

# APPLYING FOR PERMANENT RESIDENCE: TWO NEW STREAMS IN EXPRESS ENTRY UNDER ONTARIO'S PROVINCIAL NOMINEE PROGRAM

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In a [recent bulletin](#) we advised readers that in January 2015, Citizenship and Immigration Canada (CIC) launched a new electronic system called Express Entry to manage applications for permanent residence by skilled foreign workers under certain federal economic immigration programs. In June 2015, Ontario launched a provincial nominee program through the federal government's Express Entry system, allowing Ontario to actively participate in immigration selection based on provincial needs and priorities. Skilled foreign workers may now apply for permanent residence through Express Entry under one of two provincial economic immigration streams: (1) Human Capital Priorities Stream; and (2) French-Speaking Skilled Worker Stream.

## How Does the Process Work?

### *Step 1 – Register for Express Entry*

A skilled foreign worker who is interested in applying for permanent residence must first complete an online Express Entry profile. All foreign workers, including those who intend to utilize one of the new streams, must meet the eligibility requirements under one of the three federal economic immigration programs: (1) Federal Skilled Worker Program; (2) Federal Skilled Trades Program; or (3) Canadian Experience Class. If the foreign worker meets the criteria, he or she will be placed into the Express Entry pool.

### *Step 2 – Ontario identifies candidates in Express Entry pool*

Once in the pool, a foreign worker is given a score out of a possible 1200 Comprehensive Ranking System (CRS) points. Opportunities Ontario, the administrator of Ontario's provincial nominee program, will search the Express Entry pool and identify potential candidates for the new streams that have a minimum of 400 CRS points and who have indicated in their Express Entry profiles an interest in immigrating to either "Ontario" or "All Provinces and Territories".

If Opportunities Ontario identifies a foreign worker in the Express Entry pool as a potential candidate, the foreign worker will receive a Notification of Interest from Ontario (NIO), inviting the foreign worker to apply to

Opportunities Ontario for nomination under one of the new streams.

#### *Step 3 – Apply to Opportunities Ontario under new streams*

After receiving an NIO, the foreign worker has 45 days to apply to Opportunities Ontario for nomination under one of the new streams. Opportunities Ontario will assess the foreign worker's application with regard to the following eligibility criteria:

1. **Education:** has a Canadian Bachelor's, Master's or PhD degree or an Educational Credential Assessment report, indicating that foreign education is equivalent.
2. **Language:** for the Human Capital Priorities Stream, demonstrates a Canadian Language Benchmark (CLB) level 7 or above in all language competencies (reading, writing, listening, and speaking) in either English or French. For the French-Speaking Skilled Worker Stream, demonstrates a CLB level of 7 or above in all language competencies (reading, writing, listening, and speaking) in French and a CLB level 6 or above in all language competencies in English.
3. **Funds:** demonstrates that the applicant has sufficient funds to support him or herself and their dependents in Ontario.
4. **Work Experience:** if the applicant wishes to be assessed against the criteria for the Federal Skilled Worker Program, has a minimum of one year of continuous and full-time work experience in a NOC O, A, or B occupation in the past five years from the date of the NOI. If the applicant wishes to be assessed against the criteria for the Canadian Experience Class, has a minimum of one year of cumulative and full-time work experience in a NOC O, A, or B occupation in Canada in the past three years from the date of the NIO.
5. **Ties to Ontario:** declare an intention to reside in Ontario, which may include a statement of intent setting out the applicant's reasons to settle in Ontario.

#### *Step 4 – Accept nomination and apply for permanent residence*

If an applicant meets the eligibility criteria, the applicant will receive a Nomination from the Province of Ontario. Applicants have 30 days to accept the nomination in the Express Entry system. A nomination gives applicants an additional 600 CRS points, thereby ensuring the applicant will receive an invitation to apply for permanent residence from CIC. Once an applicant receives an invitation from CIC, the applicant has 60 days to submit an application for permanent residence.

#### **What are the Benefits of the New Streams?**

The federal government has yet to extend an invitation to apply for permanent residence to any foreign worker with less than 482 CRS points. Therefore, the new streams will help improve the odds of obtaining an invitation

to apply for permanent residence for foreign workers with more than 400 CRS points. Until the introduction of the new streams, foreign workers could only boost their CRS scores by applying for and obtaining a positive Labour Market Impact Assessment (LMIA). Like a provincial nomination, positive LMIAs give foreign workers an additional 600 CRS points. As obtaining a positive LMIA has become an increasingly costly, time-consuming and tedious process, the new streams may provide a more cost-efficient, expedient and assured alternative for foreign workers in need of a CRS score boost.

It should be noted that foreign workers can only use either the 600 CRS points gained from a provincial nomination or the 600 CRS points gained from an LMIA, not both.

by Stefanie Di Francesco

### **A Cautionary Note**

The foregoing provides only an overview and does not constitute legal advice. Readers are cautioned against making any decisions based on this material alone. Rather, specific legal advice should be obtained.

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