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**Tuesday, October 18, 2011**



**Chair**

**Mr. David Tilson**



## Standing Committee on Citizenship and Immigration

Tuesday, October 18, 2011

• (1110)

[English]

**The Chair (Mr. David Tilson (Dufferin—Caledon, CPC)):** Order.

This is the Standing Committee on Citizenship and Immigration, meeting three, and it's Tuesday, October 18, 2011. This is a televised meeting.

First of all, Mr. Kellway, welcome to the immigration committee. We have fun here, so I'm pleased that you've joined us. Madam Sims has left the committee, and you are her replacement.

As a result of that change, there is an opening for a vice-chair.

Mr. Dykstra.

**Mr. Rick Dykstra (St. Catharines, CPC):** I would move the name of Mr. Don Davies as vice-chair.

**The Chair:** Are there any other nominations?

The debate is whether I do this or whether the clerk does this—but I'm into it, and I'm kind of enjoying it.

**Mr. Rick Dykstra:** Yes, you're pretty much into it.

**The Chair:** Are all in favour?

(Motion agreed to)

**The Chair:** Congratulations, Mr. Davies, you're the vice-chair.

**Some hon. members:** Hear, hear!

**The Chair:** Now that we have that out of the way, we're going to move on to our study of the immigration application backlogs in light of the action plan for faster immigration.

This morning we have two witnesses to brief us, both from the Department of Citizenship and Immigration. We have Mr. Les Linklater, assistant deputy minister, strategic and program policy.

Good morning, Mr. Linklater.

**Mr. Les Linklater (Assistant Deputy Minister, Strategic and Program Policy, Department of Citizenship and Immigration):** Good morning.

**The Chair:** You're getting to be a regular attendee before this committee.

We also have Claudette Deschênes, the assistant deputy minister of operations.

Welcome to you, Ms. Deschênes. On behalf of the committee, I'd like to offer my sympathy to you on the loss of your staff person Danielle Naçu.

**Ms. Claudette Deschênes (Assistant Deputy Minister, Operations, Department of Citizenship and Immigration):** Thank you.

**The Chair:** It was a very tragic and unusual accident, and I know that has affected you personally. On behalf of the members of the committee, we offer our condolences.

**Ms. Claudette Deschênes:** Thank you very much.

**Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC):** On a point of order, Mr. Chair, I rode my bike in this morning, and I saw the monument to her. It's sort of a toy bicycle that's festooned with flowers. There's also a bike ride in her honour this morning, which people may know of.

I add my comments to those of the chair; I was very, very sorry to hear about the accident, as I'm sure all members were.

**The Chair:** Thank you.

You're here to brief us on backlogs. You have ten minutes.

[Translation]

**Mr. Les Linklater:** Good morning, Mr. Chairman and members of the committee. Thank you for the invitation to appear before you today.

My name is Les Linklater. I am the Assistant Deputy Minister for Strategic and Program Policy at Citizenship and Immigration Canada. Joining me today is Claudette Deschênes, Assistant Deputy Minister for Operations at CIC.

You have undertaken a study regarding application backlogs and the wait times applicants face. We are pleased to be here today to speak to you about these issues.

• (1115)

[English]

As you know, Canada's immigration program is guided by a balanced plan, tabled in Parliament each fall, which establishes the total number of permanent resident admissions Canada expects to welcome in the upcoming calendar year. The levels plan also sets out the planned ranges for admissions in each category of permanent resident. In other words, the levels plan limits how many people we can welcome to Canada each year.

Most years we receive many more applications than can be processed. But again, it's the levels plan that establishes how many people can come in, not processing capacity. This results in the accumulation of backlogs in some categories, which in turn has led to long wait times for some applicants, particularly in the family class.

Canada's family class is one of the most generous definitions of family in the world for immigrant-receiving countries. The fact that we even allow parents and grandparents to be sponsored is proof of this, and sets us apart from virtually every other country in the world. Australia, New Zealand, and the United Kingdom all have more restrictive policies in place than Canada for parents, and grandparents are only allowed to immigrate under exceptional circumstances.

In Australia, where no provisions exist for grandparents, applicants can pay for faster processing. Those who don't pay can expect to wait approximately ten years. Even for those who do pay, inventories are growing and wait times are getting longer.

In the U.K., only fully dependent parents over the age of 65 can be sponsored, and only about 1,000 are admitted each year. New Zealand allows grandparents to be sponsored, but only if the sponsor's parents are deceased. Wait times there range between 24 and 30 months.

In the United States, only citizens can sponsor, but the minimum income to do so is 125% of the poverty line. Grandparents cannot be sponsored.

[Translation]

Canada, by contrast, admits between 15,000 and 18,000 parents and grandparents every year—more than Australia, New Zealand and the UK combined.

[English]

Ours is a generous system, but this generosity comes at a cost, because in the parents and grandparents category there are currently about 165,000 people with applications in process. In fact, we have enough parent and grandparent applicants for seven years, and this problem is getting worse.

Altogether, as of June 30 there were slightly fewer than one million people awaiting a decision across all categories, and more continue to join the queue daily. Significant resources are required to manage the backlog, and implementing reasonable service standards is difficult, as long wait times in many categories continue to grow.

In light of this imbalance between the number of applications we receive and the number of people we can accept, CIC has begun to take steps to limit the intake of applications. You will recall that until 2008 there was no mechanism in place to manage the inflow of applications. Everyone who applied joined the queue, and the Government of Canada had an obligation to provide a decision, yes or no, to each one of those applicants on whether to issue a permanent resident visa.

Budget 2008 changed that. It introduced amendments to the Immigration and Refugee Protection Act that became law in April 2008. Those amendments provided the minister with the authority to issue ministerial Instructions that allow the minister to limit intake to

align with CIC's capacity to process applications in a reasonable timeframe.

[Translation]

Simply put, new applications that do not meet the criteria of the instructions do not have to be processed to a decision and fees are refunded to applicants.

It should be noted that the legislation specifies that the instructions cannot be applied to the refugees category or to humanitarian and compassionate requests made from within Canada.

[English]

Thus far, this authority has been used three times, and only in the economic class. The first set of ministerial instructions was issued in November 2008 under the action plan for faster immigration. These instructions applied only to federal skilled workers who had to have experience in one of 38 in-demand occupations to be eligible to apply, have an arranged employment offer, or had been legally resident in Canada for at least a year as a temporary foreign worker or international student.

The second set of instructions was issued in June 2010. It refined the occupation list and introduced a limit of 20,000 on the number of new applications without employment offers that will be considered in the federal skilled worker category each year. That was followed this past June by a lower limit of 10,000 in the third set of instructions, which also limited intake of applications to the federal immigrant investor program and introduced a temporary moratorium on federal entrepreneur program applications.

Combined, they have allowed the department to focus on the applications already in process, and we have indeed made significant progress towards our action plan for faster immigration goals.

At the end of the second quarter of 2011, the backlog of federal skilled worker applicants who applied before February 2008 stood at slightly fewer than 314,000 people. This is a reduction of more than 50% from the peak of almost 641,000 in February 2008.

It's true that because of the unexpected high volume of new federal skilled worker applications we received under the first set of ministerial instructions before intake limits introduced numerical caps, CIC still has a sizable inventory in that group of some 140,000 individuals. Combined with the pre-2008 backlog, this will take some time to eliminate. But the good news is that people who apply now are being processed within six to twelve months.

• (1120)

[Translation]

So, since 2008, there is a mechanism that allows us to control the number of new applications. As that is reduced, backlogs and wait times improve because normal processing gradually reduces the total number in the queue. This works whether admissions stay the same or increase. If admissions increase, it happens faster.

It will still take some time to process the remaining applications. How long exactly will depend on a number of factors, such as: the number that are processed through referrals to provinces and territories, and the number of immigrants we admit every year according to the annual immigration levels plan.

[English]

I would point out that the federal government works closely with the provinces and territories to develop the levels plan. Many factors are taken into consideration, including the impact on health care costs and the capacity to help newcomers settle and integrate into their communities.

Looking to the future, Mr. Chair, our experience shows that the number of new applicants coming into the system every year needs to be more actively managed. Simply hiring more officers won't solve the problem, because in the absence of controls, applications accumulate, wait times lengthen, and service standards deteriorate.

The key lesson learned is that effective management of the number of new applications we receive is critical to reducing backlogs and improving wait times.

In closing, Mr. Chair, let me say that CIC strives to process applications in a timely manner. We would like to make our way through the backlog as quickly as possible, and we are concerned about the time that people are spending waiting.

Ultimately, it is in everyone's best interest to get people out of the lineup and into the labour market, reunited with their families, or enjoying the protections and freedoms that Canada offers as quickly as possible.

[Translation]

Thank you, Mr. Chairman. We are now ready to take any questions that you may have.

[English]

**The Chair:** Thank you, Mr. Linklater.

Before we proceed, could I ask Mr. Dykstra—and unfortunately I don't think we've raised this in the past—whether the minister would be available to come to this committee sometime in the future to give his comments.

**Mr. Rick Dykstra:** Actually, it's a timely question. I had a chance to speak to the minister—and I spoke with Mr. Davies about this, and he's in agreement—that we allocate an hour on Thursday for the minister to appear before committee to allow him the same opportunity....

He's indicated to me that he's quite willing to come and he would like to participate. If it's okay with you, Chair, we'd be happy to have him here on Thursday for an hour.

**The Chair:** Mr. Lamoureux, you're okay with that?

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** I would be most comfortable if he wanted to stay for a couple of hours, quite frankly.

**Mr. Rick Dykstra:** I'm sure he would—

**Mr. Kevin Lamoureux:** Any time we can get with the minister would be great, Mr. Chairperson.

The only thing I would ask Mr. Dykstra is whether he could look into the possibility of how we might rework that particular question-and-answer opportunity. I'll just leave that for now, but that would be nice.

**The Chair:** Mr. Davies.

**Mr. Don Davies (Vancouver Kingsway, NDP):** Thank you, Mr. Chairman.

I couldn't help but overhear a little of what you were saying to the clerk. We will have to rework some of the witnesses who are coming, but if I'm not mistaken, we dedicated eight days to this study and we do have one floater day in there. So I trust that we won't lose witness time.

**Mr. Rick Dykstra:** Agreed.

**Mr. Don Davies:** Fair enough.

**The Chair:** With some of the past work we've done, the minister has come—I can't speak for every time—at the beginning and he's come at the end. There's nothing to say that at the end he might not come for another hour, but we'll see.

Thank you very much, Mr. Linklater, for your presentation. The committee members will have some statements and questions.

Ms. James has up to seven minutes.

• (1125)

**Ms. Roxanne James (Scarborough Centre, CPC):** Thank you, Mr. Chair, and I'd like to also thank our witnesses today for delivering their speeches.

I have a couple of questions.

From listening to your speech and from researching it myself, I think we can all agree we have to have practical and realistic limits to how many people we can welcome into Canada. There are many things we have to consider. We need to make sure we have the proper resources for settlement services. We want to make sure people can come to Canada and pick up one of our languages—learn either French or English. And of course there are also the added costs related to health care for new people coming into Canada.

I'm wondering if you could expand on these practical limits—why they are necessary—and also comment on why Canada, for a very long time, has had to have these limits in place.

Thank you.

**Mr. Les Linklater:** As I mentioned in my opening remarks, a number of factors are taken into consideration as we develop recommendations for the annual levels plan. Certainly looking at the capacity of communities on the ground to be able to welcome newcomers is one of the key considerations. Canada is quite generous with its model in terms of the funding that is made available for settlement services to help newcomers transition into Canadian society in the labour market. We've had a tripling of settlement funding since 2006 to provide additional services around official language training as well as labour market integration supports and also helping newcomers understand how the Canadian system and society work, in terms of accessing banks or finding affordable housing.

As we look at the levels plan and traditionally bringing in between 240,000 and 265,000 people every year, folks tend to choose known destinations, which means from some perspectives a disproportionate share of newcomers are attracted to our larger cities. That's where they find community supports like ethnic communities and certain things that are familiar to them. We have to be mindful of the settlement patterns of individuals as we develop the levels plan. For example, 100,000 people moving into the GTA every year could place a considerable strain if the infrastructure isn't there.

As we look at the levels plan and understanding the impact on communities, our work with the provinces and territories is very important as we sort through the various pressures we face, whether it's growing supply for the labour force through economic immigration, both federally and provincially selected, or looking at family reunification and ensuring that we're reuniting immediate spouses and partners and children with their Canadian relatives on a priority basis, as well as providing protection to those who need Canada's support, so understanding the strains and opportunities for various communities across the country. One of the key benefits of the provincial nominee program has been that settlement has been dispersed more broadly than has been the case in the past, outside of Toronto, Montreal, and Vancouver, so we're now seeing a growth in immigration levels to Atlantic Canada and western Canada as well.

**Ms. Roxanne James:** Thank you.

I also have a question regarding the projected backlog in future years. Information that was handed out indicates that we have one million plus currently in backlog. That's a huge number. I wonder, given the current timelines for that backlog to be processed, what you project the backlog would be, let's say in the year 2020, and how long you think people will be waiting at that point to get into Canada.

**Mr. Les Linklater:** It's a very good question. Again, as I mentioned in my opening remarks, with the skilled worker category and with the ministerial instructions authority, we feel we're on track to reduce that backlog in the next six to seven years, all things being equal. I think where we do face some additional pressure, as I also mentioned, is in the family reunification stream, particularly for parents and grandparents. With current application rates we're seeing about 35,000 to 40,000 new individuals joining the queue every year. As we look at traditional levels within the levels plan, admissions of between 15,000 and 18,000, we see that we're quickly becoming further behind in terms of our ability to be timely in processing those applications. Our expectation would be that with

current trends parents and grandparents would grow to be somewhere in excess of 350,000 by 2020.

• (1130)

**Ms. Roxanne James:** How long do you think that would take to process at that time?

**Mr. Les Linklater:** With current trends around the levels plan, that would probably take us about 15 to 20 years.

**Ms. Roxanne James:** Okay. That's unbelievable. Thank you very much.

You mentioned parents and grandparents and family reunification. The information I have on hand indicates there are about 150,000 parents and grandparents currently. I think you mentioned 165,000 was a seven-year wait. I wonder if you could break that down and tell us the percentage of grandparents in that group versus parents. I want to understand whether we have a larger volume of one or the other.

Thank you.

**Mr. Les Linklater:** Grandparents are actually a small number within that overall inventory. Our most recent figure is that about 2% of the parent and grandparent movement is made up of grandparents.

**Ms. Roxanne James:** Okay. Thank you very much.

I also want to touch base on family reunification. There's another category that's been grouped together, which is spouses and children, and I guess others are grouped into that as well. I was wondering if you could kind of break that down as well, to let us know the volume of dependent children that are also waiting to get into Canada.

**Mr. Les Linklater:** Within the overall movement, I'd have to get back to the chair with the statistics on what proportion are spouses or partners versus dependent children. We see intake of about 40,000 to 45,000 spouses, partners, and dependent children every year, and those applications are placed directly into process.

**Ms. Roxanne James:** Okay. Thank you.

I have one last question. Hopefully I have time to ask and you have time answer this question. This is a very specific question. What proportion of the annual immigration target for federal skilled workers is filled by processing applications in the inventory prior to February 27, 2008?

**Mr. Les Linklater:** That will vary year to year. For example, in 2008 almost all of our skilled worker admissions came from the pre-C-50 backlog. If it would be all right with the chair, we can provide the specific breakdown to the committee for distribution.

**The Chair:** Please send that to the clerk.

Thank you, Ms. James.

Mr. Davies, go ahead, please.

**Mr. Don Davies:** Thank you, Mr. Chair.

Thank you, Mr. Linklater. We're having our bi-weekly meeting, it appears.

Mr. Linklater, how many total applications are we receiving, on average, say over the last five years?

**Mr. Les Linklater:** Across all categories?

**Mr. Don Davies:** Yes.

**Mr. Les Linklater:** I'm not sure if we have that figure available at hand, Mr. Davies. We'll certainly see if we have it.

**Mr. Don Davies:** Can you give me a ballpark estimate, nothing I'll hold you to, but—

**Mr. Les Linklater:** Annual intake is probably in the range of 300,000 or more. About 289,000 in—

**Ms. Claudette Deschênes:** That was January to June. So it's about 424,000.

**Mr. Les Linklater:** In calendar year 2010, it was 424,000.

**Mr. Don Davies:** Okay, 420,000. Thanks.

I want to understand the numbers a little bit. I don't know if you have in front of you a document prepared by the analyst for this committee. It's got the table that totals the categories that lead up to the backlog of over a million applications worldwide. As of December 31, 2010, it says skilled workers—

**The Chair:** For the record, Mr. Davies, that document was prepared only for the MPs, so it's confidential to the members of the committee. You may want to rephrase your question.

**Mr. Don Davies:** Okay.

You may not have seen this, but information prepared for us says that there are 507,000 skilled worker applications in the backlog, with another 32,000 from Quebec, for a total backlog of skilled workers at 539,000 as of December 31, 2010.

In your presentation today, if I'm understanding correctly, you're saying that there is a backlog of 314,000 out of the second quarter of 2011, a more current number, and then there are another 140,000 individuals in the inventory. So am I correct in saying that the current inventory backlog in skilled workers is about 450,000—that is, the 314,000 plus the 140,000?

• (1135)

**Mr. Les Linklater:** That's correct.

**Mr. Don Davies:** Is that number of 539,000 as of the end of last year maybe an error, or have we reduced from 540,000 to 450,000 in the last six months? Or am I missing something?

**Mr. Les Linklater:** The number you have in front of you would reflect the number of Quebec applications that we also process. So the 32,000 you referred to would be at the end of December the number of applications we have from the province of Quebec, which we would then process after it has issued a *certificat de sélection du Québec*. But at the same time, I think it's important to unpack the numbers. I can appreciate that it is confusing. We have the backlog of applicants who applied before February 28, 2008. That number is about 314,000.

As I mentioned, with the first set of ministerial instructions, or MI-1, we used an occupational filter that we thought would be the best way to manage intake towards the 38 occupations that were identified—

**Mr. Don Davies:** Mr. Linklater, I'm sorry to interrupt you, but I've limited time.

I understand how the MIs were, but it's the raw numbers that I wanted.

**Mr. Les Linklater:** Okay, so within MI-1 our intake exceeded our expectations, and we still have about 140,000 people who applied under MI-1 who we still need to process.

**Mr. Don Davies:** Okay.

What is the most current number you have for skilled worker applications in the backlog today?

**Mr. Les Linklater:** All in? I think Madame Deschênes is looking for that number. It would be lower than the number you have here.

**Ms. Claudette Deschênes:** The number I have for June 30, 2011, would be 482,117.

**Mr. Don Davies:** Okay.

I'm going to put these questions to the minister when he comes on Thursday. Minister Kenney gave an interview just last week, September 28, in *Embassy*. In answer to the backlogs he said:

When we came to office, we had a total backlog of all immigration categories of about 850,000 with average wait times of seven years. That's because, on average, the previous government was accepting over 400,000 applications per year, with a legal responsibility to process them. But [they] were only admitting, on average, 220,000 over the course of 13 years. So that meant, every year there was a huge surplus of applications, over admissions, that led to this 800,000- to 900,000-person backlog.

And finally he said:

...on the federal skilled worker program, where we have seen the total backlog go from 640,000 three years ago down to about 430,000 now.

So bear with me on the math here, because I'm trying to understand this. Mr. Kenney said the backlog was created under the Liberals because they were admitting an average of 220,000 per year. Over the last five years, we have admitted an average of 253,000 per year. Is that correct?

**Mr. Les Linklater:** Yes.

**Mr. Don Davies:** So we've increased the number of people we're admitting per year.

He said the reason the backlog was created was because the Liberal government was accepting 400,000 applications per year. If we started in 2006 with a backlog of 850,000 and we've reduced the backlog in the skilled worker category by 210,000, as Minister Kenney said and as your numbers confirm, then the fact that we have a current backlog of over one million means that we've seen an increase of over 350,000 in the other categories. Can you explain why that is the case?

**Mr. Les Linklater:** think when we look at all of the backlogs across the program, for those who applied as skilled workers prior to February 2008 we had 640,000 in that category alone prior to ministerial instructions. As of the end of June of this year, that number of people had been reduced to about 314,000. But we did get more under ministerial instructions, MI-1, than we had anticipated. So progress there overall, in skilled workers, isn't as great as we had hoped.

The other increases across the program represent significant and ongoing applications under the parents and grandparents class, for example. We've also seen growth in other areas, like the provincial nominee program. That's been accommodated within the levels plan that's resulted in fewer skilled workers or parents and grandparents being processed.

• (1140)

**Mr. Don Davies:** Now, CIC figures on your website reveal that for the first five years of the Conservative government, 2006-2010, family class visas have been cut 14.6%, 70,000 to 60,000, and spousal visas have been cut 10%, 45,300 to 40,700. Both of those have been reduced every single year, and parental visas have been cut 23.4% over the same period. Could it be that one of the reasons there's a growing backlog in the family class is not only because we're receiving more applications but because we're also issuing fewer visas?

**Mr. Les Linklater:** If we unpack the trends that we've been seeing, particularly on the family class related to spouses, partners, and dependent children, I think the number of new applications has actually declined year over year for the past number of years. We've actually seen the number of visas reduced because the demand has not been there. Canadians, permanent residents, have not been sponsoring their immediate family in the same numbers as has been previously the case.

I think if we look at the parents and grandparents admission numbers along with the levels plans for the last couple of years, you'll see that consistently parents and grandparent admissions have been in the range of about 15,000 to 20,000 over the course of that period.

**The Chair:** Thank you.

Mr. Lamoureux.

**Mr. Kevin Lamoureux:** Thank you, Mr. Chair.

If I were to make a statement that limiting the intake and deciding the right mixture of immigrants is probably the most important thing a committee of this nature could do in terms of trying to address the backlog, and that in fact staffing levels are not necessarily the issue in terms of processing the targets in a timely fashion, would those comments be fair to make this afternoon?

**Mr. Les Linklater:** Well, ultimately it's the responsibility of the minister to table the report in Parliament every year by November 1, and he does seek the views of a number of stakeholders in developing that plan. I understand that most recently a letter was written to him from the official opposition outlining views on the levels planned, so he does take that information into consideration.

**Mr. Kevin Lamoureux:** The actual staffing levels around the world where the immigrants are being processed are not really the issue. Is that a fair assessment in terms of meeting the targets?

**Ms. Claudette Deschênes:** I think that's correct. I do think that CIC is working very hard to modernize how we deliver to ensure we have more flexibility in the system. There are a lot of things that we've been doing to give us more flexibility and become a little more efficient with what we have.

**Mr. Kevin Lamoureux:** The issue is not staffing when we deal with grandparents and parents. It's strictly a numbers game: if we have too many parents applying that exceed the target, that creates the backlog. It's not the staff.

**Ms. Claudette Deschênes:** That is correct, although I think there are things we want to do in terms of how we process parents and grandparents, because anecdotally we're getting a lot of information from the field that parents and grandparents don't always do what we ask them to do quickly. So from an efficiency perspective, that is one of the problems we've had in terms of meeting our levels, because if people take longer to do their medical—

**Mr. Kevin Lamoureux:** I have limited time. I understand that, okay?

**Ms. Claudette Deschênes:** Okay. Sorry.

**Mr. Kevin Lamoureux:** If you have 10,000 parents and grandparents in total making application, and there is no backlog, we wouldn't have a problem in terms of processing those within nine months—at least 80%—and that's correct.

**Ms. Claudette Deschênes:** Assuming there was not a medical problem or whatever, absolutely.

**Mr. Kevin Lamoureux:** That's right, and 80%-plus would be processed within nine months. I think that's an important point.

I want to pick up on the provincial nominee program. It's a program that in my opinion is one of the most successful that was brought in—a Liberal program, I must say to my NDP colleague. Having said that, Manitoba has done exceptionally well as a province compared to any other province in Canada with that particular program. If the uptake on that program is picked up from other provinces, what impact would that have on Manitoba's ability to issue as many certificates? Can you provide a brief comment on that?

• (1145)

**Mr. Les Linklater:** Yes, sure. As I mentioned, we work very closely with the provinces as we develop our levels plan, including the targets for the provincial nominee program within the overall economic component. Recognizing the trade-offs and the competing pressures we have between federal and provincial programming, and economic, family, and refugee, we do set a limit every year through the levels plan on the number of provincial nominees who are allowed forward every year.



**Mr. Kevin Lamoureux:** Okay.

**Mr. Les Linklater:** Within that pool, the provinces have their traditional allocation. As we move forward with them on a longer-term planning horizon, we would like to see the provinces work with us to find an equitable distribution for those allocations.

**Mr. Kevin Lamoureux:** You have ongoing discussions with the different provinces. Does the department have a breakdown of which provinces are issuing what numbers of certificates and how many immigrants that works out to per certificate?

**Mr. Les Linklater:** Yes.

**Mr. Kevin Lamoureux:** Can the committee be provided a copy of that, along with any sort of anticipation...? For example, is the Province of Ontario looking into the program and is it growing the demand in Ontario for that program? What about out on the east coast? I know that Manitoba would love to have more.

**Mr. Les Linklater:** All provinces would love to have more.

**Mr. Kevin Lamoureux:** All would. So if we can get an assessment as to where each province is at and of where we can anticipate the growth is going to be coming from in those provinces, because I think that will have an impact on it...

**Mr. Les Linklater:** We can provide that information to the clerk.

**Mr. Kevin Lamoureux:** In breaking down the grandparents versus the parents, you mentioned that the grandparents were roughly 2%. I think hard numbers would be beneficial. I don't need that number right now.

What really interests me is the number of parents in that process who would be under 55. Do we have any ability to draw out that sort of a statistical number?

**Mr. Les Linklater:** I believe we can provide information based on the inventory by age.

**Mr. Kevin Lamoureux:** I would—

**The Chair:** Thank you.

Mr. Weston.

[Translation]

**Mr. John Weston:** Thank you, Mr. Chairman.

Thank you to our guests.

As was the case the last time you visited with us, we are very impressed by your knowledge of statistics. I believe that, thanks to the knowledge of the challenge you are facing, which is considerable, you have been able to make the progress that we are seeing today.

My first question concerns the use of technology. During your last appearance, you mentioned that you had started using a very efficient system. Could you tell us a little bit more about your use of this electronic system?

**Mr. Les Linklater:** Ms. Deschênes will answer your question.

**Ms. Claudette Deschênes:** I will begin by telling you that I do not know the name of the system in French. The Global Case Management System, or GCMS, is the system that is presently in place abroad and that we are trying to put in place in Canada. The

system will allow us to examine cases differently. At the present time, we examine them from beginning to end in one and the same place. For example, if a case is being dealt within a given post, then it is that post that will deal with it from beginning to end.

This new system will allow us to decide what must be done in-house by the post and what could be done in a centralized location. It will also allow us to have at our disposal, at the very outset, much more information about the applicant. For example, in the case of an individual who enters as a student and later becomes an immigrant and then a citizen, we will be able to shorten the processing time and reduce the work to be done by an officer.

Secondly, we are working on electronic application systems. At present, we have 2D bar code applications thanks to which public servants do not have to fill in all of the data fields. It is the applicant who does this and the data is then automatically entered into our system. We are moving towards e-applications and e-storage, which will allow us to have in our system the information contained in the documents provided by the applicant. We will then be in a position to follow up.

For example, if I am here in Ottawa, I would be able to see the file of an applicant just as easily as someone in Beijing might be able to do so. As things now stand, visitor requests from China are created in Ottawa in order to facilitate the work. However, this worldwide system will soon allow us to work virtually 24 hours a day, 7 days a week, in order to accelerate processing and provide better service to clients. But we are not quite there yet. There remain several things to be done, but we already have the platform that will allow us to do this.

Let me give you a very concrete example. Let us say that there is an individual wishing to apply for a visitor visa. But because of this individual's occupation, he or she must travel to another country. In the first country, let us say Iran, we can process the application and approve it. That person can then go to our consulate in Washington to retrieve the visa.

This technology will therefore allow us to do much more than what we are able to do now.

**Mr. John Weston:** That is wonderful. Are there other countries that use the same system?

**Ms. Claudette Deschênes:** We know that the United States and Australia have examined the system that we developed in order to determine if they could use it.

• (1150)

**Mr. John Weston:** In your opinion, will this system intervene to directly reduce the backlog, or is there no such link between the two?

**Ms. Claudette Deschênes:** The system will not necessarily reduce the immigration application backlog, which is tied to the levels. However, it will allow the department to use its resources differently.

For example, the Citizenship Program does not set levels as to the determination of the number of applicants to whom citizenship can be granted, and no plan in this regard is required to be presented to Parliament. However, we wish to have resources in order to facilitate the work.

In the end, there are backlogs in all of our business lines. The system will therefore provide us with much greater flexibility. However, the backlog will not necessarily be resolved on the immigration side, given that it is tied to the annual immigration levels plan.

**Mr. John Weston:** Ms. Deschênes, I read that in 2009 you spoke to this committee of your optimism with regard to the centralization of files. Is this centralization linked to the system that you have just described, or are we talking here of two different things?

**Ms. Claudette Deschênes:** They are different. The idea was to have a system that would, among other things, allow us to have a single worldwide workload, which was important based upon the ministerial instructions. The only way to achieve this was to centralize. We have since come to the realization that a lot of things could be centralized, and we are continuing to make incredible strides in this direction, I would say.

**Mr. John Weston:** Have you witnessed an increase in the applications in the other countries following the announcements made with regard to the introduction of new programs? Have people —

**Mr. Les Linklater:** I believe we are not following the trends of other countries closely enough. We know that in Australia, they are constantly increasing the criteria for skilled workers and seeking to improve the application system in order to yearly select qualified individuals from within a pool, rather than having to take care of each and every individual making an application. These are things that we want to study in order to determine if there are some elements that we might be able to use within the Canadian context.

[English]

**The Chair:** You have one minute.

[Translation]

**Mr. John Weston:** I was in fact interested in knowing if what we are doing here, in Canada, is attracting potential applicants. Has this been observed?

• (1155)

**Mr. Les Linklater:** I would say no, given that we have not yet reached the ceiling of 10,000 applications set out in the third set of ministerial instructions, or MI-3. In the case of certain occupations, we have indeed reached the ceiling, but we have not globally attained the 10,000 potential applications.

**Mr. John Weston:** Thank you.

Thank you, Mr. Chairman.

[English]

**The Chair:** Thank you, Mr. Weston.

Ms. Groguhé.

[Translation]

**Mrs. Sadia Groguhé (Saint-Lambert, NDP):** Thank you, Mr. Chairman.

Mr. Linklater, I have a question for you. If I am not mistaken, there are two processing levels that are provided for, one for new applications and one for applications contained in the backlog. I would like to know which CIC offices have the most backlogs at the

present time and which of them have the greatest number of recent applications.

**Mr. Les Linklater:** I would say that, worldwide, it is New Delhi that has the most backlogs, especially in the economic class. We are also at work in other posts, in particular that of London, where we have consolidated the processing for applications from Northern Europe as well as from Pakistan.

I believe Ms. Deschênes could provide more details in this regard, but, globally speaking, I would say that it would be New Delhi and London.

**Mrs. Sadia Groguhé:** What you are telling me relates to the backlogs, correct?

**Mr. Les Linklater:** Yes.

**Mrs. Sadia Groguhé:** In what offices are you registering the new applications?

**Mr. Les Linklater:** The centralization for skilled workers has made this much more manageable, because we have a limit of 10,000 new applications per year.

With regard to the family class, for example, we are seeing the highest numbers of sponsorship applications in India, the Philippines and China.

**Mrs. Sadia Groguhé:** Would it be possible for us to have those tables?

**Mr. Les Linklater:** Yes, we have statistics that we could provide to the clerk.

**Mrs. Sadia Groguhé:** Perfect.

I have another question, this one pertaining to the visa offices where the delays are the longest. What concrete explanation have you for this situation?

**Ms. Claudette Deschênes:** The delays, in those missions registering the largest number of them, are due to the backlog. These posts receive many more applications and these applications remain in the basket until they become files to be processed.

It is true that it can take much more time because we are waiting longer. In the end, what we see is that when a file is being processed, for example in New Delhi, it is probably dealt with as quickly if not more quickly than in the majority of our posts.

The problem is the time it takes before a file begins to get looked at.

**Mrs. Sadia Groguhé:** That is what I would like to understand. When you are dealing with new applications and are looking at the backlog, how do you go about concretely organizing the work so as to some extent achieve viable timelines?

Concretely, how do you go about shortening timelines that can extend for as long as 10, 15 or 20 years?

**Ms. Claudette Deschênes:** To date, we have tried to ensure that, for those files having moved into the active stock, we would not have to redo medical examinations or repeat requests for documents, which is not a very efficient way of doing things. Up until now, that has been one of the approaches used to move forward. We concentrated on the second and third sets of ministerial instructions in order to have these files move forward.

We are looking at how we could make headway with these files, in order to ensure that they move forward at a pace that will allow us to process files as quickly as possible. This is why the Global Case Management System is very important to us. It will allow us to hopefully review and process files within a global inventory, rather than post by post.

With the funding received, for example for the Action Plan for Faster Immigration, we have tested a few innovations in order to move files forward. For example, we transferred the New Delhi files to Warsaw, because the people in Warsaw no longer required visitor visas. We are constantly seeking ways of accomplishing this.

● (1200)

[English]

**The Chair:** Thank you.

Mr. Menegakis.

**Mr. Costas Menegakis (Richmond Hill, CPC):** Thank you, Mr. Chair.

Thank you so much for being here with us today and for your insightful feedback.

I have a number of questions that I put together, and I want to try to get them all into my five minutes.

Under the legislation created by the Liberal government in 2002, is it true that Canada has a legal obligation to process every single application, no matter how many applications are received in a given year?

**Mr. Les Linklater:** Under IRPA, yes, we have the obligation to process every application we receive, with the exception of those who applied after 2008 in the economic class, to which the ministerial instructions have been applied.

**Mr. Costas Menegakis:** It would seem to me that anyone with a basic sense of arithmetic would see that this legislation the Liberal government introduced in 2002 has resulted in the backlogs we're dealing with today. Would you care to comment on that?

**Mr. Les Linklater:** I think at the time we did not see the influx of applications that we've seen more recently. There have been a number of recent studies.... One that came out earlier this year indicated that hundreds of millions of people, if given the opportunity, would choose to come to Canada. So I think as we see the forces of globalization continue and people understand better what Canada has to offer, we are an attractive destination.

**Mr. Costas Menegakis:** Sure.

We're looking at a backlog today of about one million. What was the backlog at the end of 2005, beginning of 2006? Would you have that number?

**Mr. Les Linklater:** Across all categories? I think we would have to provide a more specific breakdown, but I think it's likely in the area of about 800,000. We can provide that information to the clerk.

**Mr. Costas Menegakis:** It was 800,000 at the beginning of 2006 and it's one million today. So it's fair to say that we inherited a huge problem back in 2006.

**An hon. member:** [Inaudible—Editor].

**Mr. Costas Menegakis:** So the majority of the backlog developed under the previous Liberal government.

**The Chair:** Try not to bait the opposition too much, Mr. Menegakis, please.

**Mr. Costas Menegakis:** Well, thank you very much, but I think it's important, Mr. Chair, for all to realize, and for Canadians to realize, where this backlog was created. We are dealing with this problem every single day in our offices.

My next question has to do with the federal skilled worker applicants. I wonder if you could comment on how the profile has changed since the action plan for faster immigration was implemented.

**Mr. Les Linklater:** I would say that with the human capital model that's been in place since 2002, we have seen considerable increases and improvements in the outcomes for federal skilled workers, whose performance had been declining prior to that.

We've actually completed an evaluation, which is on our website, of the federal skilled worker program. Actually, our backlogs were helpful in terms of the methodology for the evaluation. We were bringing in people at the same time into the same labour market conditions, people who had been selected both under the previous occupations-based grid and the human capital model.

The evaluation has proven that those who are selected for their higher levels of official language ability and higher levels of education, and especially those who are coming to a job lined up with an employer, tend to do exceedingly well. In fact, they exceed average earnings of their Canadian-born counterparts within three years.

So we would see that things have changed fairly dramatically. With the action plan and some of the changes that have been put in place more recently, such as mandatory third party language testing, we've seen improvements in terms of our ability to process more efficiently. Applicants no longer have the opportunity to provide us with a written submission, which does not really tell the visa officer how well the individual comprehends or is able to express themselves in English or French. With third-party language testing, we now get results around the four dimensions of reading, writing, comprehension, and expression.

This is done in a secure way. It allows us to have more confidence in the language ability of the individuals we're selecting. They're doing that before they actually apply as skilled workers, so the completed application is coming to us much more readily than was the case in the past.

My colleague alluded to the fact that this has helped improve the efficiency of processing. Ultimately it will improve their outcomes further as we have a better measure of their official language ability.

● (1205)

**The Chair:** Thank you.

Mr. Opitz.

**Mr. Ted Opitz (Etobicoke Centre, CPC):** Thank you, Mr. Chair.

First of all, I'd like to thank our witnesses for being here today. I have worked for the minister as a staffer for two years, and I've been able to see at close quarters the dedication and commitment that the department applies to everything it does. I thank you for your hard work along that line.

Yes, Mr. Chair, I won't beat up on the opposition too much, but I know the claims have been that they wanted to clear the backlog. However, that has been opposed at every measure. In 2008, when this government introduced measures to put caps on the number of people who could apply through the federal skilled workers program, that was opposed vigorously.

Some time has now passed. That measure was necessary, and it appears to have been successful. What was the backlog when the measure was finally passed?

**Mr. Les Linklater:** Do you mean in the skilled worker category?

**Mr. Ted Opitz:** Correct.

**Mr. Les Linklater:** It was about 641,000 skilled workers.

**Mr. Ted Opitz:** Has it decreased since that was introduced?

**Mr. Les Linklater:** For that cohort, for those who applied before February 2008, the number is now 314,000.

**Mr. Ted Opitz:** So it has come down significantly.

What would you say would be the projected backlog and wait times if the measures had not been introduced?

**Mr. Les Linklater:** It's hard to say, but I would expect that for the skilled workers alone, over the course of three years we would likely see a backlog of about a million or more.

**Mr. Ted Opitz:** In your opinion, have these measures been successful in achieving that goal in reducing the backlog?

**Mr. Les Linklater:** I think it's been very helpful to have an additional tool to be able to manage intake at the outset. As we find our feet as a department with subsequent iterations of ministerial instruction—so trying the occupational filter did help in the first instance, although we did receive more under MI-1 than we had anticipated—moving to MI-2 with the hard numerical caps further helped us with managing intake. And then refining the hard number for the numerical cap with MI-3 is going to allow us to churn through the MI-1 and return to the pre-C-50 backlog sooner than might have otherwise been the case.

**Mr. Ted Opitz:** Does the department have a sense of how many people such as skilled workers have abandoned their application and chosen to immigrate to another country because the backlog and wait times were too high?

**Mr. Les Linklater:** In terms of immigrating to other countries, no, we're not able to track that information with partners like Australia and New Zealand. We do know that when we implemented ministerial instructions we wrote to all the applicants who were in the backlog at the time and offered to refund their processing fees if they chose to withdraw their application and reapply under ministerial instructions. The take-up was very low, in the hundreds, out of the 640,000. Very few people actually took up the offer, I assume because they felt that with the obligation to process their application we would get to them at some point and that Canada offered them opportunities they wanted to exploit.

**Mr. Ted Opitz:** Given the strong interest in the federal investor program, the large sums of capital people are willing to invest, and the historic level of around 2,500 per year, why is the cap set at 700 under MI-3?

**Mr. Les Linklater:** That's a very good question.

I think it relates back to our inability previously to control intake, where we have now about 27,000 applications representing about 80,000 people under the investor category waiting to come forward to Canada. Again, we look at the levels plan and balancing the various priorities and imperatives among skilled workers, investors, provincially selected economic workers, and family-class refugees. Our recommendation was that we limit the intake of new applications to 700 to allow us, then, to draw down the backlog that had accumulated under the old program in the previous net worth and investment amounts.

**The Chair:** Thank you.

Ms. Sitsabaiesan.

• (1210)

**Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP):** Thank you, Mr. Chair.

I will go back to talk about the backlog and the numbers you provided earlier. We've seen that the backlog has grown to over one million. You're saying that skilled worker backlog and family-class backlog is actually decreasing, so where's the actual backlog coming from? Where is the increase that we're seeing coming from?

**Mr. Les Linklater:** To clarify, Mr. Chair, the number of backlog applications we had as of February 2008 has been cut on the skilled workers side to 314,000. To that number we have to add approximately 140,000 applicants who applied under MI-1 and then a number who've applied under MI-2 as well, who we're moving to process more quickly. On the family class for spouses, partners, and dependent children, there is a working inventory but no backlog. Those applications are placed into the processing immediately on receipt. I think we're doing about 75% within 12 months of receiving, and we're working to improve, as we mentioned at our last appearance.

**Ms. Rathika Sitsabaiesan:** Earlier, in answering Mr. Davies' questioning, you said there's a decrease in demand for family class—

**Mr. Les Linklater:** Right. And those numbers have been following year over year to a level—

**Ms. Rathika Sitsabaiesan:** The numbers have been going down—

**Mr. Les Linklater:** —of around 40,000 or 42,000.

Where the growth in the family-class backlog has come from is from parents and grandparents.

**Ms. Rathika Sitsabaiesan:** Okay. You said that was a very small number as well.

**Mr. Les Linklater:** The number of grandparents is small, but the overall backlog of parents and grandparents is now at about 165,000.

**Ms. Rathika Sitsabaiesan:** Earlier, Madam Deschênes, you said that working inventory meant actively processing. Working from that, I'm quoting these numbers from table 2 from the CIC operational database; so this is the permanent resident applicants waiting for a decision. That's the table I'm quoting from when I say these numbers.

**Ms. Claudette Deschênes:** Okay.

**Ms. Rathika Sitsabaiesan:** I broke down the numbers, because the most recent numbers that you provided are for the first three months of 2011, January to March 31. For the time before February 27, 2008, you've processed 3,139 applications. I'm just working with the reduction in your working inventory numbers. Those are the differences I'm quoting you.

If I pro-rate it for the 2009-2010 year, you processed 11,000 and change. The previous year was 4,000 and change. These are all just three-month pro-rated numbers that I'm quoting to you.

For post-February 28, 2008, there were 4,000 in three months, 11,000 in three months, and then 3,000 in three months. At the same time, for processing before 2008, there were 28,000 and change, 16,000 and change, and then 12,000 and change. So I'm seeing an influx of those from post-2008 in the 2009 processing year, but after that there is a drastic decline. Even with the pre-2008 numbers, fewer and fewer are being processed.

How do you decide how you're going to actually get rid of the backlog when the number being processed is declining by over 10,000 each year?

**Ms. Claudette Deschênes:** I'll start. I'm very visual, so I'm going to try to understand what you've just told us.

If we're talking about federal skilled workers—

**Ms. Rathika Sitsabaiesan:** Yes, it's the federal skilled worker program.

**Ms. Claudette Deschênes:** We're trying to get rid of the MI-2 and MI-3, so those are being put into active processing as they arrive. We're continuing the work from MI-1 and pre-C-50 from the perspective right now of those that were already in active processing. We're continuing to move them through selection, the statutory requirement, and so on. We are now looking at what our strategy will be. One of the strategies will be to maximize the use of global case management by centralizing some more work into Canada as we move forward.

**Ms. Rathika Sitsabaiesan:** My question was why it is that fewer people are being processed from the backlog on a year-by-year basis. I'm seeing less and less of the backlog being processed. In the 2009 year, 28,000 cases from the backlog were processed. That was pre-MI-2 and MI-3. In the 2010 year, there were only 16,000, so fewer were being processed. In the current 2011 year, there are only 12,000.

•(1215)

**The Chair:** Could you be quick? We're way over.

**Ms. Claudette Deschênes:** It's because those who came in under ministerial instructions 2 and 3 are being put into active processing. Plus you have to look at the levels plan to see how many are federal skilled workers, how many are provincial nominees.

**Ms. Rathika Sitsabaiesan:** These are all federal skilled workers.

**The Chair:** I'm sorry, you'll have to do it the next round. We're out of time.

Mr. Leung.

**Mr. Chungsun Leung (Willowdale, CPC):** Thank you, Mr. Chair.

My question is quite straightforward. Around the world there is an overwhelming need for people to migrate, whether for economic reasons or because of natural disasters. Countries that are able to take in this migration include Canada, the United States, the U.K., Australia, New Zealand, and maybe some others I don't know about.

Could you give us a sense of whether all these countries are faced with the same issues in their backlog, and perhaps the extent of their issues and how they deal with them? On a comparative basis, could you explain where Canada stands within the world and the Commonwealth of Nations?

**Mr. Les Linklater:** I'll do my best in terms of trying to unpack what I know of our comparator countries.

In the United States most of their economic immigration is driven primarily by temporary entry initially, and then people transition to permanent status once they've been in the United States. The allocation for various types of visas is set by Congress year over year. So for the H-1B visa, which would be a skilled worker, the number is set by Congress, and, relative to the size of the American labour market, is fairly small.

In terms of family reunification, there's a stratification of priority in the American system in terms of spouses and children of citizens, as opposed to their parents or brothers and sisters, whether married or unmarried. In some countries like the Philippines, the waiting times can be longer than 10 or 12 years in some categories.

New Zealand has in the past had a backlog, which they worked to eliminate through legislation. The specifics I'm not up to date on, but essentially they did use legislative authority to eliminate their previous backlog.

Australia has tended to use a comparable system to Canada's in terms of a levels plan that the immigration minister would table yearly and that reflects priorities year over year for the Government of Australia. We've seen in the last number of years their focus on skilled migration increase rather significantly, along with their overall levels, although during the recession they did dial back their overall levels plan.

The U.K. has been, with the current government, looking at options to reduce immigration from outside of the EU to the United Kingdom and are working to ensure program integrity at the same time, particularly as foreign students look to remain permanently in the United Kingdom.

I think it's fair to say that of most immigrant-receiving countries, Canada's approach is fairly transparent and open in terms of the criteria around skilled worker applications, in terms of the accommodation that's made to ensure provincially selected economic immigrants are part of the mix, and, as I mentioned in my opening remarks, by virtue of the fact that our definition of "family" is much broader than that of most other countries, allowing parents and grandparents to be sponsored to come forward.

**Mr. Chungsen Leung:** Thank you, Mr. Linklater, for your very comprehensive reply.

I think what we're dealing with here is a worldwide problem. I am satisfied that we have the tools to handle it. I thank you again.

**The Chair:** Mr. Dykstra.

**Mr. Rick Dykstra:** Thank you, Chair.

I want to pursue the decline. I think you wanted to give a response to the last part of her question and her time ran out, so I want to give you the opportunity to respond to the question she posed, because it's the same line of questioning that I have.

• (1220)

**Ms. Claudette Deschênes:** Maybe I'll start and say that at the end of the day we want to hit the total level, but by category. So you always go back to the annual plan and look at it from that perspective.

In the total scheme of things we wanted to make  $x$  number of federal skilled workers—and Mr. Linklater will tell me the exact number. Then we would look at the proportion to say how many were from the pre-C-50 that we needed to keep moving, and then with our focus on the more recent MI instructions, MI-2 and MI-3.

**Mr. Rick Dykstra:** I think the other part that I wouldn't mind getting you to comment on is the impact the provincial nominee program has had on our federal skilled worker program with respect to the significant increases we have made to the PNP and how that might potentially have impacted this as well.

**Mr. Les Linklater:** Over the course of the last five to six years we've seen what I would term an explosion of demand on the provincial nominee program. Manitoba was an early participant, and I think that is demonstrated and manifested in the absolute numbers of nominees each year, 5,000 for that province.

Other provinces have moved quite aggressively over the last number of years to increase their numbers as well. Historically, if you look at the proportion of skilled workers who have come to Canada between the federal skilled worker program and the PNP, the ratio, you will see, has gone from approximately 95% to 5% to a space where it's probably closer now to 60:40, which means that the levels plan has stayed relatively constant with admissions of 240,000 to 265,000. We have accommodated that growth in the provincial nominee program by reducing the number of federal skilled workers who were processed every year under the levels plan.

We've seen admissions grow from the hundreds to a point where we would expect in 2011 close to 40,000 provincial nominees arriving in Canada.

**Mr. Rick Dykstra:** One of the discussions we're debating, of course, is whether the number should go down, should go up, or should remain the same.

I look to what we did in 2006 in terms of tripling the amount of money invested in settlement funding to assist those new immigrants. If we chart a course that sees a significant increase in the number of immigrants we accept on a yearly basis, if in fact that is a direction the government were to take, can you describe to me our ability to deliver those services, from a settlement perspective? If we were to see an increase like that, how would we contemplate the cost of that, and how would we actually make it work?

**Mr. Les Linklater:** If we were to assume that the amount of money available for settlement and integration programming were to remain stable, any increase in the levels planned would have an impact on the amount per capita that would be available for individual immigrants.

In fact, when we look at our allocation formula for the expenditure of those settlement funds, we use a rolling three-year horizon, which is based on actual admissions, province by province, setting Quebec aside. We would see increases in some provinces, particularly in the west, as we have seen with the growth in the PNP program. We've seen more funds being allocated within our budget to providing services in those provinces, largely at the expense of Ontario, which has seen its share go down.

As we look at any increase or decrease in overall levels, the way we calculate our allocations can accommodate that. But if the overall number grows, then clearly, the amount of money available on a per capita basis declines. You have to look at what suite of services is provided, understanding the importance of official language ability and how you make sure people have what they need to integrate into their communities.

**The Chair:** Mr. Davies will have the next five minutes, and then we'll start all over again. We'll return to seven-minute rounds after Mr. Davies.

**Mr. Don Davies:** Thank you, Mr. Chairman.

Conceptually, Mr. Linklater, a backlog of a million can be dealt with. There are a number of tools, aren't there? One tool is capping applications, but another tool is increasing the level of admissions every year. Isn't that correct?

• (1225)

**Mr. Les Linklater:** There are a number of policy options available to the government, yes.

**Mr. Don Davies:** Increasing levels would be one of them.

**Mr. Les Linklater:** That is a possibility, yes.

**Mr. Don Davies:** There was a consultation on levels done by the ministry this summer. Is that correct?

**Mr. Les Linklater:** Yes.

**Mr. Don Davies:** The minister went across the country and talked to people to solicit their input on levels. Is that right?

**Mr. Les Linklater:** Yes.

**Mr. Don Davies:** A letter was prepared by your department that was sent to those participants. I'm going to read from it:

Every year, we receive many more applications than can be processed resulting in large backlogs in many categories, which in turn have led to long wait times for applicants.

Later it says,

Although increasing levels would be one way to mitigate some of these pressures, it would require broad buy-in from the public, and additional funding.

Can you tell me what the results of the consultations were? Was there broad buy-in from the public?

**Mr. Les Linklater:** I think the reaction was quite mixed with regard to the overall picture. I think the consensus was that we have it about right in terms of the number of people—

**Mr. Don Davies:** I'm sorry, I didn't catch that.

**Mr. Les Linklater:** The plan levels are about right in terms of the number of people who are coming into Canada every year, given the economic situation, the tenuous recovery, and the needs we have to provide for in terms of settlement services.

**Mr. Don Davies:** Those were public consultations, were they not?

**Mr. Les Linklater:** The minister conducted a series of round tables, but there were also online consultations done. I think we received in the order of 5,000 submissions or more.

**Mr. Don Davies:** Could you provide this committee with information on that public consultation?

**Mr. Les Linklater:** Absolutely.

**Mr. Don Davies:** Thank you.

**The Chair:** Send it to the clerk.

**Mr. Don Davies:** Send it to the clerk, of course.

One of the explicit objectives of IRPA is to see that families are reunited in Canada. Correct?

**Mr. Les Linklater:** Yes.

**Mr. Don Davies:** Do you agree that putting caps on spouses or children or even parents may be inconsistent with that goal?

**Mr. Les Linklater:** I think the department's practice of putting applications from spouses and partners into immediate processing reflects the importance that is placed on immediate family reunification.

**Mr. Don Davies:** Is the ministry considering putting any caps on applications in the family class?

**Mr. Les Linklater:** Spouses and partners, as I said, have been a priority for the department and for the minister. In terms of broader policy, discussions, or considerations, I would suggest the minister be asked on Thursday.

**Mr. Don Davies:** Is the department considering putting caps on applications for parents?

**Mr. Les Linklater:** I think, as I said earlier, as we get into the conversation around backlog and managing the longer-term policy options, the minister will have views that he'll want to express.

**Mr. Don Davies:** I just want to come back to understand this number.

In 2006 the government inherited a backlog of 850,000. It's now grown to one million, five years later. But in that time you have cut the backlog in skilled workers, and you testified today that family

class applications have declined. Then where is the increase coming from that has led to the backlog?

**Mr. Les Linklater:** If I could clarify, what we have done is reduce the backlog of the applications of skilled workers who applied before February of 2008. So that number has declined from 640 to 314. With ministerial instructions, MI-1, we received more applications than we had anticipated, and that has added back to the overall skilled worker backlog. So that is one of the issues we've dealt with.

With regard to family class overall, as I've mentioned, the applications of spouses, partners, and children are placed into immediate processing. There is no backlog in that category. Where we have seen the increase in family class backlog is with parents and grandparents.

**Mr. Don Davies:** Now, in terms of refugees, there is no cap on refugees. I believe that under the legislation passed in 2008, there is no cap placed on those numbers. Is that right?

**Mr. Les Linklater:** If I could clarify, we put no limit on the number of individuals who can claim asylum in Canada in any given year. After the determination by the IRB, if someone is deemed to be in need of protection, they are then invited to apply for permanent residence.

**The Chair:** Thank you.

**Mr. Les Linklater:** Where we do—

**The Chair:** I'm sorry. Go ahead.

**Mr. Les Linklater:** If I could just finish, we do have targets for resettlement of refugees from overseas, under both the government-assisted category and the privately sponsored category, where we're moving to increase those numbers, further to legislation passed in 2010.

• (1230)

**The Chair:** Thank you, sir.

We'll now return to a seven-minute round.

Go ahead, Mr. Dykstra.

**Mr. Rick Dykstra:** Thank you.

One of the major issues or clarifications that I think we need to identify here—and I wanted to get both of your comments on it—is that you can look back over the last six years on the investment change in policy, change in legislation in terms of dealing with and processing applications with respect to immigration. I think a lot of people are under the misunderstanding that the time of processing is what's causing the backlog.

I'd really like to get a clarification from you. In describing the actual processing time or the actual process of an application as not being the foundation of the delay, in fact based on the fact that we have such a high backlog that is skewing our numbers. In real effect, if we could actually deal with this backlog, it will clearly show that processing is actually fairly efficient in most of the areas that we cover with respect to immigration.

**Ms. Claudette Deschênes:** Maybe I'll start by saying that is absolutely correct. When we look at the time it takes to actively put a file in processing to finalization, those numbers haven't changed that drastically over the years. What has changed is that the application needs to stay pending until you can move it into active processing. When you move it into active processing is directly tied to the levels plan that we have each year.

There are certain things we as a department can do in terms of ensuring that applications come in, in a more complete way, but the bottom line is they don't get put into active processing in the federal skilled worker, for example, until we have space to process them.

When it comes to immediate spouses or immediate family, those are put in direct processing immediately.

**Mr. Rick Dykstra:** I wanted to get your input. One of the things the ministry has invested heavily in—Claudette, you mentioned it—is the whole global case management system. Could you comment on a couple of things? One, is it up and running up to 100% in all areas of both Canada and internationally? Two, even if we didn't make changes and recommendations based on the review we're doing here, where would we see that the system is going to assist in a continuing downward trend with respect to the backlog?

**Ms. Claudette Deschênes:** It's 100% out overseas. It is being rolled out in Canada now. By June of the coming year we hope to have everything built in global case management, all the different processes that we need to process all kinds of applications.

In the short term it will provide us with opportunities to work in a virtual manner, which obviously is good. I'll bring the example of Haiti, where, if the embassy had to close, if it were in the global case management we could do a lot more.

Again, it will help us to be more efficient. It does not help us in terms of the fact that too many applications are coming in and we have a set number we can process every year. But certainly global case management will provide us with a lot more leveraging. In terms of tools, ministerial instructions or caps, or that type of thing, it permits us to be able to manage that in a much better way.

Of course, the other thing we want to do is manage risk in a more coherent fashion. It will permit us to do more of that.

**Mr. Rick Dykstra:** What do you mean, "manage risk"?

**Ms. Claudette Deschênes:** Right now we put the same amount of effort on all applications. Obviously when we can start looking at applications that are known clients to us—they've applied to us as a visitor before or they've applied as a student before—then there are certain things we can do in a more efficient manner than we do today.

The other thing global case management will do we hope is it will help all MPs in terms of we can be much more proactive in our information to clients. Right now it's difficult for a client whose file is on a shelf waiting to move into active processing to know what's happening with it. What we have already built in global case management is an automatic acknowledgement of receipt when we get the application. And we would like to build that so every six months, for example, an applicant will get an e-mail from us. It may simply be that they're lined up and waiting to be processed, but that would be a lot different from what they get from us now. Again,

from a client perspective, the global case management will give us a lot of tools we didn't have.

● (1235)

**Mr. Rick Dykstra:** One of the programs we put an interim pause on is the entrepreneurial program, based on some issues we have to deal with. I wonder if you could comment on how many complaints or how many issues we've faced from individuals or families commenting on the interim pause, and whether that has been an issue with respect to the file itself.

**Mr. Les Linklater:** To my knowledge, there hasn't been a lot of commentary negatively or positively around the pause. What we do recognize is the program design that we had was not flexible enough to deal with the kinds of entrepreneurial types that would be beneficial for the Canadian economy: people who are prepared to take more risk, who have creative ideas, as opposed to people who may just be interested in buying an existing business in Canada.

So from our perspective, we need to be a little more creative in our thinking and take some time to make sure we're putting forward proposals for a program that will better respond to the variable needs the economy has, in terms of skills, ideas, but also regional dimensions.

**The Chair:** Thank you.

Madame Groguhé.

[Translation]

**Mrs. Sadia Groguhé:** My question pertains to the processing of the backlogs and of the new applications. Given the measures you have taken over time, do you perceive a certain fairness, a certain balance in the processing?

**Ms. Claudette Deschênes:** To date, I believe there has been a certain balance. My aim is to deal with all of the cases as quickly as possible. From a functional point of view, the clearer I am with my immigration officers and office staff as to the way of working, the better it will be, because we will not waste time trying to understand what the instructions are and how things are going.

We are at present studying our instructions for the future. In the end, we wish to be able to say that we have done everything possible to move these files forward and to resolve them as quickly as possible.

We are in the process of studying our strategy. I believe that, to date, there has been a good balance. We must now look at how to go about ensuring the processing of the entire backlog as quickly as possible.

**Mrs. Sadia Groguhé:** Are you planning on having one or more timeframes in each of these categories with regard to the backlogs, and what would the timeframe be? Do you have an idea, or a projection?

**Ms. Claudette Deschênes:** Are you talking about skilled workers?

**Mrs. Sadia Groguhé:** Yes.

[English]

**Ms. Claudette Deschênes:** Do you want to take that, or do you want me to?



**Mr. Les Linklater:** You can take it.

[Translation]

**Ms. Claudette Deschênes:** We are reviewing the schedule that has been put in place.

Another aspect that is difficult to deal with is the refusal ratio, which varies somewhat depending on the category. That being said, we are hoping to put in place a strategy that, if nothing changes, will allow us to resolve all of the delays between now and 2017.

**Mrs. Sadia Groguhé:** Could you provide us with a summary table encompassing all of these schedules?

• (1240)

**Ms. Claudette Deschênes:** We are still working on some of these schedules. As soon as they have been completed, we will be able to share them with you

**Mrs. Sadia Groguhé:** The idea would be to have a comprehensive view, a short or medium term perspective.

[English]

**The Chair:** Go ahead.

**Ms. Rathika Sitsabaiesan:** Going back to working inventory processing, there might have been a little bit of confusion. I've done totals for you now of pre- and post—that's pre-MI-1, pre-MI-2, pre-MI-3—and of all of them together.

These are three-month prorated numbers: 2011 processing was 15,000 and change; 2010 processing was 27,000 and change; 2009 processing was 32,000 and change.

So from 2009 processing to 2011, we're seeing a drastic decrease, from 32,000 to 27,000 to 15,000 each year, within the three-month time. Why is that?

**Mr. Les Linklater:** If we take a step back and look at the annual levels plan, in which we anticipate federal skilled worker admissions over the course of the last three years of around 60,000, that means we're processing to a fixed number every year. With ministerial instructions, if we take MI 3 and put those applications into immediate processing, that accounts for  $x$  of the 60,000, MI-2 accounts for  $y$ —so you have  $x$  and  $y$  within the 60,000—and MI-1 and pre-C-50 would make up the difference.

In 2009, when the ministerial instructions were new and we were centralizing processing, there was a delay in getting the files that qualified under ministerial instructions to the missions for processing, which meant that they were working on the pre-C-50 backlog, on people to whom we owed a decision. That's why you see in 2009 thirty-odd thousand coming out of the backlog, and that number declining as the MI-1, MI-2, MI-3—

**Ms. Rathika Sitsabaiesan:** No, these are total numbers. The 32,000 is total foreign skilled workers. This is coming from the—

**Ms. Claudette Deschênes:** Do you mean pre- and post-?

**Ms. Rathika Sitsabaiesan:** Yes, pre- and post- together come to 32,000 in 2009; pre- and post- together is 27,000—

**Mr. Les Linklater:** Those would be the applications.

**Ms. Rathika Sitsabaiesan:** It's working inventory.

**Mr. Les Linklater:** Right, but each application comes with potentially a partner and/or children. It's also important to remember

that within the skilled worker category, the people we assess for their human capital are the principal applicants, but they also come with spouses and children.

**Ms. Rathika Sitsabaiesan:** So we're processing fewer of the foreign-skilled workers?

**Mr. Les Linklater:** Admissions of 60,000 federal skilled workers would be principal applicants plus their family members, so the 32,000 would be about right in terms of pre-C-50 cases, with the refusal rates that we would have seen.

**Ms. Rathika Sitsabaiesan:** Sure.

What are the reasons that applications are not being put into active processing? Earlier, Claudette, you mentioned.... The numbers I'm quoting are for the working inventory, which means once they're in active processing. Why would they not be put into active processing? What is the reason that there are such long wait times? I know, from the experience we're having out of our offices, that we're having people wait 14 months before they get into active processing.

**Ms. Claudette Deschênes:** It's because once we put them into active processing, we want to touch them as few times as possible. Normally you will initiate medicals at that time, will initiate the security clearances—police certificates and that type of thing—and you will make the final selection decision, and then all of these results will come in, and within a short period of time we'll be able to finalize the case, contact the client, get the passport, issue the document, and expect the people to travel to Canada. They have to travel within the validity of their medical. For us, active processing means we're planning to finalize the case and get these people into Canada.

So we go back to the levels plan. If we don't have space, we get into a problem that too many people are coming for the levels plan that has been approved.

**The Chair:** Thank you.

Mr. Lamoureux.

**Mr. Kevin Lamoureux:** Thank you, Mr. Chair.

I want to go back to the investors backlog. Can you give the hard number of how many we have in the backlog and how many we actually approved in the last fiscal year?

• (1245)

**Mr. Les Linklater:** I wouldn't have the approval rate with me, but we can get that information to the clerk. My understanding is that in terms of overall backlog, there are about 27,000 applications, representing more than 80,000 people.

**Mr. Kevin Lamoureux:** Can you give me a guesstimate as to what number you believe were actually approved in the last year, in 2010?

**Mr. Les Linklater:** I wouldn't....

**Ms. Claudette Deschênes:** I'm getting there.

**Mr. Les Linklater:** I wouldn't want to mislead you, so let's find the right number.

**Ms. Claudette Deschênes:** In 2010 I have an acceptance rate of 80% for investors.

**Mr. Kevin Lamoureux:** What would an acceptance rate of 80% work out to in terms of a number? For example, we have 27,000 in the backlog. I'm assuming you're not talking about 80% of that.

**Ms. Claudette Deschênes:** No. There were 18,000 processed, so it would be about 11,000 people approved through the investor category.

**Mr. Kevin Lamoureux:** If you could provide the actual numbers to the clerk, that would be great.

**Ms. Claudette Deschênes:** Yes.

**Mr. Kevin Lamoureux:** Do you have an assessment of what the dollar value of potential investment would be, if the government were to give that stream a higher priority?

**Mr. Les Linklater:** It would depend on the mix between backlog cases and those that are being processed under ministerial instructions. The newer cases, the 700, represent investment amounts of \$800,000 each, and those prior to ministerial instructions represent \$400,000 each.

I think it's also important to recall that as the program is structured, most of that investment is financed through financial institutions in Canada working with the individual investors, who are actually putting up much less of their own capital but are financing the investment of either \$400,000 or \$800,000.

**Mr. Kevin Lamoureux:** Sure. But any good businessmen would likely be doing that, would they not? They would take a percentage of their net value and would tap other additional finances.

**Mr. Les Linklater:** Right.

**Mr. Kevin Lamoureux:** The bottom line is that it's a significant number of investors, people who are relatively well off, who could be creating jobs.

**Mr. Les Linklater:** Yes.

**Mr. Kevin Lamoureux:** On the issue of dealing with the backlog of parents and grandparents, we know that in the next number of years that backlog is most likely going to continue to increase and get worse. Having said that, there was supposed to be an opportunity for those who were in the process of being sponsored to be allowed special arrangements for visiting visas. Is that not correct?

**Mr. Les Linklater:** Instructions have gone to the field on a number of occasions to reinforce the notion that potential parent and grandparent entrants should be given the maximum amount of time possible and multiple entry visas, if they apply for them. Recently we've made some changes in direction to the field, which Madame Deschênes can expand on, that provide guidance to officers around multiple entry visas and time length.

**Mr. Kevin Lamoureux:** My fear is we're getting far too many visiting visas from parents who are in the process that are being rejected. Is the department tracking that in any fashion whatsoever?

**Ms. Claudette Deschênes:** It was very hard to track in our former system. We're doing a better job now that we've got global case management to track that. We continue to work with the field to make sure acceptance rates for people who are in the sponsorship queue are being facilitated in terms of visitor visas.

There's a whole group of people, of course, who have not been sponsored, and the relatives have arrived in Canada by claiming refugee status or other means where there is a—

**Mr. Kevin Lamoureux:** Not to be rude, but I want to continue. My concern is making sure that those who have a lengthy period of time to wait are provided with the opportunity to be able to visit Canada while they're being processed.

You're nodding yes. I think we all recognize how important that is.

**Ms. Claudette Deschênes:** Yes.

**Mr. Kevin Lamoureux:** Do we have any sense of the approval rating for those visas? I'm thinking of countries such as the Philippines, India, where we know there's a huge uptake and long waiting times

**Ms. Claudette Deschênes:** We don't have historical data. We're starting to collect data and we're looking at that very closely.

**The Chair:** Thank you.

Mr. Menegakis.

**Mr. Costas Menegakis:** Thank you, Mr. Chair.

I want to go back to basics a little bit. It's obvious that the number is growing and something needs to be done. You indicated earlier that one option the government might have for dealing with the backlog is to increase the number of people we admit annually.

I'm wondering how feasible that really is, given that there's an increasing number of new applications coming in all the time. In a previous presentation we were given figures of 43,885,000 hits for the website annually: 56% internationally, 44% from within Canada. One would assume a lot of those would be family reunification issues. That's 120,000 per day.

We can increase the applications, but if something is not done on the other end, I don't see how we can do it. We can't keep increasing the number of people we admit, because we can't take everybody on.

Would you care to comment on that?

• (1250)

**Mr. Les Linklater:** Regardless of the levels that are tabled in Parliament, I think managing the intake of applications is critical, to ensure that the number agreed upon is the number that are processed in a timely way so we can get away from this whole notion of backlogs.

Ultimately it comes down to ensuring that along the continuum the appropriate filters and controls are in place to ensure the desired outcome is facilitated by the inputs necessary to get there, regardless of overall levels.

**Mr. Costas Menegakis:** You can well appreciate the level of frustration the families have.

**Mr. Les Linklater:** Absolutely.

**Mr. Costas Menegakis:** And that translates into how they communicate with us. We are dealing with all of those people who are in the queue already, let alone people who want to come. I think you mentioned 100 million people want to come to Canada. I can understand why, but there are only so many people we can properly admit on an annual basis.

I would have thought—and I think you have answered part of this—that there has to be some combination of perhaps an increase in the number of people we admit and a revisit of the criteria, to make it a little more stringent and less easy for people to feel they can come to Canada. Maybe it's a combination of a pause or a moratorium, although I know some people don't like to hear those words—and neither do I, for that matter, but something needs to be done in order to deal with the backlog and get back to a faster and more efficient system.

The other side is that the easier it is to admit people, the more applications we are going to get. People around the world are looking for a better place to live, and Canada, I would think, would be at the top of their list.

Could you give us a sense of how you allocate staff around the world when you have surges or spikes? We know we have a higher number of applicants from certain countries. How do you transfer people around the world to deal with those volumes?

**Ms. Claudette Deschênes:** Right.

It used to be that we really had to depend on moving people to the spikes. That of course meant our flexibility was impaired, because it depends on the physical plant, which depends on the Department of Foreign Affairs and International Trade, the embassies, and the locations they have.

Every year we look at what the trend is, where we are going, what are the backlogs, and within our resource base we will often reallocate and move people around. For us, in the longer term, this is about leveraging our network and looking at our network in a more virtual fashion. With the global case management, we can start thinking about doing certain things in a centralized fashion in Canada, and only have certain parts of the decision made where you need local expertise.

Of course we also readjust our staff based on visitor trends. For example, when the Canadian tourism industry decided to make Brazil one of our key countries, all of a sudden we were seeing tourism out of Brazil triple, and that means more staff is needed to address that. We send temporary duty and also create emergency positions for short periods of time.

**Mr. Costas Menegakis:** Thank you very much.

Do I still have some time?

**The Chair:** No, you are finished.

Mr. Kellway, we finally, after two hours, give you the right to speak.

• (1255)

**Mr. Matthew Kellway (Beaches—East York, NDP):** Thank you very much, Mr. Chair. I appreciate that very much, as well as your

opening remarks to the committee. I am excited to be here and look forward to working with all of you in a constructive manner.

I would like to thank Mr. Linklater and Ms. Deschênes for coming today and providing such thorough, informative, and patient responses to our questions.

I get the honour to be the last one to test your patience today. I will do so with a very basic question. When and why did this backlog actually start?

**Mr. Les Linklater:** I would say it's a question in two parts and an answer in two parts. With the Immigration and Refugee Protection Act, there were no controls up until 2008 that would allow the limit of intake of applications, and there was a clear obligation within the law that every application received had to be processed to a final decision, whether positive or negative.

In the past, prior to 2002, there was different weighting provided to occupations for skilled workers that essentially allowed them to be processed or not. The process for regulating intake was much more flexible and was frequently used to ensure that backlogs didn't accumulate.

Where we did get into some problems was with the change between the previous act and the current act, where there was a court decision that essentially forced the department to assess skilled worker applicants under both the old and the new system. While this was beneficial for purposes of evaluation, it did cause a considerable draw on our resources and helped to start this notion that backlogs are part of the way we do business.

**Mr. Matthew Kellway:** Okay.

In all of the discussion today, including your opening remarks, Mr. Linklater, the thing that caught my attention is the issue of skilled workers and the backlog there.

Let me start with this. I take it that the purpose of having a special category of skilled workers is really to resolve existing or anticipated shortages of certain skills or human resources in the Canadian labour market as it exists. Is that correct?

**Mr. Les Linklater:** That is correct in part. The human capital model, prior to 2008, did not have an occupational filter that allowed any and all professionals to apply. With ministerial instructions, we looked at how to be more responsive to critical labour market needs back in 2008, thinking about areas where there were, based on evidence, demonstrations of structural shortages in the labour market. That really drove our thinking around the development of that list of 38 occupations.

**Mr. Matthew Kellway:** That is what caught my attention, because when I look at the ministerial instructions that were brought in to deal with the backlog, the criterion that seems to be applied, in terms of the instructions, is really a kind of management or administrative criterion. What strikes me is a kind of disconnect between the instructions that have come forward and the very purpose of having a skilled worker category in the first place.

When I was looking at your opening remarks, I saw that the instructions allowed the minister to limit intake to a line with capacity to process applications. Then I hear the language about managing intake and all of the rest of that. Could you respond to what I am hearing there and whether there is, in fact, this disconnect between the very purpose of having skilled workers and our efforts just to clear this backlog?

**Mr. Les Linklater:** My view of ministerial instructions is that they are very much in part about addressing critical labour market needs. That's why, working with HRSDC, provinces, territories, and stakeholders, we came up with the list of 38 occupations. This narrowed it from a completely open field to areas where we felt the

need was most acute for the labour market at the national level. We recognize that there are other tools, like the provincial nominee program, to address specific regional needs, and, for employers, the arranged employment scheme—which has no intake control at this point—which allows employers to identify key people from overseas who are qualified to do jobs that they have on offer in Canada and who, again, are put into immediate process.

●(1300)

**The Chair:** Thank you, Mr. Linklater and Madame Deschênes. You've given us an excellent briefing and I thank you again.

This meeting is adjourned.

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