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A PRACTICAL GUIDE TO PROVINCIAL NOMINEE PROGRAMS

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Publisher's Special Release Note 2021

The pages in this work were reissued in December 2021 and updated to reflect that date in the release line. Please note that we did not review the content on every page of this work in the December 2021 release. We will continue to review and update the content according to the work's publication schedule. This will ensure that subscribers are reading commentary that incorporates developments in the law as soon as possible after they have happened or as the author deems them significant.

Changes to chapter and heading numbering may have occurred. Please refer to the Correlation Table in the front matter if you wish to confirm references.

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A clear trend in the Canadian immigration law is the increasing role that the provinces and territories have in the selection of prospective immigrants to Canada. Increasingly, immigrants who arrive in Canada do so after being nominated by a province. Attention needs to be paid to the opportunities and possibilities of immigrating to Canada through the various provincial programs. A Practical Guide to Provincial Nominee Programs in Canadian Immigration Law provides an overview of provincial nominee programs for those needing to understand what these nominee programs have to offer. It is important to also understand the practicalities of how various provincial programs work and this book aims to provide that information by providing specific and practical information and tips about accessing the provincial programs.

This release incorporates the following updates:

- **Northwest Territories Nominee Program—Entry Level/Semi-Skilled Occupations**—The Entry Level/Semi-Skilled Occupations category was devised to assist employers in the Northwest Territories who are facing labour shortages in NOC Skill Level C and D positions. Nominees must have already worked in the same position with the nominating employer for at least six months on a work permit and show proof of settlement income. The position must be a full-time permanent position (at least 37.5 hours per week). It must be in compliance with the territorial *Employment Standards Act* and existing collective bargaining agreements, if applicable. The employer must also provide a comparable industry rate of pay, based on Job Bank wage information, the business' existing workforce rate of pay, rate of pay as advertised, and rate of pay in the Labour Market Impact Assessment (LMIA), if applicable (with the rule that the rate of pay cannot be lower than the current minimum wage of the Northwest Territories). The employer must have been registered and operational in the Northwest Territories for at least one year prior to application submission. Further, the employer must be in good standing with the Northwest Territories' Workers' Safety and Compensation Commission and the Northwest Territories' Employment Standards office.
- **Northwest Territories Nominee Program—Business Stream—Practical Tips—the Application Process—Application Process—Business Stream**—Applications to the Business Stream are by invitation only. A prospective applicant must first make at least one business trip for a minimum duration of four business days to the location of the business being proposed in the Northwest Territories. He/she must then attend at least one in-person interview with Business Stream Nominee Program staff at the Regional Centre located closest to the place of the proposed business. Prior to the interview, he/she must submit a short summary of the proposed business concept, along with certain application forms, language test results, payment of the nonrefundable application fee and an up-to-date resume. Program staff will assess the prospective applicant's business concept, knowledge of the territory, and business and communication skills during the interview. Authorized immigration representatives are not permitted to take part in interviews. If the result of the interview is positive, the prospective applicant must submit a written summary of his/her business concept with a basic outline of the investments that will be made, as well as a summary of

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business trip findings. Then, if the government is satisfied with the information provided, the prospective applicant will be invited in writing to apply to the Nominee Program. The prospective applicant has six months from the date of the invitation letter to apply and must enclose all requested items. If an application is complete, an email will be sent confirming receipt. Applications are to be submitted online.

- **Yukon—The History of The Provincial Nominee Program**—The Government of the Yukon states that the purpose of the Yukon Nominee Program is to help the Yukon Government respond to labour market needs in a sustainable way, while at the same time ensuring that job opportunities are safeguarded for Yukoners and Canadians. The Skilled Worker and Critical Impact Programs are geared towards filling labour market shortages in the region. The Business Program focuses on bringing individuals with business expertise and investment capital to the Yukon. The program was established as a result of the “Agreement for Canada-Yukon Co-operation on Immigration”, which was announced on May 21, 2008. In March 2015, Yukon added an Express Entry stream to its existing immigration program for those who meet the requirements of one of the three federal economic immigration programs; namely, federal skilled worker program, federal skilled trades program, or Canadian experience class, and have a valid job offer for a permanent full-time position in the Yukon from an eligible Yukon employer.

ProView Developments

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