

# **Immigration Consultants of Canada Regulatory Council**

**Annual Report – June 30<sup>th</sup>, 2011**

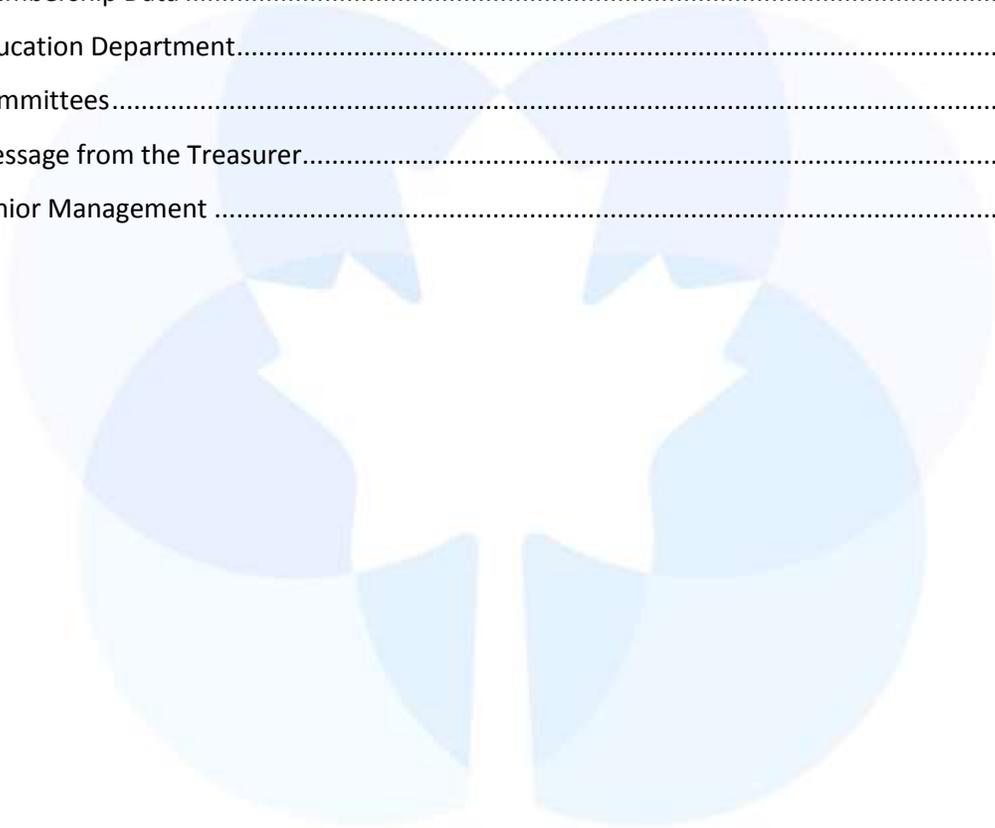


## Immigration Consultants of Canada Regulatory Council

### Annual Report – June 30<sup>th</sup>, 2011

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## 1. Mandate

On June 28<sup>th</sup>, 2011, Canada's Minister of Citizenship, Immigration and Multiculturalism, the Honourable Jason Kenney, announced that the Immigration Consultants of Canada Regulatory Council (ICCRC/the Council) will be the regulatory body for immigration consultants who are authorized to offer services for Canadian immigration for a fee. The change went into effect on June 30<sup>th</sup>, 2011.

ICCRC's mandate is to protect the public and consumers by regulating immigration consultants effectively and fairly.



## 2. Message from the Chair of the Board of Directors

Dear Regulated Canadian Immigration Consultants,

It is my privilege to contribute, on behalf of ICCRC's Board of Directors, to this Annual Report that comes at such an exciting and transformative time for our profession. The announcement from the Honourable Jason Kenney, Minister of Citizenship, Immigration and Multiculturalism, on June 28<sup>th</sup>, 2011, that ICCRC is the new regulator of immigration consultants comes with great responsibility and opportunity.

The government's main objective in introducing Bill C-35 was public protection. This took the form of clarifying the rules of who can provide immigration services. A crackdown on fake consultants was a necessary step in defending the consumer's right to capable immigration consulting services.

In addition, the Government's focus on consumer safety took the form of opening up a bid process in order to choose a regulatory body that could accomplish a few vital objectives:

- Rigorously enforcing strict standards of conduct and practice
- Leading the fight against fake consultants
- Promoting the use of licensed practitioners
- Increasing confidence in the immigration system

In naming ICCRC as the regulator, the government has given us a clear mandate to regulate the profession effectively and fairly in accomplishing those objectives.

ICCRC's designation of Regulated Canadian Immigration Consultant (RCIC) is a major step in taking the fight to fake consultants. We are doing so by ensuring that practitioners are educated, that they comply with regular reporting requirements, and that they undergo practice management education to progressively improve the standards of the profession. The designation is an embodiment of the trust the public holds towards the profession. We view upholding this trust as our inviolable duty, and over time we will see the positive impact of our efforts. The fight against fake consultants will be won.

The first steps we took in order to perform our responsibility as public safeguard were undertaken quickly and effectively:

- By-laws were finalized
- An interim Board of Directors was selected to govern until the First General Meeting of the Council
- Eleven committees were created in order to guide the Council's operations
- Corporate responsibility for the protection of consumers was assumed as of the date of the Minister's announcement that ICCRC was the regulator

These first steps constitute the foundations of the process whereby the Council creates a regulatory body working with consultants, consumers, stakeholders and members of the public to lead the profession into a new era of integrity and increased credibility. The framework is based on principles of good governance. Measures continue to be put in place to ensure that the profession is properly self-governed:

- Rules and procedures for matters concerning the Board of Directors and its committees are included in the by-laws
- Measures have been implemented to ensure Board member integrity (including transparency for expenses and honoraria, for example)
- Employees are hired on merit, and no conflicts of interest are tolerated
- Transparency in financial management is ongoing, with the proper Board oversight

The Council is making positive strides by operating with accountability and transparency. Members must be able to have access to information regarding the composition and activities of the Board, in order to be assured that they are functioning and will continue to function in the best interests of the members, the public and the profession.

Furthermore, we look forward to the members electing a regionally representative Board of Directors consisting of fifteen directors, including three Public Interest Directors. This election will take place at our first meeting of members, before March 31<sup>st</sup>, 2012.

Until that point, the current group of Directors is continuing to lay organizational foundations so that our ever-growing membership list is regulated ethically and consumers experience the value that RCICs bring to the immigration experience.

On behalf of the Board of Directors, thank you to our members for your support as we strive for the most for our profession. It is an exciting time. We are headed in the right direction, and we are filled with optimism!

Sincerely,

Merv Hillier, M.B.A., F.C.M.A., C. Dir., C.M.C.  
Chair of the Board of Directors



### 3. Message from the President & CEO

Dear Fellow RCICs,

It is my pleasure to present the first Annual Report of the Immigration Consultants of Canada Regulatory Council. Much has been achieved in the last year, and the future of the profession looks brighter than ever.

In May 2011, I had the pleasure and privilege of travelling across Canada and hosting a series of town hall meetings to explain the role of ICCRC as the new regulator and learn more about the needs of our members. In meeting with immigration consultants, consumers and stakeholders, I heard many perspectives on the role of ICCRC, what it should accomplish and the challenges faced by members.

I was also reminded of just how privileged we are to live in this great country and the important role immigration consultants play in helping others find their way into Canada to build a life here for themselves and their families. In particular, in those discussions I heard many appeals to protect such individuals from fake consultants.

ICCRC is striving to help its members prosper and build a stronger profession than ever before. In all my meetings with members and stakeholders, I was reminded of the importance for ICCRC to operate in an accountable and transparent manner. With that in mind, ICCRC set out a series of deliverables to make sure our organization is accessible and accountable. In my role as President and CEO, I have been working on members' behalf to accomplish these objectives, including:

- Lowering membership fees to encourage registration and compliance
- Opening new offices across the country to better support our members
- Increasing the number of accredited institutions teaching immigration consultant courses to encourage growth in our profession
- Creating a hotline and dedicated email address for MPs and their staff to contact us about immigration questions they receive from constituents
- Reaching out to stakeholders to share information and foster better working relationships
- Creating a Complaints and Discipline process that is fair and transparent
- Fighting fake consultants to protect consumers and the reputation of legitimate consultants

The process of implementing our strategies is ongoing. On top of these, one of our first steps is to oversee the grandfathering into ICCRC of all members of the former regulatory body by October 28<sup>th</sup>, 2011. This process represents a major logistical challenge for us, but it is one we are prepared to meet.

We are also committed to having the highest professional standards and a strict Code of Professional Ethics, which will be enforced. This will help increase the credibility of our profession.

I look forward to working with all our stakeholders and the public to continue building a strong regulatory body for Canadian immigration consultants, and I invite you to get in touch with us to let us know what we are doing right and what we could do better. ICCRC is here to protect the public and ensure the accountability and sustainability of our profession for years to come.

A strong and credible profession is taking shape each day. The future is bright!

Best regards,

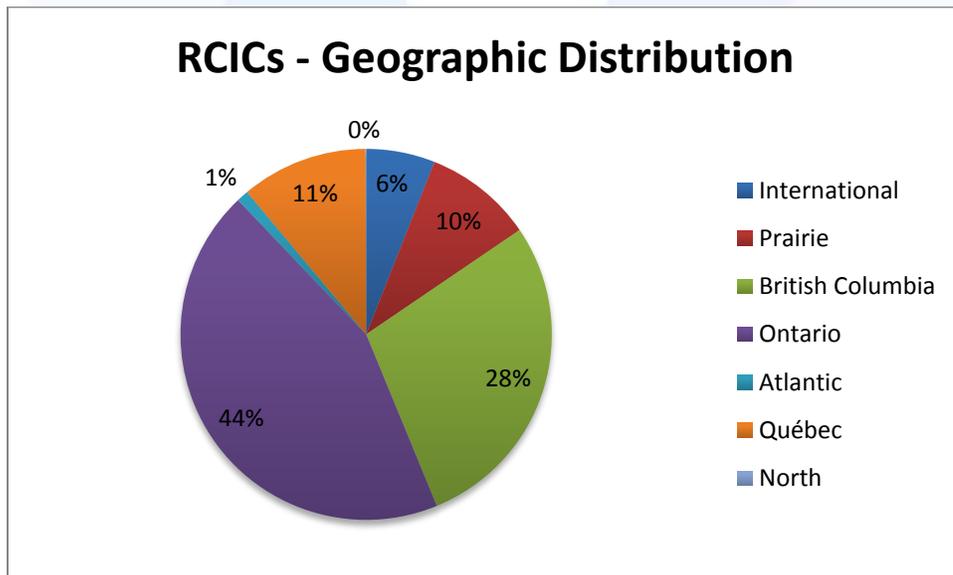
Phil Mooney, RCIC  
President & CEO

#### 4. Membership Data

When ICCRC was announced as the regulator for immigration consultants, a 120-day transition period was allowed for those who were members of the former regulatory body (Canadian Society of Immigration Consultants – CSIC) to join ICCRC. After the 120-day transition period expires (October 28<sup>th</sup>, 2011) any person who was a member of CSIC but did not become a member of ICCRC by fulfilling the five conditions of becoming an RCIC will have to go through the process to join like everyone else. This includes repeating the immigration practitioner program and full skills exam.

As of June 30<sup>th</sup>, 2011, there are 1,930 transitional members of ICCRC.

Members of ICCRC are found all across Canada and in many other countries. Below is a graph that indicates the geographical distribution of RCICs.



ICCRC is currently developing its Full Skills Examination and exam schedule. ICCRC intends to offer six exams each year in multiple locations across Canada. If a student does not live in Canada, the Registrar’s Office may arrange for an onsite invigilator to be present to supervise the writing of the exam. Once a student successfully passes the examination, and fulfils the remainder of the five conditions, he or she may submit an application to become an RCIC.

There are five (5) conditions to becoming an RCIC:

1. *Thorough knowledge of Canadian immigration and refugee law*
  - a. An extensive course of at least 180 class hours must be taken through an accredited post-secondary institution and passed in accordance with a transparent standard set by the Admissions Committee. The course must have been completed within the past three years.
2. *Full Skills Exam*
  - a. A rigorous exam on immigration and practice management must be passed.
3. *Good character*
  - a. The application procedure requires police certificates from countries of residence, in accordance with requirements set by the Admissions Committee.
  - b. A statutory sworn declaration is required regarding
    - Countries of residence, police certificates and criminal record
    - Bankruptcy
    - Suspension or expulsion from another regulatory body
    - Practicing immigration law for a fee while unauthorized, contrary to IRPA (in some cases an interview will be administered to those who have violated IRPA in this regard to acquire further information)
4. *Language proficiency in English or French*
  - a. Results from an accredited language test are required to be submitted by every applicant to demonstrate language proficiency in English or French.

Accredited language tests and required scores are as follows:

English:

- IELTS-A: 6.5 for listening, reading, writing and speaking
- MELAB: 83 overall score; 3 for speaking and 79 for listening, reading and writing
- CanTEST: 4.5 for speaking and 4 for listening reading and writing
- CELPIP-A: 4H for listening, speaking, reading and writing
- CAEL: overall band score of 60

French:

- TEF: 600 plus 300 for secondary oral proficiency test
- SEL: 67% for written comprehension and written expression, B- for writing, oral expression and oral comprehension

Language test scores are valid for a period of two years.

5. *Status in Canada as a citizen, permanent resident or Status Indian*
  - a. Proof of citizenship, permanent residence or Indian Status is required.



## 5. Education Department

In the coming months, an Education Department will be created to oversee the development of ICCRC's Practice Management Courses, tools and requirements. Once developed, all RCICs will be required to participate in these courses either in person at an ICCRC learning centre or through the live-streamed online feature. Once they have completed the course, RCICs are expected to abide by the rules and regulations outlined in the course.

ICCRC will also develop accreditation standards for educational institutions – so that more students can take the Immigration Practitioners Program. At present, the following institutions offer accredited Immigration Practitioner Programs:

Ashton College – Vancouver, BC  
Bow Valley College – Calgary, AB  
Cégep de Saint-Laurent – Montréal, QC  
CSIC e-Academy – Moncton, NB  
Humber College – Toronto, ON  
LaSalle College – Montréal, QC  
Seneca College – Toronto, ON  
Vanier College – Montréal, QC  
University of British Columbia – Vancouver, BC

In the future, we will be working with other educational institutions to expand our list of schools that offer the immigration practitioner program.

## 6. Committees

ICCRC has eleven committees. The Chair and Vice-Chair of all committees are ICCRC Directors. The committees are made up of volunteers who are RCICs in good standing with ICCRC and who have demonstrated a particular interest in the subject matter. At the beginning of each meeting, the Chair of the Committee reminds the committee of the confidentiality of their work and asks if any member has a conflict of interest with the subject matter being discussed. If so, the committee member is required to recuse him or herself from the discussions.

More information about each committee is outlined below.

### *a) Admissions Committee*

The Admissions Committee is responsible for creating and reviewing rules and policies regarding admission of a person into the Council as a member. In admitting only qualified individuals to the profession, the committee assures consumer protection. The Committee's mandate is also to develop and implement admissions and accreditation standards and procedures that promote an educated, competent and ethical body of immigration consultants.

The specific responsibilities and duties of the Admissions Committee include:

- i. Define the categories of members eligible for Admission to the Council
- ii. Determine the entry requirements for each category
- iii. Design the registration process for each category
- iv. Implement and monitor the process for admitting members to the Council
- v. Oversee the development of higher standards of admission in the future

### *b) Appeal Committee*

The Appeal Committee is involved in the Complaints and Discipline Process. The Appeal Committee is set up to hear appeals of the following decisions:

- i. Decision against a member made by the Discipline Committee
- ii. Decision not to proceed with a complaint by the Complaints Committee
- iii. Decision by the Registrar not to approve a membership application or to revoke a membership

*c) Communications Committee*

The Communications Committee is responsible for the Council's communication – both internal and external. Internal communication (to members) involves providing members with important updates from the regulatory body and important changes from Citizenship and Immigration Canada. External communication involves responding to media requests and interviews and crafting necessary communication products for distribution. The Committee also provides advice to Management and the Board of Directors of a variety of communications-related issues.

The specific responsibilities and duties of the Communications Committee include:

- i. Develop communications strategy for the Council
- ii. Develop appropriate communication materials
- iii. Ensure that all products are available in both official languages, and other languages commonly spoken among immigrant clients
- iv. Contact appropriate media through the Council's public relations company, and directly through designated spokespersons
- v. Deliver communication campaigns, distribution of communication products, notices, etc., to various stakeholder groups
- vi. Establish protocols through which information can be provided to outside parties at their request (while maintaining privacy standards)

*d) Complaints Committee*

The Complaints Committee is involved in the Complaints and Discipline process. Once a complaint is received and reviewed, a decision is made. Based on that decision, the Committee does one of the following:

- i. Attempt to negotiate a settlement between the complainant and the Member. If resolved, then the Council takes no further action
- ii. Issue a caution or admonition to the Member, in which case the Council takes no further action
- iii. Refer the matter to the Discipline Committee

*e) Discipline Committee*

The Discipline Committee is involved in the Complaints and Discipline process. Once the Complaints Committee makes a decision that a serious breach of the Code of Professional Ethics is involved, the case is referred to the Discipline Committee. A hearing will then be scheduled to review all the facts. Based on the information provided at the hearing, the Discipline Committee will make its ruling. There is an opportunity for a member to appeal a negative decision.

*f) Finance and Audit Committee*

The Finance and Audit Committee is responsible for setting the financial and audit policies and procedures of the Council. The committee will ensure that they and the rest of the board have what is needed to be able to make rational financial decisions.

The specific responsibilities and duties of the Finance and Audit Committee are related to:

- i. Financial reporting
- ii. Financial management
- iii. Investment monitoring
- iv. Accounting policies
- v. Risk and uncertainty
- vi. Financial controls and control deviations
- vii. Internal control and information systems
- viii. Compliance with laws and regulations
- ix. Relations with external auditors

*g) Governance and Nominating Committee*

The Governance and Nominating Committee is responsible for setting governance policies for the Council and overseeing the nomination and voting procedure for Board and Committee membership. In addition, the committee sets policies related to matters of organizational effectiveness and advises the Board on matters relating to proper governance.

The specific responsibilities and duties of the Governance and Nominating Committee are related to:

- i. Governance structure
- ii. Mandates, charters and work plans
- iii. Board & committee policies
- iv. Position descriptions
- v. Remuneration
- vi. Succession planning
- vii. Board recruitment
- viii. Board composition
- ix. Self-assessment
- x. Orientation
- xi. Board and committee membership and nomination process

*h) Human Resources and Compensation Committee*

This committee will be structured later.

*i) Outreach Committee*

The Outreach Committee is responsible for developing relationships with identified stakeholders, including Parliamentarians, ethnic organizations, educational institutions, embassies and consulates, etc. They are responsible for all communication to stakeholders and ensuring that any concerns they have are addressed appropriately.

The specific responsibilities and duties of the Outreach Committee include:

- i. Establishing communication measures with stakeholders
- ii. Creating an MP Hotline
- iii. Developing and maintaining relationships with stakeholders

*j) Practice Management and Education Committee*

The Practice Management and Education Committee is responsible for setting education policy, requirements and protocols; developing practice management education standards; and developing the continuing professional development policies. Once the policies are developed, ICCRC's Education Department is responsible for implementing them.

The specific responsibilities and duties of the Practice Management and Education Committee include:

- i. Set Continuing Professional Development policy, requirements and protocol
- ii. Develop standards for Practice Management Education

*k) Review Committee*

This committee will be structured later.



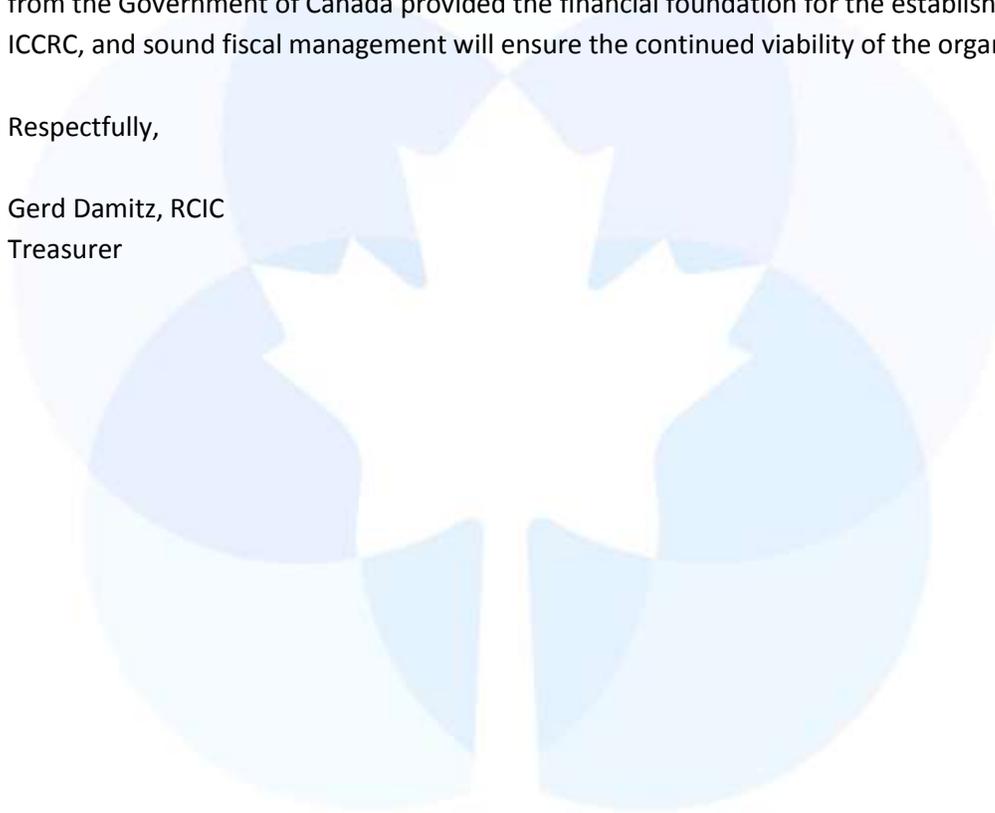
## 7. Message from the Treasurer

It is my privilege to present financial statements of the Immigration Consultants of Canada Regulatory Council (ICCRC) for the fiscal year ending June 30<sup>th</sup>, 2011. ICCRC's Financial Statements can be found in Appendix A.

The statements outline the initial investments in infrastructure and organizational capacity made in order that ICCRC can carry out its mandate. The Board of Directors supports the sound management of ICCRC finances and recognizes its responsibility to the membership to ensure revenue is spent properly, with the best interests of the profession in mind. Generous support from the Government of Canada provided the financial foundation for the establishment of ICCRC, and sound fiscal management will ensure the continued viability of the organization.

Respectfully,

Gerd Damitz, RCIC  
Treasurer



## 8. Senior Management

ICCRC Headquarters  
[info@iccrc-crcic.ca](mailto:info@iccrc-crcic.ca)

Merv Hillier  
Chair of the Board of Directors  
[board@iccrc-crcic.ca](mailto:board@iccrc-crcic.ca)

Phil Mooney  
President & CEO  
[info@iccrc-crcic.ca](mailto:info@iccrc-crcic.ca)

Members Relations Department  
[members-membres@iccrc-crcic.ca](mailto:members-membres@iccrc-crcic.ca)

In the coming weeks, we will be announcing the appointment of quality individuals to the following positions:

- Registrar
- Director of Education
- National Education Development Manager
- Senior Intake Officer
- Intake Officers

# Immigration Consultants of Canada Regulatory Council

## Annual Report – June 30<sup>th</sup>, 2011

For more information:

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