

Immigration Law Section Report 2012-2013

Manitoba Branch Overview:

- Sofia Mirza, became Chair of the Immigration Section on September 1, 2012. Paul Hesse has moved into the Past Chair position.
- Carolina Fridman was acclaimed Vice Chair and Maria Penner was acclaimed Secretary effective September 1, 2012 so all positions on the executive are now filled. Once the elections were complete, the executive held a very productive meeting in July 2012 to assess a plan for Immigration Section meetings for the upcoming year.
- Section Meeting participation remains consistent with previous years (approximately 12 to 20 members in attendance at each meeting).

Continuing Professional Development (since July 2012):

July 2012 - Continuing Professional Development planning meeting with Executive outlining proposed topics and speakers for the year.

September 2012 - Meeting with Service Canada to address effect of regulatory and policy changes to the *Immigration and Refugee Protection Regulations* (and amendments thereto) and Foreign Worker Program interpretation.

December 2012 - Meeting with the Manitoba Provincial Nominee Program – Skilled Workers side, to discuss trends in processing for permanent residence applications at the program (Program Managers attended as speakers).

February 2013 - Meeting with the United States Customs and Border Protection Service to discuss trends at the Winnipeg Airport air and Pembina, North Dakota land Port of Entries including criminal inadmissibility, work permit categories, filing process and advance parole process, etc. (Directors, Supervisors & Officers attended as speakers).

March 2013 - Meeting with the Manitoba Provincial Nominee Program – Part 2, to address upcoming complete overhaul to the program effective April 1, 2013.

May 2013 - Meeting with the Business side of the Provincial Nominee Program to discuss challenges in industry and specific world regions re: supporting evidence, as well as an overview of the current program format and application process.

Legal Developments:

- Provincial Nominee cap set again to 5,000 for 2013 (has not changed since 2010) to balance influx of economic immigrants with other streams (refugee, family class, etc.);
- Manitoba Provincial Nominee Program (MPNP) continues to bring the category that is most utilized by applicants to immigrate to Manitoba;

- Foreign Worker Program has discontinued its “expedited” Labour Market Opinion process (which had a 2 week processing period) in May 2013;
- Foreign Worker Program has made other changes to its program, after April 2013 media issues, to increase employer compliance reviews to 18% and has made changes to its application forms so more attestations are made by employers;
- Minister advanced legislation for the faster removal of foreign nationals with criminal convictions, resulting in incarceration of six (6) months or more without the right to appeal;
- More Canadian Consulates in the United States closed in 2013 (Detroit and Washington, DC offices closed) bringing the closure total to 4 of the previous 6 Canadian Consulates in the United States).

CBA National Immigration Conference

- Held this year in Montreal, Quebec (May 2013).
- Sofia Mirza was invited to speak at the conference on the topic of Study Permits and transitioning into Permanent Residence.
- Ken Zaifman was invited to MC a tribute lunch to the co-founders of the National Section.
- Manitoba Immigration Lawyers, Ken Zaifman, David Matas and Baerbel Langner as well as other lawyers from other jurisdictions were honored as CBA Past Chairs of the National Section in celebration of the 30th anniversary of the National Immigration Section at the conference.

CBA Immigration Section Meeting

- Executive Meetings with CBA held on December 1, 2012 and May 8, 2013 (Section Activity and Recent Development in Law in Manitoba Report Provided to CBA at these times).

Respectfully Submitted,
Sofia Mirza, Chair