

IMMIGRATION LAW ALERT: NEW FEES AND EMPLOYER OBLIGATIONS UNDER THE INTERNATIONAL MOBILITY PROGRAM

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Starting February 21, 2015, new obligations will be imposed on Canadian employers hiring foreign nationals who are exempt from the Labour Market Impact Assessment (LMIA) process.

Exemptions from the LMIA process include intra-company transferees and professionals under free trade agreements such as NAFTA. Under the new procedure an employer will be required to submit information about its business, complete an offer of employment form as yet unreleased and pay a \$230 "employer compliance fee" online to Citizenship and Immigration Canada before the work permit application is filed.

As of that date, foreign nationals will not be able to get an employer-specific work permit if their employer has not submitted the required forms and paid the fee. The compliance fee is in addition to the current work permit processing fee of \$155.

The employer compliance fee does not apply to employers hiring foreign nationals who have open work permits; however, also starting February 21, 2015, a \$100 fee will be collected from open work permit applicants. This fee will be paid at the same time as the work permit processing fee and can be paid online.

We anticipate that the government will release additional information regarding the new procedure shortly. We will issue a follow-up alert as soon as more information is available.

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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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