the approval of CPD hours and/or revise the number of CPD hours should the agenda and/or the subject matter of the event change.

SECTION 10 COMPLAINTS REGARDING PROVIDERS

- i. A Member may make a complaint regarding CPD credit, content (e.g., out-of-date, incorrect or misleading information, etc.), presenter (e.g., knowledge about specific topic and ability to answer questions), and /or technical aspects (e.g., audibility, ability to see presentation, facility, etc.) of an event. Complaints shall be in electronic form by email to the Director of Education at info@icrc-crcic.ca. All complaints will be treated confidentially.
- ii. Complaints shall include the name and contact information of the complainant; the name of Provider; name of presenter; date and location of the event; supporting documentation, such as hand-outs, agenda of the event, proof of payment of the event or recorded event; details of the complaint; and any other relevant information that supports the complaint.

Note: A complaint filed under this *Regulation* is not deemed to be a complaint that would be reviewed through the ICCRC's Complaints and Discipline process.

SECTION 11 COMPLAINTS FOLLOW-UP

- i. The following process will be undertaken upon receiving a complaint regarding a Provider:
 - a. The Director of Education will contact the complainant to confirm the information contained in the email and request additional information, if required.
 - b. Complaints not meeting the criteria outlined in Section 10.i will be dismissed.
 - c. Upon verifying that the complaint meets the criteria outlined in Section 10.i, the Director of Education will notify the Provider, in writing, outlining the details of the complaint and request a response within a specified timeframe.
 - d. The Director of Education will submit the complaint and the response of the CPD Provider to a sub-committee of the Practice Management and Education (PME) Committee to review and provide technical input and advice on the validity of the complaint.
 - e. The Director of Education will make a decision based on the technical input and advice of the PME sub-committee and notify the CPD Provider of the decision in writing.
 - f. Failure to comply with the requirements contained in the decision of the Director of Education may result in the withdrawal of approval of the specific CPD activity that was the subject of the complaint.
 - g. In the event that in the reasonable opinion of the Director of Education
 - i. there are or have been multiple instances of failure to comply with requirements of the nature described in Section 11.i.f, or
 - ii. the nature of the failure or failures is sufficiently serious to warrant such action in the interest of protecting participant(s) in the program(s) offered by such Provider, and in the interest of protecting the public, consistent with the ICCRC mandate, in addition to the withdrawal provided in Section 11.i.f, the Director of Education may issue a blanket refusal to approve future CPD activities from the Provider until such time that the Provider provides the Director of Education with assurances that the Provider can and will comply fully with the program requirements.

SECTION 12 APPROVAL OF CPD HOURS FOR MEMBERS

- i. A Member shall request in writing events to be approved. Requests shall be in electronic form by email to the Director of Education at info@iccrc-crcic.ca and include contact information of the Member as well as information required under Section 9.ii.
- ii. Staff at the ICCRC review the request and determine the number of CPD hours to be credited for the event.
- iii. A Member must submit a draft agenda of the event. However, a final agenda is required to confirm that the content delivered matched the initial agenda before CPD hours are credited to a Member's file.
- iv. Further to Section 6.i.d, a Member facilitating a group case study discussion must submit a list including signatures of all Members who attended the forum to receive credit for the CPD activity.
- v. Further to Section 15, a member must submit proof of payment for the event, or in the case of a free event, can obtain the signature of an appropriate authority (i.e., organizer), as well as his/her full name, title, and contact information.
- vi. A Member can apply for CPD credits for viewing a recorded version of an accredited CPD event by submitting a request to the Director of Education at info@iccrc-crcic.ca.
- vii. A Member must view the recorded audio or video within ninety (90) days of the conclusion of the event in order to receive credit.
- viii. Further to Section 15, a Member must sign and submit a reporting form for:
 - a. Viewing a recorded version of an accredited CPD event; and
 - b. Participating in online "real time" courses, streaming video, web and/or teleconference courses.
- ix. Effective January 1, 2014, a Member must confirm the details of all events referred to in Section 12.v and viii as part of a statutory declaration submitted by January 31 for each prior calendar year beginning with the 2015 calendar year.
- x. Further to Section 15, a Member must submit proof of purchase of the recorded version of the accredited CPD event to the Director of Education.
- xi. ICCRC may revoke the approval of CPD hours and/or revise the number of CPD hours should the agenda and/or the subject matter of the event change.

SECTION 13 CALCULATION OF CPD HOURS

- i. When calculating CPD hours, partial hours shall be rounded up or down to the closest half hour. Lunch and breaks are not factored in the calculation of accredited hours.
- ii. Further to Section 6, the following table sets out the requirements for how CPD hours are accredited:

Activity	CPD Hour
a. Attending at an educational seminar, workshop, conference, or academic immigration course. CPD hours are credited for actual Canadian immigration content.	1 hour = 1 CPD hour No cap
b. Participating in online “real time” courses, streaming video, web and/or teleconference courses where there is an opportunity to ask and answer questions. CPD hours are credited for actual Canadian immigration content.	1 hour = 1 CPD hour No cap
c. Reviewing of a recorded version of an accredited CPD activity. CPD hours are credited for actual Canadian immigration content.	1 hour = 1 CPD hour No cap
d. Teaching in an accredited immigration practitioner program at a post-secondary institution, facilitating a CPD event, moderating or speaking at conferences, or facilitating group case study discussions relating to Canadian immigration.	1 hour = 3 CPD hours for the first delivery 1 hour = 1.5 CPD hours for subsequent delivery Maximum 50% of yearly CPD requirements
e. Writing articles for publishing with Canadian immigration content.	1 hour = 1 CPD hour Maximum 50% of yearly CPD requirements
f. Publishing or editing books relating to the study or practice of Canadian immigration.	1 hour = 1 CPD hour. Maximum 100% of yearly CPD requirement
g. Participating in group case study discussions relating to Canadian immigration.	1 hour = 1 CPD hour Maximum 50% of yearly CPD requirements Maximum of 2 hours will be credited per session

- iii. Activities not assigned accredited hours are assessed on a case by case basis by ICCRC.

SECTION 14 MEMBERS WORKING OVERSEAS

- i. This Regulation applies to a Member living or working overseas.

SECTION 15 REPORTING

- i. A Member is required to report his/her CPD hours by submitting the required reporting form and supporting documentation as required.
- ii. Such required and supporting documentation must be received at the ICCRC headquarters by January 31 for each prior calendar year beginning with the 2015 calendar year.

SECTION 16 CPD HOURS CARRY OVER

- i. Effective January 1, 2014, a Member may carry over a maximum of six (6) CPD hours to the next calendar year.

SECTION 17 COMPLIANCE AUDIT

- i. The Registrar shall annually select Members to be audited for compliance with this Regulation.
- ii. A Member is responsible for retaining records of CPD activities for a period of two (2) years.
- iii. The Registrar shall give notice in writing or by other electronic means to the Members selected for audit, and such notice shall specify the information required from the Member and the format in which the information is to be provided.
- iv. A Member shall comply with the notice pursuant to Section 17.iii within thirty (30) days of the date of that notice, by providing all information as required by the notice.
- v. The Registrar shall review the information provided pursuant to Section 17.iv and may require the Member to provide further information, including documentation, explanations and declarations, relating to or in support of the information provided pursuant to that Section.
- vi. A Member shall comply with the requirements of the Registrar within the time period provided by the Registrar, such time period not to be less than ten (10) days of the notice of the requirement.

SECTION 18 NOTICE

- i. Any notice required to be given to a member shall be deemed effective when sent to the member at the email address given by the member and maintained on ICCRC membership database.

SECTION 19 FINES AND PENALTIES

- i. A Member who does not meet the full requirement for CPD as set out in Section 4 is subject to the following fines and penalties:
 - a. \$200.00 plus applicable taxes for not completing 1-4 CPD hours within the term. The outstanding CPD balance from the previous term will be added to the following term's requirement.
 - b. \$300.00 plus applicable taxes for not completing 5-8 CPD hours within the term. The outstanding CPD balance from the previous term will be added to the following term's requirement.
 - c. \$400.00 plus applicable taxes for not completing 9-12 CPD hours within the term. The outstanding CPD balance from the previous term will be added to the following term's requirement.
 - d. \$500.00 plus applicable taxes for not completing 13-16 CPD hours within the term. The outstanding CPD balance from the previous term will be added to the following term's requirement, and the Member will be administratively suspended by the Registrar until a minimum of 8 CPD hours are completed. For a first offence, the suspension provision will be waived, but all other fines and penalties will apply.