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Chair

Mr. David Tilson

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• (0845)

[English]

The Chair (Mr. David Tilson (Dufferin—Caledon, CPC)): Welcome to the immigration committee. This is meeting 80, June 4, and we are studying the temporary resident visas for visitors, pursuant to Standing Order 108(2).

We have two guests with us from the Department of Citizenship and Immigration, both of whom have appeared with us a number of times: Mr. Les Linklater, the assistant deputy minister of strategic and program policy, and Mr. Robert Orr, the assistant deputy minister of operations.

Welcome to the committee. This is the first day of the study. You have up to 12 minutes to make a presentation to the committee.

Thank you for coming.

Mr. Les Linklater (Assistant Deputy Minister, Strategic and Program Policy, Department of Citizenship and Immigration): Thank you, Mr. Chair.

It's a pleasure to be here again. My colleague Bob Orr and I are happy to assist this morning with testimony that we hope will be helpful to you as you undertake your study on temporary resident visas, or TRVs, for visitors to Canada.

As the assistant deputy minister for strategic and program policy, I will provide you with a brief overview of our department's temporary resident visa policies. Then Bob, CIC's assistant deputy minister for operations, will talk about some of the operational issues surrounding this topic.

As committee members are aware, Canada welcomes more than 35 million visitors to our country every year. CIC has two main priorities in this area. First, we are committed to facilitating the travel of legitimate visitors to Canada, while at the same time protecting the health, safety, and security of Canadians. Our TRV policies and programs reflect these priorities.

Issuing visas is one of the core services of Citizenship and Immigration Canada. Because of this, we are always focused on improving our methods of determining admissibility, bolstering medical screening, and reviewing governance, risk management, and performance measurement in order to best serve visa applicants and Canadians.

[Translation]

In recent years, we have made a number of policy changes designed to streamline the process and to reduce irritants for visitors. Let me give you two brief examples.

In 2011, we extended the maximum validity period for multiple-entry visas from 5 to 10 years. This means that holders of such visas—generally low-risk travellers from visa-required countries—can now enter and leave Canada as they please over 10 years, never staying for more than 6 months at a time.

This is a good example of how CIC is facilitating travel to Canada by cutting red tape for visitors, while continuing to responsibly manage our borders.

We have also made changes in order to best protect the safety of Canadians.

[English]

CIC has undertaken a number of initiatives in the context of the beyond the border action plan with the United States. One initiative worth mentioning here, in the context of TRVs, is the systematic information sharing that we are putting in place this year with our American counterparts. By sharing information with the United States on temporary resident applicants—among other foreign nationals seeking to enter our borders—we will be in a better position to detect anyone abusing our two countries' respective systems.

This information sharing builds upon the success of the existing lower-volume information sharing among Canada, the United States, and our other partners in the five country conference, which also includes Australia, New Zealand, and the United Kingdom. These efforts have revealed significant cases of identity fraud, criminality, and other information relevant to immigration security.

[Translation]

Those are just a few examples to illustrate how we try to strike a balance in the area of TRV policies and programs. We must facilitate the arrival of visitors to Canada, who bring with them obvious benefits to our country, while always protecting the health, security and safety of our citizens and residents.

Let me now hand the floor over to my colleague Bob Orr, who will discuss certain operational issues related to TRVs.

• (0850)

Mr. Robert Orr (Assistant Deputy Minister, Operations, Department of Citizenship and Immigration): Thank you, Mr. Chair.

In all its operations, CIC maintains very transparent and accountable service commitments to all of our clients, including—of course—everyone who applies for a TRV.

The department is committed to explain clearly to all applicants what they need to know and what they must do to apply for visas; to make decisions on eligibility and admissibility that are fair, reasonable and comprehensible; to treat all applicant with courtesy and respect; to protect everyone's personal information; to publish our processing times; and to respect our service standard, which is 14 days for visitor visas.

One important expression of our commitment to improve service to applicants and processing efficiency has been the roll-out of global online submission of applications for temporary residency applicants.

[*English*]

Since December, applicants for temporary resident visas, study permits, or work permits have been able to complete their entire application online from almost anywhere in the world. The online application process starts with our popular Come to Canada wizard, which has been on CIC's website since August 2011 and has been used by almost two million people to find out if they are eligible to come to Canada permanently or temporarily.

Temporary visitors can now use the Come to Canada wizard to fill out applications and to submit them online. This makes the entire process much more efficient, both for applicants and for our officials.

Another service improvement worth highlighting is the expansion of our global network of visa application centres or VACs. By increasing our number of VACs currently in operation around the world, we are facilitating the process of applying for visas and travelling to Canada. This in turn makes our country a more attractive destination for visitors and business travellers alike. VACs ensure that the visa applications are complete. This leads to more efficient processing by reducing the number of incomplete applications that are submitted to the visa office and that must be returned to the applicant.

They offer more points of service to applicants around the world who no longer have to spend time and money travelling to a visa office if they choose to use a VAC closer to their home. Visa application centres are also the critical, on-the-ground location for the collection of biometric information from applicants.

Les already mentioned the initiatives we have undertaken within the framework of beyond the border. Biometrics is one that should be highlighted in the context of our discussion of TRVs. Canada is now beginning to use biometric technology to screen visitors from certain countries whose citizens require visas to enter Canada. The use of biometrics, which measure unique physical characteristics such as fingerprints, facilitates legitimate travel to Canada by readily confirming the identity of people applying for visas. It brings our country in line with many others around the world, including all our partners in the five country conference, bolstering our ability to share information internationally.

Last December, we announced the 29 countries and one territory whose nationals will be subject to the new biometric requirement.

We've begun to collect biometric information on a voluntary basis in two of those countries: Colombia and Jamaica. From September to December, we'll be phasing in the mandatory collection of biometric information from the nationals of all the identified countries. The collection of this information highlights the important role that our front-line immigration officers play in protecting the health and security of Canadians and ensuring the integrity of our immigration system. It is the duty of these officers to use their expertise and all available information to assess the admissibility of every individual from around the world who wishes to acquire a TRV and potentially visit our country.

Before issuing a visa to anyone, immigration officers must be satisfied that the applicants are in good health and do not pose a health risk, that they do not have a criminal record, that they don't pose a threat to Canada's security, and that they have not previously violated immigration legislation. Officers must also confirm that applicants have valid passports or travel documents, have enough money to support themselves while in Canada, have sufficient ties to their home country to indicate they will leave Canada when their visa expires, and are not admissible to Canada under the Immigration and Refugee Protection Act.

● (0855)

It's a tremendous responsibility, which our officers around the world carry out with professionalism and with a dedication to service.

An ongoing challenge on the operation side is remaining vigilant about combatting immigration fraud, which in the context of our discussion today includes visa fraud. Fraudulent attempts to acquire visas divert our resources from processing legitimate applications. In doing so, this activity hurts genuine visitors and applicants who are prevented from coming to Canada in a timely fashion. Our immigration officers abroad are trained to prevent this kind of abuse of the system. In combatting fraudulent attempts to acquire Canadian TRVs, some of the things that our officers must be vigilant about include fake bank statements, false letters of employment, and fraudulent letters of acceptance from Canadian schools, among many others.

In recent years, we've undertaken a number of departmental initiatives to respond to individuals who perpetrate visa scams and application fraud, including unscrupulous consultants and other representatives who aid and abet such activities. They often exploit unwitting applicants and cheat them out of large sums of money. Our work in this area includes introducing tougher rules and carrying out public education campaigns.

In our anti-fraud work, we work closely with international partners both within the five country conference and outside it, including in countries where fraud takes place. For example, in recent months our immigration officials on the ground in Punjab, India, supported local officials in investigations that resulted in criminal charges being laid against three individuals for producing counterfeit Canadian visas and in a prosecution being initiated in Chandigarh of a suspect impersonating a Canadian visa officer.

[*Translation*]

It goes without saying that anti-fraud efforts remain a priority for us in our ongoing work to bolster program integrity.

Les and I would now be happy to talk in more detail about any aspect of our opening remarks, or anything else that committee members would like to ask us about this topic.

Thank you very much.

[*English*]

The Chair: Thank you, Mr. Orr.

Mr. Opitz has some questions for you.

Thank you.

Mr. Ted Opitz (Etobicoke Centre, CPC): Thank you, Mr. Chair. Through you to both our witnesses, thank you very much for being here.

You talked about the website as well, Mr. Linklater. I remember sitting in on some of those focus groups and listening to the reaction from people who were using it. It's a very good tool and it was accepted very quickly. Well done on all the work you did there.

You've extended the long-term visa to 10 years, and the temporary residents' stay is six months. Why isn't it nine months?

Mr. Les Linklater: As a matter of policy we look at a number of comparators, including what other countries do, as well as the opportunities that Canadians have when they travel abroad. From our perspective, in terms of risk management—and I'm sure Bob would like to add to this as well—six months seems a reasonable amount of time to ensure that an individual is not planning to remain in Canada indefinitely and that the purpose of their visit is tied to a temporary stay.

We do have streams under permanent immigration for people to come for longer terms, including for work and for study. Essentially, this is a matter of policy, and we actually increased to six months from three months with the introduction of the Immigration and Refugee Protection Act in 2002.

Mr. Ted Opitz: In 2012, how many visitor visas did we issue? How did that compare with previous years?

Mr. Les Linklater: I think Bob will be able to speak to the operational statistics.

I will just open by saying that the number has been increasing year over year, exponentially in some markets, particularly in China, India, and Brazil.

Mr. Robert Orr: Essentially, 1.2 million visitor visas were issued last year, which was close to a 10% increase on the year before. We're seeing a very large increase, particularly in certain markets.

Mr. Ted Opitz: Did you say the application rate is about 35 million per year?

Mr. Robert Orr: That's the number of visitors who come to Canada each year, but a large number of those people do not require visitor visas.

Mr. Ted Opitz: This is true. Correct.

Thank you.

On a typical day at a visa office, how many applications would an officer have to review? There is a lot of pressure to do that because I'm sure they have a mountain of applications to look at daily. Do they have a fair amount of time to be able to evaluate all of those applications?

● (0900)

Mr. Robert Orr: That's an interesting question, and it's hard to give a very straightforward answer to it because it depends a little bit on the quality of the applications and the nature of the environment in which they are working.

There are certain environments where the level of risk is very low. In other words, most of the applications are quite straightforward. In those sorts of environments these officers can get through a very large number of applications, 40 to 60 in the course of a day, going through very rapidly. There might be other environments, however, where the applications are problematic, and therefore the officer is going to have to take a considerable amount of time to investigate things and potentially have an interview with the applicant. It can be a far slower process. It's very difficult to give an average, or the average doesn't become terribly meaningful.

Mr. Ted Opitz: When someone is refused, what happens?

Mr. Robert Orr: When anyone is refused a visa, it's after very careful consideration of all aspects of the application. Then the individual would be given a letter, which tends to be a template letter, that indicates the reason for that refusal.

Mr. Ted Opitz: Do they have an opportunity to appeal that decision if they disagree with it?

Mr. Robert Orr: There are two avenues if one is refused a visa.

The first is to submit a new application with additional information that might be used to render a different decision. That process is used quite extensively. The other alternative is an appeal to the federal court.

Mr. Ted Opitz: What's the overall, actual cost of processing these visas? When was the last time that fee was updated?

Mr. Robert Orr: Fees were updated about 15 years ago. We have a differential fee. The fee for a multiple-entry visa is \$150, and a single entry is \$75. We determined that the actual cost at the moment for processing an application is approximately \$106.

Mr. Ted Opitz: Do you have a table of fees that you would be able to provide to the committee?

Mr. Robert Orr: Certainly, that could be provided to you. It's readily available on our website, but we will provide it through the clerk.

Mr. Ted Opitz: You talked about the centres where the biometrics are collected. Now clearly, we're moving into that process and it's going to take a while to ramp up for all countries and all partners. How long do you think that will take? When you collect the biometrics, what is the security on the biometrics for the individual?

Mr. Robert Orr: We are rolling out for 29 countries and one territory at the moment. There has not been a decision made to go beyond that as yet.

The process when someone is flying...first of all, the biometric is collected, normally at the visa application centre. Once that has been submitted, it's immediately deleted from the collection centre. In other words, they do not retain any of that information. The information is sent. The fingerprints and the tombstone data are sent electronically to the RCMP, and the photograph is electronically stored within our computerized case management system, GCMS.

Mr. Ted Opitz: Mr. Chair, do I still have time?

The Chair: You have one minute.

Mr. Ted Opitz: How do we compare competitively with other countries? Do other countries charge additional fees on top of the standard fee? I heard that Australia has some very different kinds of fees, for example. Do other countries like the U.S. charge the same amount, or does the price of their visa vary depending on the type of visa they issue? Can you elaborate on that?

Mr. Robert Orr: The fee for a regular visitor visa in the United States is \$164. In the U.K., it's \$126. Australia charges \$120, and New Zealand, \$143. We're certainly in the ballpark, and probably a little bit under what others are charging.

The Chair: Thank you.

Ms. Sims.

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Thank you very much.

Good morning. Thank you for making the time to come and talk to us today.

I'm really delighted that, as a committee, we're spending some time talking about temporary resident visas, because I do have a lot of concerns but mostly, I would say, a lot of frustration. That's not only from me but from what I hear from other MPs as well.

Of every riding in Canada, mine has the largest Sikh population. I know everybody has the most diverse riding, but mine has the largest Sikh population. As is traditional in many southern and eastern cultures, the weddings in my community are often very large. Actually, if you have a wedding with fewer than 500, it's considered a failure. To have a guest list of over 1,000 is very common. At these weddings, the presence of whole branches of extended family from the other side of the world is quite common and this is an expense that even the hosting family is willing to incur.

Just as an example, I went to a destination wedding for my nephew in Scotland and my brother picked up the whole cost, not only for me but for my husband, my two children, and my three grandchildren. They expected that, because it was so important for them to have us there. I understand the importance of having family and close friends who, as you know, often tend to be closer than some of our family members.

Tourism—because this is what it falls under—generates business for Canadians. Even if the families that arrive do not have a lot of money, the family hosting them buys more food, takes them out to visit the local sights to be seen, and travels with them from Vancouver to Calgary to Edmonton, even to Toronto and sometimes even to Ottawa. In other words, the family is more inclined to do the touristy thing and therefore help our economy as well. I'm sure you guys all know this, because tourism is good for us. It's what we try to encourage.

I keep looking at this—tourism—as a lucrative benefit to our country. For the rejection rate that we're seeing, there must be some very real concerns about the risks involved. I'm looking for some kind of insight as to what those risks might be, and I do appreciate having these criteria here. What I'm witnessing, weekly, in my office...and I would say our casework around tourist visas has gone up by about 25% to 30% from the first six months to now. I've had my staff tracking it. What we're seeing is brides-to-be, grooms-to-be, parents, and grandparents devastated as they think that their wedding is going to have to go ahead without their family members. That causes them considerable concern.

At the same time, I want to say that I was absolutely impressed with the professionalism of the consular workers in immigration when I visited New Delhi. I met with all of the directors and I met with the director in Chandigarh as well. I was told at that time that their target was actually 80 a day. That was their goal. It makes my mind boggle.

One of the most common check marks we see on the list when somebody gets rejected is for “no travel history”, and the second one is for “will not return”. You often find those things are checked off, and when you actually look at the application, all that evidence is there. Are we looking at any other mechanisms to ensure that a foreign national does not overstay a visit other than not issuing the visa to begin with? How are we going to use our biometrics, for example?

● (0905)

Mr. Robert Orr: Let me begin and perhaps my colleague can add to my comments.

There are a few things. First of all, I appreciate your comments about the professionalism of our visa officers overseas. I want to underline that.

Second, in terms of the number of applications that individuals are to deal with, yes, it does vary, as I tried to suggest. It may be 80 straightforward applications in Delhi, or some others may be dealing with more complicated applications and thus have lower targets.

The other thing I think we have to recognize is that 82% of the people who applied for a visitor visa last year got it. So it's a very high acceptance rate overall. That's the worldwide result, 82%. It's done on a case-by-case basis. So it still does leave, though, probably about 200,000 people who are rejected. That is true.

When you're looking at an application, you're looking at what I might call a composite picture of risk, trying to evaluate a variety of different factors to determine that individual's intent. It's a very difficult decision to make and one that we take very seriously. So we would be looking at a variety of different factors and objective material provided to us such as bank account statements, employment, family configuration, and so on. There are a variety of reasons, reasons given to go to Canada and reasons to return. But then the visa officer must evaluate all those things together and come to a conclusion.

• (0910)

Ms. Jinny Jogindera Sims: There's also a remarkable difference in wait times from one part of the world to another. Can you elaborate on the difference between, let's say, three days for Ghana and Poland, versus almost five months for Turkey?

Mr. Robert Orr: Yes, there are certain anomalies, for sure. The situation in Turkey is primarily because of the closure of our office in Tehran. The office in Ankara was required to absorb that work from Tehran, which has skewed the delivery times for visitor visas in that office.

I recently visited Ankara and I'm pleased to say that the processing times are coming down dramatically for both our Iranian clientele and our Turkish clientele.

The Chair: Thank you.

Mr. Lamoureux.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Chair, I would like to get a brief overview. Suppose you are a family member here in Canada and you're trying to get someone to visit Canada for a funeral, a birthday celebration, a wedding celebration, or a graduation, for example. These are all important as we would all in this room agree, yet there's a sense of great frustration in terms of when family members are in fact being rejected. I wanted to highlight what I believe has the potential to be a bit of a flaw. When you go through the criteria used to evaluate whether or not to issue a visa it includes—you made reference to this and I'll quote you—that they “have sufficient ties to their home country to indicate they will leave Canada when their visa expires”.

I often question to what degree that rationale is fair and is being fairly applied. I say that because there are individuals who get the sense.... If you are one of those immigration officers reviewing, is there any form of target numbers? For example, if you get an 80% approval rating in one office is there an obligation for an immigration officer to look at it, and if they started to approve 95% of the ones they're reviewing, then a red flag would come up?

It's almost as if there's some sort of a target number that has to be achieved. How does it happen that a person whose father is dying in the hospital and who wants to be able to visit his father, who has a wife he's leaving behind and children he's leaving behind, is still being rejected? There are numerous examples that one could give.

To what degree does the department look into those percentages and the rationale that's being provided? I, for one, think that the system needs to change to take into consideration the family unit and why we're seeing so many rejected. Ninety per cent of the time, yes, finances are one reason, but the biggest reason is that we don't

believe the person is going to return to the country of origin. How can they convince anyone that in fact they're going to return to the country of origin, even when they have family members, and so forth?

So there's a great deal of frustration. I only have the five minutes. I realize I've probably gone three minutes into it, but I would appreciate some comment on that, and then, very briefly, I did not know that we extended the multiple-entry visa from five years to 10 years in 2011. That's relatively new. Can you provide some sort of statistic—not now but to the clerk's office—of how many people have actually capitalized on that? I think that's fairly new to the committee, even though it was a policy that was put in place in 2011.

Thank you.

Mr. Robert Orr: First of all, there are no targets for officers. It is entirely done on a case-by-case basis. The statistics we have and the percentages that I provide are purely a compilation of what that case-by-case exercise results in. You do see changes year by year in what those percentages might be within a visa office, and that is the result of a case-by-case study.

Second, the family consideration is at the core of what these officers are going to be looking at. In itself, it may not be sufficient to issue a visa, but it is certainly a very key consideration in any determination.

Third, I would say yes, Mr. Chair, we could provide those statistics about the multiple-entry visas. The one restriction in that is we do issue 10-year, multiple-entry visas, but it has to be within the limit of the passport. Many countries will only issue a passport for up to five years, and thus we could only issue the multiple-entry visa for a corresponding period.

• (0915)

The Chair: You have about 30 seconds. Is that possible?

Mr. Kevin Lamoureux: Yes, it is actually.

When you talk about that target of, let's say, 80%, there are 13 officers, let's say, in one embassy. That's a general.... Is each one obligated to do the 85%?

Mr. Robert Orr: Absolutely not. It is a case-by-case description.

One of my officers may get a series of applications that are very straightforward and have an extremely high acceptance rate. Another officer may have very complicated cases that may result in a higher refusal rate.

The Chair: Thank you, Mr. Lamoureux.

Ms. James.

Ms. Roxanne James (Scarborough Centre, CPC): Thank you, Mr. Chair.

Welcome to the committee on this particular study.

In your opening remarks you talked about the purpose of processing TRVs. Obviously, we want to facilitate legitimate travel, while weeding out those who falsely represent themselves, or with fraudulent documents, etc.

You had indicated there were 1.2 million visitor visas processed last year, and I heard you say that 200,000 applications were rejected. Were those 200,000 applications that were rejected related to fraud, specifically, or were there other terms of inadmissibility other than fraud?

Mr. Robert Orr: That would be the full range of refusals, and thus fraud would be part of that.

I don't have a specific breakdown, but I suspect it's a relatively smaller portion of the overall refusal rate.

Ms. Roxanne James: You touched base with some of the documents you actually would specifically look at in terms of dealing with fraud, or prospects of fraud.

Is there any type of red flag on an application or a red flag on a specific document that would lead you to investigate it more closely? Or do you actually screen all applications for the possibility of fraud? I'm trying to figure out what triggers you to go that one step further, or whether you go that one step further on every single application.

Mr. Robert Orr: No, it's not going to be on every single application, but it's a consideration with every application.

In certain environments, it's a fact that there tends to be more fraud than in other environments, and certain offices are going to be more conscious of that—certain types of applications as well. One of the things we are trying to do at the moment is to establish risk indicators to determine in a very clear and systematic way where we are at higher risk and where we have applications that are very straightforward.

I will give you an example of very straightforward applications. It's people who have visited Canada a number of times before, or perhaps people being involved in the international experience class, basically the student workers who come to Canada. They are very straightforward applications with a very low refusal rate. It's not an issue of fraud.

But there are certain areas where we know there are ghost consultants who are active in the area, or we know there are people involved in fraud in the area, and that is going to be an indicator that we would spend more time on that and be more cautious.

Ms. Roxanne James: We talk about those areas you are referring to, specific countries or regions of the world. Can you list a couple of the ones that have a higher incidence of fraud or a higher rate of unscrupulous people working in that industry?

Mr. Robert Orr: I'm a bit reluctant to single out any particular parts of the world, but there have been areas. I mentioned in my opening remarks, in the Punjab we've had some success recently, where we've been able to unearth some areas of fraud. We've had incidents in West Africa. We've had incidents in various parts of the world, so I'm a bit reluctant to zero in on any particular country.

Ms. Roxanne James: If a particular individual—and we are talking about a straightforward application where they've been here before, it's a student visa, or whatever the case may be—has attempted to come to Canada or claimed refugee status, how would this affect their temporary resident visa application? That must be a red flag, obviously, but what kind of extra screening would be done by that particular officer in that specific instance?

● (0920)

Mr. Robert Orr: As I said, any visa officer's going to be looking at a whole variety of factors when they look at an application. If someone has claimed refugee status in Canada before, obviously that's going to be an issue they would be looking at very closely to discern the circumstances of that. Is that going to result in an automatic refusal? No. They're going to be looking at that piece of information in the context of the broader picture of the applicant's application.

Ms. Roxanne James: If someone has physically been removed from Canada or deported, surely that's a very red flag. How would that particular instance or that particular application be handled?

Mr. Robert Orr: Within the Immigration and Refugee Protection Act there are specific methods to deal with people who have been deported. Yes, that obviously has a different character, and one has to deal with that according to the act.

Ms. Roxanne James: With respect to fraud, when we talk about a straightforward application compared to another application that has more screening or more thorough, in-depth investigation before putting a stamp of approval on it, how does this affect the processing times? Do you have a ballpark figure as to whether it's a couple of hours versus weeks? I'm just curious to know.

The bottom line question I'm going to ask you at the very end of all of this is: what is the cost of fraudulent applications, perhaps, to the Canadian taxpayer? How does this affect this whole area? Obviously, for processing applications that are all legitimate, straightforward, easy-peasy, there's a difference in cost from those associated with people who are trying to scam the system. Could you speak to that for a moment, please?

Mr. Robert Orr: In terms of putting an actual price tag on it, I don't think we're able to do that. I don't think our costing models are sufficiently sophisticated to break it down to that level.

Clearly, though, we do spend a significantly greater amount of time on applications where there might be fraud involved, or on applications that are complicated for any number of reasons. There is going to be a variance, yes. Whether it's going to be weeks or months, on any application we simply don't have that much time, so we'd have to make a decision much faster than that.

Ms. Roxanne James: Is more than one person usually involved in a particular application that's deemed to be fraudulent or raises a red flag, or is it a single point person from A to B?

Mr. Robert Orr: If there is fraud involved, there probably would be more than one person involved, but not necessarily. It would depend a little bit on the office and what the capacity of that office is. In many offices around the world we now have officers who specialize in fraud and are dealing with program integrity, so they would certainly be involved in those sorts of applications.

Ms. Roxanne James: If something is not deemed to be fraudulent, because sometimes people will make a mistake, what's the most common mistake you would see, just offhand? It's something that could be corrected if someone knew they misrepresented themselves but not on purpose—accidentally. Do you have an idea of what that most common thing would be?

Mr. Les Linklater: Misspellings or dates for where they travelled in the past.... People forget they were in the States a year ago or two years ago—things like that.

The Chair: Thank you, Ms. James.

Ms. Roxanne James: Thank you very much.

The Chair: Mr. Orr, the analysts prepare questions for members of the committee, and there's one question that jumps out, which I'd like to ask of you. It's a two-part question.

The question is that in the United Kingdom, the Home Office U.K. Border Agency is responsible for the appeal mechanism that is in place for family visitors who want to visit qualifying family members in the U.K. There's a cost to submit an appeal, and the decision is made by an immigration judge.

The two-part question is this. Has CIC looked at this model of an appeal mechanism—in other words, do you have any comments about it? Secondly, if the department has looked at it, could you state the advantages and disadvantages of the U.K. system relative to Canada?

Mr. Les Linklater: Yes, we have looked at appeal mechanisms in both the U.K. and Australia. In terms of their applicability in the Canadian context, based on our review and conversations with our colleagues, we find that these processes are expensive, time-consuming, and not responsive to the timeliness of a decision based on an event like a wedding or a funeral. I think in the Australian case it takes about 250 days for the appeal to be heard, and in the U.K., it also takes an extensive period of time. In the Australian case, it costs \$1,400 to lodge an appeal, and that fee is returned only if the appeal board overturns the visa officer's decision. So it is not a process that's entered into lightly.

When we look at the costs and the fee implications of such a structure, and we look at the Canadian context, we've determined that about 4% of all refused applicants apply again within 14 days of the initial refusal of their application. More often than not, they provide additional information that was missing on the first application, and in 48% of those cases, a visa is issued. There can be instances where an individual failed to provide sufficient information for the officer to make a well-founded decision, and they come back within two weeks and the officer, or a different officer, is able to come to a different conclusion based on that new information.

The application fee for a new visitor visa is \$75. When we look at the fee required for an appeal mechanism, the User Fees Act would apply. We would have to do very detailed costings. We have class D estimates, but at the end of the day we would have to consult and determine what the fee would be. It would be an additional administrative burden, and from our perspective, the simple fact that an individual can reapply or seek a temporary resident permit in exceptional circumstances seems to be a more viable option.

• (0925)

The Chair: Thank you.

Madame Groguhé.

We're into the second round now.

[*Translation*]

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

I want to begin by thanking the two witnesses for joining us.

My question is about security requirement checks. When someone applies for a temporary visa, how are the checks carried out and by whom?

Mr. Les Linklater: We work in partnership with the Canada Border Services Agency, which is in charge of coordinating all the checks our officers refer to it.

Initially, the Citizenship and Immigration Canada officers on the ground decide whether we can approve an application in a specific region of the country or whether the application needs to be referred to CBSA, so that the agency can conduct additional checks and get the Royal Canadian Mounted Police involved. CBSA coordinates all the information provided by officers in charge of security and issues a recommendation to the visa officer on the ground.

I don't know whether Mr. Orr wants to add anything.

Mrs. Sadia Groguhé: How long do those checks take, on average? I know that you operate on a case-by-case basis, but could we get an idea of how long the checks take?

Mr. Les Linklater: In general cases with no particular issues, we expect a response from the agency within one to two weeks.

Mrs. Sadia Groguhé: That affects people who are sponsored for permanent residency. Are the same principles used in such cases for additional security checks?

Mr. Les Linklater: Yes, the same indicators are used. We transmit information on temporary and permanent residents, but security services carry out all the required work.

Mrs. Sadia Groguhé: Okay.

My next question is about TRV applications and the discretionary powers of Citizenship and Immigration Canada officers.

What kind of power do officers have? How is that power regulated? Are there any internal measures in place? What kind of regulations are we talking about?

Mr. Robert Orr: Thank you for the question.

[*English*]

A number of things would be in place to direct these officers. First of all, they are very highly trained before they go into the field. They would have a very good understanding of what the parameters are in which to operate. Second, they would be clearly managed and supervised in a very proactive way. With that there would be monitoring of some decisions and so on, to make sure that the decisions are appropriately made. The third thing I would add is that there are active quality assurance measures in place as well. We would be randomly looking at a series of applications to ensure that decisions are made appropriately. If someone is going way off, it becomes clear very rapidly.

I am very confident that these officers are very clear on what their mandate is and that they apply the instructions very appropriately.

•(0930)

[Translation]

Mrs. Sadia Groguhé: Okay.

You were talking about case-by-case consideration. I have a very specific example of a TRV application. This was a case of family reunification—so the process involved sponsorship. The applicants wanted to sponsor a child. Since the child was very young at the time, the applicants wanted him to be here, in Canada, before they would continue the process of applying for a permanent resident visa for that child. When the officers considered the TRV application for the child, they automatically checked a box to indicate that there was a risk that the child would not go back to his country.

How can case-by-case consideration lead to that kind of a situation? How can we prevent this type of situation from happening?

[English]

Mr. Robert Orr: I'm hesitant to respond to any specific situation, because obviously I do not know the full picture and do not know all the factors that the visa officer would have considered.

[Translation]

Mrs. Sadia Groguhé: The situation was remedied, but it did happen. That is what I wanted to point out.

[English]

The Chair: We're way over time.

Go ahead, sir.

Mr. Robert Orr: The point is that there can be something as well. Someone can be coming with the intent of coming permanently in the longer term, but come on a temporary basis as well—what we would call dual intent. In those situations, in fact, our record is very high. The acceptance rates of that sort of application is, worldwide, about 87%, which is even higher than our normal visitor visa acceptance rate.

These officers are very conscious that people can have the idea of coming on a temporary basis but also on a permanent basis. Family reunification remains a core piece of the Immigration Act and of what we are trying to achieve.

The Chair: Thank you.

Mr. Menegakis.

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

I want to thank the officials for being here again with us today.

Clearly, there's a lot of interest from people who want to come to Canada. We know that. We see it from the number of hits on the website. We all hear in our constituency offices from families, and so forth.

I want to set the record straight on what has happened and lead up to a question.

We have welcomed a growing number of visitors, foreign workers, and international students over the last seven years. In fact, in 2012 Canada issued a record 1,000,000 visitor visas—that's a

40% increase since 2004—and a record 100,000 international student visas, an increase of 60% since 2004. These individuals play an important role in fostering Canadian economic development through tourism, trade, commerce, and educational research activities. We are in somewhat of a competitive situation with other countries in the world in attracting the brightest to come to our country.

How will raising the fees on a temporary resident application affect our competitiveness in attracting these visitors?

Mr. Les Linklater: As Bob mentioned, comparatively speaking our costs are very competitive and in fact on the low side, when we look at five country conference partners. There is a question of commitment to the program in the degree of subsidization that the government provides. As we've indicated, we recover a good portion of the cost of processing applications.

As we look at the broader suite of initiatives that we're rolling out, such as biometrics, as well as the cost of a visitor visa on top of that, we're very mindful of the potential impacts on the tourism industry. We have regular engagement with representatives of that particular community. I participate in an air consultative committee that CBSA chairs to ensure that we are receiving the input of the industry around the initiatives we're bringing forward.

I think most people recognize, post-9/11, that the security situation is really non-negotiable. So to the extent that we can advance additional security measures that impose the least amount of disruption on travellers, the better served Canada and the Canadian tourism industry will be.

We see this as we look at the electronic travel authority, which will be applied to current visa-exempt nationals, except those from the United States. Again they are looking at a fee that would likely be very competitive with the fees that both the U.S. and Australia charge for a similar service, recognizing that we want to ensure that Canada remains attractive.

•(0935)

Mr. Costas Menegakis: So our fees, when we compare them to some of our peer countries, such as Australia, the United Kingdom, the U.S., New Zealand, are, I think you said, on the low side when it comes to the—what did you call it...? Did you call it the five country conference?

Mr. Les Linklater: Yes. Currently—I'm just looking at the comparative charts, which we're happy to provide through the clerk—we have the differential fee of \$150 for a multiple and \$75 for a single-entry visa. For the U.S.A., it's \$164 plus a local issuance fee, which depends on the local market. For the U.K., it's \$126; for Australia, \$120; and for New Zealand, \$143.

Mr. Costas Menegakis: If you could provide that to the clerk—and of course, Mr. Chair, through the clerk to us—that information would be very useful.

Here is a quick question on the appeal process. How does CIC ensure that procedural fairness is exercised when re-examining an application?

Mr. Les Linklater: Bob may want to add, but my recollection of my time as a visa officer is that if an individual reapplies, a different officer would review the application, if possible. That's why we try to have at least two officers in each of our missions, so that we can accommodate those types of situations.

The Chair: Thank you.

Mr. Weston.

[*Translation*]

Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC): Thank you, Mr. Chair.

I want to thank our guests.

I think that, as parliamentarians, we have a bit of a schizophrenic approach to the process we are discussing today. On the one hand, we want to ensure safety in Canada, but, on the other hand, as champions of tourism, we want to open the country's doors to everyone.

When I was running a law firm in Taiwan, I saw that there was a lot of fraud. I wrote a letter to the minister, but it didn't seem like he paid much mind to it.

I would like to know whether people who want to help our representatives abroad can give them their opinion. Is there a hot line, or a way for you to work with others to continuously improve security, fraud monitoring, and so on?

[*English*]

Mr. Robert Orr: Mr. Chair, I appreciate the question. One thing we are always trying to achieve is the balance, if you like, between security issues, the admissibility issues, and facilitation. That's one of the key things that we have to get right, and we're constantly working on getting the balance correct, as you rightly indicated.

There are means of offering information. I think each mission worldwide would have an e-mail address to which that sort of information could be fed. Many of the missions have officers who are actively soliciting that sort of information as well, going out into the community. Often they are officers assigned by the Canada Border Services Agency, who are working on these sorts of issues. They work particularly closely with the airlines in those communities, who have especially good insight into what is going on more broadly in the community. They are working with other missions as well, so that we get as much intelligence as we can, which will have a bearing on the decisions visa officers will make.

● (0940)

[*Translation*]

Mr. John Weston: Thank you. That experience dates back a few decades.

My second question is about the flip side of the coin. As a tourism champion, I thought the statistics my colleague Mr. Menegakis provided were very interesting.

Can we use sound marketing practices and co-operate with tourism supporters to assert that our process is better than that of other countries and that it is easier to come to Canada than to other countries?

Mr. Les Linklater: Our colleague Dawn Edlund, the Associate Assistant Deputy Minister of Operations, serves as a liaison between the department and the tourism industry. She speaks with representatives of the tourism industry, airline companies and the hospitality sector across the country almost on a weekly basis. Our efforts in marketing ensure good collaboration with those sectors to determine their concerns. It is a matter of proposing initiatives and deciding how to implement them more easily in order to provide industry and clients with a good experience.

Mr. John Weston: Thank you.

[*English*]

The Chair: Thank you.

Ms. Sims.

Ms. Jinny Jogindera Sims: Thank you very much, Chair.

I noticed that earlier you did give us the approval rating of 88% for visas overall. Can you tell me what the approval rating is for the Chandigarh office specifically, please?

Mr. Robert Orr: I can. I have it here. Just a moment, please.

Ms. Jinny Jogindera Sims: Well, if you don't have it—

Mr. Robert Orr: No, I do have it here. The Chandigarh office at the moment is at 52% for visitor visas.

Ms. Jinny Jogindera Sims: It's 52%. That actually explains the onslaught on my office, where even having two full-time people looking at casework just isn't enough.

I looked at the list of what officers must be satisfied about. When I look at it, I'm also forced to ask you this question. What do you see as the risks that prevent visa officers from granting visas compared to, let's say as an example, a daughter being turned down to attend her mother's funeral?

I'm going to get very specific here without naming the person, because she represents a pattern. She's leaving two children behind, her husband behind, and her extended family behind, but she has four sisters and a brother over here. The response says the reason she will not return is that she has too many family ties in Canada.

We're often bombarded with those types of responses. Tell me, what do you see as the risks of granting visas for funerals, weddings, and family events?

Mr. Robert Orr: Mr. Chair, I think the risk in these cases is looking at the full picture of the applicant's situation and whether we are convinced that the individual would leave Canada at the end of the visit. That is the core piece. That assumes the admissibility requirements are met and so on, but I think essentially the risk is whether that person will leave at the end of their visit.

Ms. Jinny Jogindera Sims: When I've looked at the full application, I've been able to place a check mark on what is listed here, and "criminal record" isn't one of the reasons that is being used.

The other thing is that the United States conducts an interview with every TRV applicant. I know that in Chandigarh, for example, or Delhi, their turnaround is quick because that's the comparator I hear in my office all the time. They say, "I can go and get a five-year visa for the U.S. within days, yet I can't even get a visa to come to Canada."

Do you know the number for applications versus those granted for the U.S. using the interview process? Have we looked at this option for Canada?

• (0945)

Mr. Robert Orr: I see a couple of points there.

I don't have the precise statistic on the American refusal versus acceptance rate through the interview process. I do not have that available. We could try to get it, but I'm not sure. It would take a little bit of work to get that.

We have looked at interviews. A number of years ago, we did far more interviews than we do now. Frankly, we did not find them to be an overly useful process in the vast majority of cases. We still do interview some applicants, for sure, and in some instances it is extremely useful to have the interview, to have that face-to-face contact and to be able to speak with individuals. But in the vast majority of cases, we don't find that it's necessary or that the results are much different from just doing it on paper.

Ms. Jinny Jogindera Sims: I know you said earlier that there's no appeal process, so you have two choices: apply again or go for a Federal Court judicial review. How many cases of Federal Court judicial reviews have we had in the last two years?

Mr. Robert Orr: The number is very low, but I think in 2011 it was 64 cases, something like that.

Ms. Jinny Jogindera Sims: Thank you very much.

The other thing is, when an applicant gets a checklist back as to the reasons for refusal, it is a very generic checklist, as you know. How would a person find out what was missing from their files, what they needed to submit, what the actual reason was? I've looked at, by the way, by now, hundreds upon hundreds of those checklists, and I'll tell you, looking at those, I would not know what other information I needed to provide.

For example, it will say "no travel history". For many people this is going to be the trip of their lifetime. There won't be a travel history. For others, they might even have four or five stamps of places they've visited in the file, yet it still says "no travel history". It will say—

The Chair: You're over.

Ms. Jinny Jogindera Sims: Okay, sorry.

Mr. Robert Orr: We've been forced to use those generic letters. I think we would all prefer to be able to give far more precise information, but that would be an extraordinarily time-consuming process. Given the volumes that we have, we've had to go to a generic letter, which tries to give as good an idea as possible of the reasons and the reasoning behind the decision. But I grant you it's not specific enough often for an individual to know exactly what the score is.

Ms. Jinny Jogindera Sims: Thank you, and it would be of no assistance in the reapplication, I would say.

Mr. Robert Orr: I would just say that for those who do reapply, there's a 48% success rate. In other words, I think often what has been offered is helpful, because many people do know what they have to supply subsequently.

The Chair: Are you able to tell us how many visitors don't go home?

Mr. Les Linklater: At this point it's not possible to have accurate statistics because we don't have systematic entry and exit information systems, although under the beyond the border action plan with the United States, there's a pilot project that has already been undertaken at the land border by CBSA to start capturing that information. We will be moving to more systematic capture of entry and exit information on foreign nationals over the course of 2013.

The Border Services Agency is leading that initiative. From CIC's perspective we're interested in seeing that being expanded into the air mode as quickly as possible, so that we can then have more reliable information on who's in the country and for how long. If and when they do choose to leave, we and CBSA will have a better idea as to what the actual overstay population is.

The Chair: The reason I ask that is because it's a reason as to why you don't grant a visa, because for different reasons—you're young and you don't have a job, all those other things—it gets down to the fear from the visa officer that the applicant won't go home.

Mr. Les Linklater: Yes. As Bob was saying on the balance of reviewing the various factors in a file, certainly that is part of the consideration. Would this individual choose to go underground once in Canada, or make a claim for asylum? We've certainly seen that in the past.

• (0950)

The Chair: Mr. Leung.

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

Gentlemen, I want to know, why was the Tehran office closed? Was it as a result of the embassy being closed and so the visa-issuing section for that post was also closed? Are there any other visa posts around the world that were closed in the last year or two?

Mr. Robert Orr: I have a two-part answer to that question.

Yes, Damascus was also closed, which was a very major office for us. It was basically the hub in the Middle East, so we've had to open Ankara. Ankara has always been there, but it's become a very major office now. We have moved our operations for the Middle East to Turkey. We still have an office in Beirut and Amman, in that part of the Middle East, but Ankara took over the responsibilities of Damascus.

As for Tehran, yes, because the mission closed, we closed the visa office as part of that.

Mr. Chungsen Leung: Were there any other offices, say in southeast Asia, that were closed?

Mr. Robert Orr: In southeast Asia, no, there were no offices closed there. Through the budget review exercise last year, we did close 10 visa offices overseas. Most of them were in the United States, but there were some other offices as well. In Asia, the visa office in Tokyo and the office in Seoul were also closed, and Kuala Lumpur.

Mr. Chungsen Leung: Thank you.

A quick calculation indicates in a normal eight-hour day, 480 minutes or so, you process somewhere between 40 to 60 applications. That means somewhere between eight to twelve minutes per application. That is the application process, but what typically would a visa officer be faced with? What is the stack in the morning before he or she says, "I'm going to do 40 or 80 of them"? Are they looking at 100 or 1,000 applications when they sit down at nine o'clock in the morning?

Mr. Robert Orr: A visa officer has a variety of functions. First of all, I'd say that a visa officer would not necessarily be doing only visitor visas. These are also officers who would be looking at permanent resident applications. They would be reporting on the situation in a particular country. They would be doing statistical analysis. They would have a variety of different tasks, so the assessment of applications and visitor applications would, perhaps, take a significant part of an individual's day, but it's not the only thing an individual would be doing.

The actual intake varies from office to office. That's one of the things that is very helpful to us in opening up the series of VACs, the visa application centres, around the world. We'll now get applications that are far more complete. Also, a lot of the administrative work will be done so that we'll be able to enter the information into our computer system very rapidly. A lot of the work will be done beforehand by the visa application centres, so it will be a far faster process to enter things into GCMS.

Then the officer will be getting the application. It may be electronic now, or it may be paper, but we'll be going through those applications. Sometimes it's a very quick review, because you know they're very straightforward. Other times it will require a very detailed look at many of the documents that are submitted.

Mr. Chungsen Leung: I recently had a person go to a very small country, Armenia, and the visa application online only cost \$10, and it was a 40-hour return. Is there any move toward that type of efficiency and that type of cost saving for the Canadian temporary resident visa?

Mr. Robert Orr: Since December, applicants have had the opportunity to use an e-application to apply electronically. This is still sort of in its initial stages, but it has huge opportunities for us in the longer term. What it allows the applicant to do is to submit everything online, scan any documents, and submit those along with the application, so no paper is submitted. When the application has been studied, they would then submit their passport, so we can actually put in a counterfoil at that point. It means they don't have to be without their passport for as long.

From our point of view, it's very helpful in that we may be able to look at an application that is submitted electronically in various parts of the world, where we have certain capacity to do so. If a particular office is very busy, then we may be able to ask another office, based on risk, to study those particular applications.

There will be opportunities for us, but I think for the applicant as well, as it becomes more efficient.

Mr. Chungsen Leung: You mentioned that—

• (0955)

The Chair: Your time is up, unless Mr. Dykstra wants to surrender some time.

Mr. Rick Dykstra: Go ahead.

Mr. Chungsen Leung: You mentioned that with an e-application or e-visa, you have to make the application first, but then you still have to forward your passport. That's the time when most applicants get a little concerned because if they're putting that in the mail, the possibility of it not returning in time before they travel is much higher. So how do we increase efficiency? In Armenia, where I was, they actually came back and said, "Your visa is approved; we will assign it to you on arrival".

Mr. Robert Orr: Yes, we're not in a phase yet.... For those countries where there is a visa requirement, we still have a paper counterfoil that has to go into the passport. The benefit with electronic visas and with our new GCMS system as well, though, is if someone is traveling, for instance someone from Armenia travelling maybe in the United States, they need to get that counterfoil put in. Although the application has been studied and the decision has been made at another office, the actual counterfoil could be put in at a second office in the United States, for instance, where that person may be travelling, so there is a convenience factor there.

Mr. Les Linklater: With the electronic travel authority, that's essentially what we're aiming to implement—an electronic record that the individual has permission to travel to Canada, that they have been screened, and that CBSA, through the airlines, will be able to issue board or no-board orders before individuals leave their country of origin, or the point of embarkation for the flight, pushing the risks off.

The individual will not have any indication in their passport, but when they present their passport, scanning that will bring up the ETA approval.

Mr. Chungsen Leung: I see.

Just to deal with some broad general figures, did you indicate that there were 35 million applications or 35 million entries into Canada every year?

Mr. Robert Orr: That would be entries into Canada every year.

Mr. Chungsen Leung: Out of those 35 million, what percentage would need the temporary work visa—or the TRV?

Mr. Robert Orr: For the TRV, the temporary resident visa, with all three categories of visitors, students, and workers, we issue approximately 1.9 million visas every year. The vast majority of those 35 million would be people from the United States coming back and forth.

Mr. Chungsen Leung: So would that be 90% of the visitors to Canada, out of the 35 million...? I mean, the figure is astonishing. That's every man, woman, and child in Canada inviting someone to come in.

Mr. Robert Orr: It's quite small.

Mr. Les Linklater: Yes; 3% to 4% are visa-required.

Mr. Chungsen Leung: Only 3% or 4%.

Mr. Les Linklater: If my math is correct, 1.2 million visas on 35 million admissions is about 4%. That's why we look to the ETA to broaden our ability to screen current visa-exempt travellers who are only first screened essentially by a border services officer when they land at a Canadian airport.

We think the ETA—as the U.S. has found with their ESTA, their electronic system, and the Australian system—screens people and pushes the risk overseas.

Mr. Chungsen Leung: I see.

For these visa-exempt people when they come in, they're allowed to stay for 60 days. Without the exit control, how do we handle that? How do we not all of a sudden have an influx of people coming in, deciding they like our generous welfare system, and deciding not to leave?

Mr. Les Linklater: Well, Mr. Chair, that's a very good question. We have a very comprehensive risk profile that we develop in terms of whether or not a country should have a visa exemption or a visa requirement.

As the committee is aware, the Czech Republic and Mexico before 2009 were visa-exempt. We saw significant influxes of asylum claimants, which resulted in a visa being imposed on those two countries to ensure that the risk to the asylum system was well managed.

So we would do periodic reviews of countries to determine whether or not there were significant infractions of immigration requirements or significant numbers of asylum claims. Based on our review, we would make recommendations to the government on whether or not a visa should or should not be imposed.

• (1000)

The Chair: Thank you, Mr. Linklater.

Ms. Sims.

Ms. Jinny Jogindera Sims: Thank you very much.

I was pleased to hear about the 48% success rate for those who reapply, but I want to explain to you how much time that takes up in an MP's office as well.

They end up going into the local MP's office, and we end up having to make phone calls, make inquiries, and provide them with the actual information that does help with the reapplication. For many of us, our offices are turning out to be like triage centres at the local emergency rooms. It's not very pleasant. I just needed to put that out to you as well.

What is the biggest argument against setting up an appeal process for rejected applicants? Is it overall costs or is it logistics?

Mr. Les Linklater: I would say that both costs and logistics enter into our preliminary assessment. My sense as well is that client service is a big contributor to this.

When we look at the Australian and the U.K. system—as I said, 250 days for an appeal to be heard—and what we see on the ground in terms of the 48% success rate for those who reapply after refusal, for \$75, potentially, the cost and benefit...they can have their case reviewed and a different decision potentially within two to three

weeks. That's a fairly minimal cost compared with what we think we would likely need to charge for an appeals process.

Ms. Jinny Jogindera Sims: There is also the human side of that, because as you know, for people to apply is not a small task. For some of them, having to do online applications is far more complex because they actually end up having to rely on consultants and others to do a lot of that stuff for them, so in many ways more barriers get created.

Now I know—

Mr. Les Linklater: Mr. Chair, I'd like to comment just in terms of paper applications. While we would encourage most applicants to use e-facilities, under Treasury Board guidelines we have to maintain alternate channels, so paper would remain available.

Ms. Jinny Jogindera Sims: I know that whether you can support yourself financially while you're in Canada is significant, but I also know that, in my riding at least, there are many people who come in with all the businesses they own, their income tax forms, their bank accounts, the properties they own to show them. They plan to pick up all the costs of the visit, including the medical insurance, the works.

But at the same time as we're looking at the financial side, are we also looking at the reasons for which an individual wants to travel? Even though it's a TRV and we call it tourism, for many of the people it's either to attend funerals, to visit somebody who's dying and to spend last moments with them, or to attend weddings, baptisms, or significant events in one's life. Are those reasons for travel taken into consideration when looking at the granting of visas?

Mr. Robert Orr: Yes, Mr. Chair, those reasons are very much taken into consideration. Under those circumstances and under those very compelling family reasons, visa officers will also consider the option of a temporary resident permit. In other words, that would allow someone to travel who wouldn't meet the normal requirements of a visa but for compelling reasons should be allowed to go forward, and a permit may be issued. They are issued in those sorts of circumstances quite frequently.

Ms. Jinny Jogindera Sims: Now, I don't know if you're aware, but in India agriculturalists don't actually have to file tax returns in the same way as those who are employed. So a lot of people who apply may own large amounts of land and may have a very good income coming in, but they don't have that requirement of an income tax return. How do you address those kinds of anomalies?

Mr. Robert Orr: Well, those are very much taken into consideration. It goes to the argument, which I think is very important, of why we have visa officers abroad. Visa officers are in those communities, and part of their job is to get to know the local culture and the way things are presented so they understand what is presented to them. They would understand those sorts of situations and thus reach far better decisions.

The Chair: That concludes the fourth round.

We now start all over, with Mr. Dykstra.

Mr. Rick Dykstra (St. Catharines, CPC): Thank you, Mr. Chair.

In the five years that I've sat on this committee, one of the prevailing questions that gets asked every single time we talk about temporary resident visas is the issue in Chandigarh and the length of time it takes to work through and process there versus a lot of other places in the world.

One question that has never been asked is whether our staff there are lazy, and whether that's the reason they can't get these done on time.

• (1005)

Mr. Robert Orr: The statistics for Chandigarh are in fact quite impressive. The normal service standards for a visitor visa is 14 days, and 80% of cases in Chandigarh are dealt with in 11 days.

Mr. Rick Dykstra: So it suggests that they're actually working extremely efficiently and are extremely productive.

Mr. Robert Orr: I think there is an argument to be made there, sir, yes.

Mr. Rick Dykstra: The issues that arise are with cases that are complicated, and as I understand it in terms of what has been presented on a regular basis, many of them certainly raise the concerns of those reviewing these files because they appear to be fraudulent.

Mr. Robert Orr: That's often an issue.

Mr. Rick Dykstra: If you had to take the top three, four, or five fraudulent methods that individuals attempt to circumvent a process by cheating to get into Canada, what would those consist of?

Mr. Robert Orr: I suppose there are a number of variations on this. One would be presenting incorrect information. The second thing might be fraudulent documents of some sort or another, be they fraudulent bank statements, or fraudulent educational statements. There are a variety of different things there. The third thing might be an impostor, someone who is coming in to present themselves as someone else. Hopefully, with use of biometrics, we will be able to minimize that final form of fraud.

Mr. Rick Dykstra: You've actually bridged very nicely into my next question, and that is to get to the whole issue of the introduction of biometrics and the security level checks that we intend to enforce over the next number of years, including our partnership with the United States in that regard.

That is, the theme of this exercise of review is the security of Canadians in terms of the process that we are following in this respect. If we work through the theme of security as being a major principle behind why there is denial...because fraud would lead one

to believe that a person is attempting to get into this country for some reason other than what they indicated on their forms.

I find it very difficult on a regular basis to have the individuals who are representatives here in the House of Commons indicate that there is anything other than the security of our country and Canadian citizens as the rationale behind why we pay such diligence to the reviews that are completed by our folks who work abroad in our ministry.

Could you comment?

Mr. Les Linklater: I think that we take our accountability under the Immigration and Refugee Protection Act very seriously. Our officers abroad are the front line in terms of gaining access to Canada through the visa process, and with our partnership with public safety agencies, we fulfill that to a very high level on a daily basis. Bob was talking about the dedication of staff in some of our offices given the pressures they have. It's quite remarkable the volumes of work they move through as quickly as they do with such good results in terms of quality and quality assurance based on our risk principles.

Mr. Chair, as was stated, ensuring that Canadians and permanent residents in Canada are protected from threats and risks is a job we take very seriously. Program integrity is something that our officers work on daily to enhance and maintain, ensuring that Canada's generosity is not abused.

Mr. Rick Dykstra: One of the challenges we face as members of Parliament—as has been indicated by Ms. Sims on a couple of occasions and Mr. Lamoureux on one during his time—is the inadmissibility of those who want to travel here for a special occasion.

One of the points that she has brought up on a couple of occasions, which brings about this question, is that generally speaking, those who are requesting individuals, their family, friends, or relatives from another country to come here to visit and who require a visa are folks of fairly well-to-do means who are prepared to take on whatever responsibility necessary.

One of the issues we talked about in our security study was the potential of a bond, if you will—a fee that would be associated with the individual's travel here to Canada—and the potential for that bond to be kept by the ministry until that individual.... Now that we're working through our entry and exit tracking strategies, potentially the bond would make sense.

Is this something that the ministry has reviewed, and if so, have you compared it against other countries who are implementing a similar strategy?

• (1010)

Mr. Les Linklater: We haven't done a lot of work on a bond. As I said, we think that the current process provides a fairly good response to the demand for access to Canada.

Our initial assessment of a bond is that it's fairly administratively challenging to administer. What we've seen in terms of previous experience is that it hasn't really acted as a deterrent in a number of cases where bonds have been used by other countries. People still go underground or forfeit the bond, simply for the opportunity to gain access to another country. The handling of monies, getting into that sort of degree of complexity, adds to our risk in terms of the handling of public monies and that sort of thing.

From our early assessment, it doesn't look like a particularly viable approach, and it was in fact studied by this committee in 2005 and rejected as a recommendation.

The Chair: Thank you, Mr. Linklater.

Madam Groguhé.

[*Translation*]

Mrs. Sadia Groguhé: Thank you, Mr. Chair.

Rejections were discussed earlier. Could you provide the committee with a summary table of rejection cases, which account for 18% of your caseload? That would give us some idea of what those rejections are based on.

Mr. Les Linklater: I have to tell you that determining what the reasons for rejections are will be difficult, as that information is not entered into our system. The record will only indicate whether the application is approved or rejected. The reasons for a refusal are explained in the notes.

Mrs. Sadia Groguhé: Oh, that's too bad.

I have a question about the use of biometrics and about TRV applications. How does the collection of biometric data help immigration officers determine a traveller's intent?

Mr. Les Linklater: For us, the main purpose of implementing a biometric system is to establish a traveller's identity. If we can use our partners' help to determine that a person with the same characteristics has already submitted an application or has already visited another country under a different identity, we will have a strong indication that the person is not acting in good faith. At the beginning of the process, that helps us establish the identity of the individual before us by matching their physical characteristics to a specific name.

Mrs. Sadia Groguhé: Okay. So that would mainly apply to identity fraud.

Mr. Les Linklater: Yes.

Mrs. Sadia Groguhé: Very well.

Has CIC prescribed an amount for the fees travellers will have to pay once the electronic travel authorization has been implemented?

Mr. Les Linklater: Not yet, but we will base our decision on the provisions of the Financial Administration Act. We cannot impose fees that exceed the cost of the service provided. We will follow the regulatory process. We will first publish regulations setting out the fees, and we will ask the public to comment on the fee structure.

Currently, we think we can offer a very competitive rate compared with the countries we are in competition with. The cost will be about \$10.

Mrs. Sadia Groguhé: Okay.

Can you tell us what databases the system will consult before issuing an electronic travel authorization? Will the databases be Canadian or international? Or will they belong to certain specific countries? How will all that be orchestrated?

• (1015)

Mr. Les Linklater: Are you talking about biometrics?

Mrs. Sadia Groguhé: Yes.

[*English*]

A voice: For ETA.

[*Translation*]

Mr. Les Linklater: Are you talking about electronic visas or biometrics?

Mrs. Sadia Groguhé: I am mainly talking about the ETA.

Mr. Les Linklater: We will work with the Royal Canadian Mounted Police when it comes to biometrics. The RCMP will store all the data and establish a connection with other agencies to determine what information is available on a given individual.

Mrs. Sadia Groguhé: Okay. So it will mainly be a database established by the RCMP, or the database the RCMP already has. Is that right?

Mr. Les Linklater: Yes.

Mrs. Sadia Groguhé: Okay.

Under Bill C-45, the ETA fees will not be subject to the User Fees Act. Why are services related to an electronic travel authorization application and biometrics exempted from the User Fees Act?

Mr. Les Linklater: As the committee members know, the process used to set fees is very complicated and long. We have an obligation to consult everyone affected by the initiative. Since those fees will be paid by Canadians, they deserve to be consulted on the issue.

Since we have to consult people outside the country and will be guided by the provisions of the Financial Administration Act, the exemption gives us a flexibility tool to ensure our ability to respond to circumstances abroad. However, our fees cannot exceed the service cost.

Mrs. Sadia Groguhé: Have you come up with a process that, despite that exemption, will allow Parliament to stay informed of any operational changes?

Mr. Les Linklater: Yes. The electronic authorization fees should be set out in our regulations. We will have a process for deciding how to draft the regulations, and that will include a prepublication process, where the public and MPs will be asked for their opinion.

Mrs. Sadia Groguhé: Thank you.

In the case of rejected TRV applications, you only gave two possibilities, including a new application.

Applicants who are submitting a new application have to rebuild their file and go through the whole process again, even though they have already submitted an application. Could the process be changed, so that applicants don't have to resubmit their whole file, but only the additional supporting documents? That would help avoid extra work. Would that be an option? How could that be achieved?

[English]

Mr. Robert Orr: Thank you very much. That is an important area that we should explore.

One of the things we are trying to do is to give as much information as possible up front so that individuals have a very clear idea about what is required and present the right information.

We're also hoping that through the use of these application centres people there will be able to give advice on what is missing from an application. They will not give advice about the process and what they should be submitting to these offices, but they can provide some advice on what is missing on the actual documents, and if questions have not been answered, and so on. That is often the basis for the refusals. There is just not enough information of that sort. Rather than have them revisit, we'd rather give more information up front so the applicants have a very clear idea of what is required and can move forward on that score.

The Chair: Thank you.

Mr. Lamoureux.

• (1020)

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

For the last year or year and a half, members of the citizenship and immigration committee have discussed trying to improve the visa system. Believing in goodwill, we want to see all parties participate in this. Some information would be advantageous for us, as committee members, to have.

In the area I represent I deal a lot with areas such as the Philippines, Chandigarh in India, and Ukraine. When I look at the percentages, 80% to 84% approval rating in Ukraine, in the low-80% rate in the Philippines, and as you pointed out earlier, 52% in Chandigarh, it would be nice to be able to contrast that. For example, the other day I was having a discussion with someone from Ukraine who indicated it was over 90%. I thought the person said it was an over-95% approval rating for those going to the States. I've heard similar comments, again using the United States, with regard to the Philippines.

Mr. Orr or Mr. Linklater, can you commit to providing us with information on approvals, at least on those three, and for whatever other countries you can find? It would be of great benefit to the committee. Another country I would like to look at as a comparison is the U.K. If that is possible, I would very much appreciate it.

If you want to comment, it would be great.

Mr. Robert Orr: Mr. Chair, we can certainly try to provide that information.

Right off the bat, I see that the acceptance rate is 84% in our offices in Kiev and Manila, which is a little higher than the average. We've already spoken about Chandigarh.

We can certainly try to get the comparators for the United States and the U.K. We have to keep in mind that this comparison is a bit of apples and oranges, but it might be indicative of where things are.

Mr. Kevin Lamoureux: As a closing comment I'll tell you why I believe this is a really important issue. A constituent came to the local McDonald's and told me her parent is dying and she has been unable to get her sibling to Canada. The parent cannot go to the Philippines, and that means unless that sibling is given a visitor's visa, they will never be reunited with the parent. That is tragic.

All of us would want to do what we could to resolve that sort of situation.

I'll leave it at that. If you want to add further comments, you're most welcome. I look forward to receiving those results.

Mr. Robert Orr: I would just add that I think visa officers are extremely sensitive to those sorts of compelling situations, and they want to try to facilitate where they can. Often in those circumstances, the use of temporary resident permits is used where a visa is not possible. It doesn't resolve all the situations, but I think it goes a long way towards doing so.

The Chair: Thank you.

Ms. James.

Ms. Roxanne James: Thank you, Mr. Chair.

With regard to visa versus permit, you've said that, in many cases, when it comes to funerals, illnesses, weddings, and so on, if the visa application is rejected they may be able to come to Canada on a permit instead. How often does that happen? You've said that this is a solution, that it happens many times. But percentage-wise, how many are still not able to come to Canada versus those who can actually come here on a permit for a very short period of time?

Mr. Robert Orr: I'm sorry, I don't have those statistics on hand. I think we could probably get you the information on the number of permits issued. We may not have the reasons for their being issued, though, so we may not be able to give you a precise figure. But we can give you something helpful, I hope.

Ms. Roxanne James: Thank you.

You said you could provide statistics. You may not have the actual numbers, but you must have in your head an idea, because you said there were a lot of them. Can you give us a rough estimate? I'm not going to hold you to an exact figure.

Mr. Robert Orr: I'm very reluctant. I think we can investigate exactly what the figures are and try to provide you with something specific.

Ms. Roxanne James: Okay, I won't dwell on that question any more, then.

Throughout this committee meeting we have talked about alternatives to the system we have. One was the appeal system used in other countries. I think it was mentioned that there have been some problems in the U.K., and they've had to legislate some changes there. I've heard you say that the cost of it, the time to process it, are burdensome, and all these other things.

Are there any pros to that system, or do the cons related to moving to an appeals-based system on rejected visa applications far outweigh anything that would be of any substance here in Canada?

• (1025)

Mr. Les Linklater: I think our colleagues would say that the level of service and the administrative burden that an appeal process places on the client is not helpful. I don't want to put words in their mouths, but I think that in both the U.K. and Australia the appeal system has room to improve. In the next week or so, changes to the appeal process are expected to come into place. The U.K. has just legislated to limit the right of appeal for certain family members. This would eliminate the right of appeal for people who are planning to visit an uncle, aunt, niece, nephew, or cousin. I think they found this too broad and quite expensive. In Australia, the time delays are not helpful for individuals who want to come for a family event.

From our perspective, the ability to reapply, as well as the opportunity to use the TRP, outweighs the cost and implications of setting up a new arm of government to provide that sort of administrative review.

Ms. Roxanne James: Thank you. I think that's good common sense. When I hear figures that appeals can cost \$1,400 to the person who's applying for it, I think that simply reapplying at a nominal fee, and having it processed much quicker, is the way to go. I thank you for clarifying that.

Not that I want to dwell on fraud in visa applications, but some of the documents you talked about were fake bank statements, false letters of employment, and fraudulent letters of acceptance from Canadian schools. The fraudulent letters from schools, are they legitimate schools here in Canada, or have there been problems with certain institutions putting in recommendations for people to come to Canada for school, but actually they don't really come to school at all? I wonder if you could clarify that, whether it's someone writing a false letter or whether there are issues here in Canada with certain institutions. Could you speak to that for a few minutes?

Mr. Les Linklater: I would say it's a bit of both, and I'm sure that Bob could supplement my commentary. We've seen fraudulent documents purporting to have been issued by the University of Toronto, for example, and certainly U of T is not aware of that. Some counterfeiters are very good at reproducing documentation outside of Canada, and people are not hesitant to bring that information forward as part of an application.

As to institutions in Canada, there have been some in the past where we've seen more of a facilitative movement, with an institution issuing letters. Provinces are very sensitive to this. We're working on strengthened regulations with the provinces and territories to ensure that only institutions that they designate as having appropriate quality assurance mechanisms in place will be allowed to host foreign students. This will likely start in 2014.

Ms. Roxanne James: So it does happen that students come here on student visas, or visas in general, saying that they are going to go to a school and then never actually show up on day one.

Mr. Les Linklater: Unfortunately we do have issues with our regulatory regime now, which we are moving to fix through this package. We don't actually compel, under the regulations, an individual to attend classes to remain a student in good standing. We know that is a significant loophole and a threat to program integrity that we're moving to close.

Ms. Roxanne James: Thank you, very much, for those comments.

My colleague, Mr. Dykstra, mentioned the use of bonds to accompany visa applications. I believe you said it was administratively burdensome and that it's not going to deter someone who wants to come to Canada and then just stays.

I would tend to agree with that because if I was someone who wanted to come here and had no intention of leaving, if I had to pay a bond or an upfront large amount of money or fee, I frankly wouldn't care if I got it back or not and I would just stay anyway.

• (1030)

Mr. Les Linklater: I think as we look at the possibility for organized crime and migrant smuggling, that could perhaps present a very easy option for those types of activities to take place.

Ms. Roxanne James: That was actually my next question. Do you think that would impact human smuggling and those that are involved in human trafficking, where they would just pay the bond and be done with it?

Mr. Les Linklater: Absolutely. Our experience with irregular migration arrivals is that people are willing to pay a good sum of money to hop on a boat to come to Canada under very perilous conditions. If they could through a bond process actually be issued a document to come forward, if they have no intention to leave, that would certainly be a more attractive option.

The Chair: Thank you.

The final word goes to Ms. Sitsabaiesan.

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

A couple weeks ago I had a town hall meeting in my constituency on this exact same issue of visitor visas. I saw more than a hundred people at this town hall. I think that the number of people at that town hall truly reflects the need for this study and the fact that many people in our communities are having a lot of difficulties with the visitor visa process. In that community meeting the members of my community provided some suggestions for change. One was the need for an appeal process so that they're not actually having to do full applications over and over again.

A trend that we noticed within the room was that there are inconsistencies with officers' decisions to approve or deny the applications. For example, of two families coming from the same country with very similar circumstances, one would be approved and the other would be denied. It might be difficult for you to give a reason but can you explain how or why that might happen?

Mr. Robert Orr: When these officers are looking at an application they are looking at a composite picture of risk. They are weighing a whole variety of different factors. There are the admissibility issues that they deal with, which are reasonably straightforward, but then there is a question of intent. That becomes extraordinarily difficult to assess. They are going to be looking at a variety of factors to try to determine intent. Will this person leave Canada at the end of their intended visit? They are trying to balance a whole range of different factors.

First of all, almost no two applications are the same. There are always some different factors that weigh into it, so it's very difficult to compare them. In any case, an officer, for very good and valid grounds—and the Federal Court respects this and acknowledges this—can look at the same series of factors and come to a different conclusion when they balance it all together. It's not a matter of lack of professionalism or lack of will to try to facilitate travel, but when you balance everything together it is possible to come to different conclusions.

Ms. Rathika Sitsabaiesan: Okay.

Earlier when you were answering somebody else's question you mentioned that the only process or method of an appeal, had they been denied, would be to put in a new application or to appeal to the Federal Court for judicial review.

Do you know how many applications actually reach the Federal Court for review? Is that recourse actually used?

Mr. Robert Orr: It is used but it's relatively rare. I believe in 2011 the figure was 64 cases brought to the Federal Court.

Ms. Rathika Sitsabaiesan: In 2011 there were 64 cases. Do you know how many applications were actually denied? Out of how many are the 64?

Mr. Robert Orr: I don't have the actual results from that. We can try to provide that for you.

Ms. Rathika Sitsabaiesan: Perhaps you can send it to the clerk, please. Thank you.

Mr. Chair, do I still have more time?

The Chair: You do.

Ms. Rathika Sitsabaiesan: Fantastic.

We face a lot of visitor visa application denials in my office. People come to our office after they've been denied. The denial comes in the form of a checklist, and not much detail is provided with that checklist. The application doesn't prove that they'll return, it doesn't have sufficient...whatever. People ask for more detail. They want to know what's wrong with their application and how they can make it better. When their first application is denied, they're putting in a second one. But without making a substantial improvement to their application, they're going to be denied again. They want to know how they can actually improve their application, but that checklist doesn't give them that information. When they call, they're told, that's it, there are no more details.

What can my constituents or constituents across the country do to get more information about why their applications are being denied? How can they improve their applications so that when they do reapply they can have a successful outcome?

• (1035)

Mr. Robert Orr: It's one of the real conundrums we have because we would like to provide more information but it's also a matter of the time we have to be able to get through the volume of applications. If we gave a detailed list to each person of what was required, it would be a very time-consuming, difficult task. That is why we have had to go to this rather more generic checklist approach. That's done seriously, though, and we hope from that they have a good indication of why the decision was made and what the reasoning was behind that decision.

By using that information, if they want to apply again they would have to try to address that particular issue. It might be through documentation or it might be through a variety of different ways they would be able to try to attract that. As I mentioned, the number of people who reapply and the success rate on that indicates that generally they are getting information that does help them in the process of reapplying.

The Chair: Thank you.

Our time has expired, I'm afraid.

Mr. Orr and Mr. Linklater, thank you for coming. We've asked you to appear for probably a little unusual length of time. We thank you for that and for helping to give us an introduction to this topic of study, which we're now undertaking.

We will suspend the committee. We have some brief committee business in camera.

[Proceedings continue in camera]

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