



Canadian Bureau for
International Education

CBIE Immigration Advisory Committee
Bill C-97 – Immigration and Citizenship Representation or Advice
(The College of Immigration and Citizenship Consultants Act)
Briefing Note
May 2019

Issue

Scope of Practice for Regulated International Student Immigration Advisors (RISIA) indicated in *Bill C-97, Division 15, subsection k(i)*

Issue Statement

The current wording in *Division 15 – Immigration and Citizenship Representation or Advice – The college of Immigration and Citizenship Consultants Act, Transitional Provisions Section 7 - Effects of continuance, subsection k(i)* with regard to the scope of practice for RISIA.

(k) persons registered with the Council as Regulated International Student Immigration Advisors are, until the day before the day on which by-laws made under paragraph 80(1)(n) come into force, holders of a class of license that is subject to the following restrictions in addition to any conditions or restrictions to which their registration was subject immediately before the date of continuance:

(i) the holder may provide advice only in relation to authorizations to study in Canada and authorizations to enter and remain in Canada as a student and the manner in which those authorizations relate to submissions of an expression of interest under subsection 10.1(3) of the Immigration and Refugee Protection Act and applications under that Act, and

(ii) the holder must not represent any person in connection with submissions of an expression of interest under subsection 10.1(3) of the Immigration and Refugee Protection Act, proceedings or applications under that Act or proceedings or applications under the Citizenship Act;

Currently the wording proposed in subsection k(i) refers to RISIAs providing advice solely on the ability to study in Canada, making it unclear as to the scope of RISIAs in providing advice on co-op/internship, spousal and Post-Graduation Work Permit (PGWP), and immigration documents for minor dependents, all of which are currently areas that RISIAs are able to advise on as part of the [ICCRC Registration Regulation, Section 6, Scope of Practice](#):

6. SCOPE OF PRACTICE

6.1 A RISIA shall provide immigration advice only in the area of *Study Permits, Temporary Resident Visas, and how Study Permits relate to other currently available Canadian immigration programs.*

Potential Impacts

The current wording of subsection k(i) does not clearly reflect the current scope of practice for RISIAs under the Regulation of the Immigration Consultants of Canada Regulatory Council (ICCRC).

As shown above, under the current scope of practice, RISIAs are able to advise on “study permits, temporary resident visas, and how study permits relate to other currently available program Canadian immigration programs.” This has been [clarified](#) to include a breadth of student related situations including: co-op work permits, post-graduate work permits and work permits for spouses.

If this scope of practice were to change/not be clarified, it would have a negative impact on the ability of educational institutions and their RISIA trained staff to provide supports to students and their families during their time in Canada. Understandably, this could have a negative impact on the overall international student experience in Canada, which could result in potential challenges to recruiting and retaining international students in Canada.

There are currently over 160 RISIAs working in all levels of educational institutions across the country, a number which is steadily growing. This demonstrates that a number of institutions have invested significant time and money into recruiting and training RISIA staff members. These staff members have the unique skill set of both understanding their educational institution intimately, and how to apply complex immigration regulations and policies specifically to their international student body. Thus, RISIAs are tremendously valuable to the success of our international students in Canada. To minimize their scope of practice would have a negative impact across the country, at all levels of study.

Recommendations

CBIE's Immigration Advisory Committee, would like to propose the following changes to clarify the wording for *Section 7 - Effects of continuance, Subsection k(i)* to align with the current scope of practice for RISIAs.

k(i) the holder may provide advice only in relation to authorizations required to enter and remain in Canada as a student, the rights and obligations of those persons, the authorizations required for their dependents, and the manner in which those authorizations relate to submissions of an expression of interest under subsection 10.1(3) of the Immigration and Refugee Protection Act and applications under that Act,

In summary the elements we consider that should be included (based on the current identified areas of practice) are:

Provide advice only with respect to applications for temporary residence of the persons below:

- a) Students (with or without a study permit);
- b) The dependents of the persons mentioned in (a);
- c) How these authorizations relate to work authorizations for the student or their dependents (co-op work permit, off-campus work, on-campus work, spousal work permit etc);
- d) How these authorizations relate to other currently available Canadian immigration programs (PGWP)