



PERLEY-ROBERTSON,
HILL & MCDUGALL LLP/s.r.l.

Perley-Robertson, Hill &
McDougall LLP/s.r.l

1400-340 Rue Albert Street
Ottawa, ON
K1R 0A5

T: 613.238.2022
F: 613.238.8775

www.perlaw.ca



Warren L. Creates

Head of Immigration Law Group

wcreates@perlaw.ca

613.566.2839

Canada's Current Express Entry System

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This article outlines the current Express Entry system, and explores what it means for Canada's evolving immigration landscape.

The Canadian Government utilizes the Express Entry system to select permanent immigration candidates from a pool of potential candidates who are eligible under one of the three Federal High Skilled Immigration Programs: the **Federal Skilled Work Program**, the **Federal Skilled Trades Program**, and the **Canadian Experience Class**.

The current Express Entry process is more akin to an online dating site: each prospective economic immigrant fills out an online profile. These profiles are assessed on 'core human capital', skill-transferability and additional factors relating to a provincial nomination, a qualifying offer of arranged employment, and Canadian study experience. Upon completing the profile, the electronic database assigns a points total based on the *Comprehensive Ranking System (CRS) score*, out of a maximum total of 1,200 points. This CRS score determines a candidate's rank in the Express Entry pool. Points are awarded for factors such as Canadian work experience, education, and language skills (amongst other criteria). A profile will remain in the system for up to 12 months.

The Canadian government then periodically picks out the top-ranked profiles from the system and invites them to pay the processing fee and submit a formal application for permanent residence. Eventually, Canadian employers will also be able to access the Express Entry database in search of foreign talent.

An applicant can now also obtain additional points for good French skills. An additional 15 points can also now be earned if an applicant (or their spouse or common-law partner who will also come to Canada) has a brother or sister living in Canada who is a citizen or permanent resident of Canada. These changes allow the system to break ties between candidates with the same rank in the pool, based on the date and time candidates submitted their profile.



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To be sure, the current Express Entry system has positive aspects. Once a potential immigrant with a current online profile receives the invitation to apply, the Canadian government has undertaken to process the application within six months—a significant improvement from processing times under the old system. As well, all former occupation-specific quota caps and moratoriums have been eliminated. One of the key intentions of the Express Entry system is to make the Canadian immigration system more responsive to up-to-the-minute labour market needs, which is a worthy goal.

However, the downsides are numerous. An applicant who uploads a profile will never be completely certain of the outcome. A worker or student's temporary status in Canada may expire before they are ever selected. Some applicants will never be selected. The transparency concerns are numerous for a system that can change without notice at any time. Many computer system glitches also remain unresolved.

An 'Invitation to Apply' is not enough

In our practice, we have seen applications rejected based on the Department of Immigration, Refugees and Citizenship Canada (IRCC) errors, oversights and misinterpretations. Unfortunately, once the decision to refuse is made, it can be very difficult to reverse—even in cases where the applicant has done everything right. IRCC has unfortunately not developed a standardized review process that a candidate can utilize when a mistaken rejection is suspected.

However, the year 2018 set an all-time record with nearly 280,000 Express Entry profiles submitted through the system, which represents an increase of more than 10% from 2017. This is the highest number of invitations issued for any one year since the Express Entry program was introduced. Ultimately, IRCC issued 89,800 invitations to apply in 2018. The first quarter of 2019 alone saw over 21,000 invitations to apply for permanent residence issued to candidates in Canada's Express Entry System.

The Bottom Line Today

Express Entry is now Canada's flagship immigrant management system, designed in part to address Canada's technical skills gap while assertively embracing the challenges of a labour market in need of highly skilled professionals. Besides filling labour needs, Canada must increase the number of immigrants to prevent a fiscal and economic collapse posed by a combination of its ageing population and low birth rate. Based on extensive consultations and the evidence that shows the economic and social benefits of immigration in Canada, the government has put forward a multi-year immigration levels plan to gradually and responsibly increase permanent resident admissions to 350,000 by 2021. Therefore, Canada wants to and should invest more in the Express Entry system since it is designed to bring skilled workers that boost the economy.

We would be happy to speak to you about Express Entry and about immigration to Canada more generally. Please contact us to set up a consultation appointment.