TOP 10 ISSUES
IN PROVINCIAL NOMINEE PROGRAMS:
EASTERN CANADA

Ontario, New Brunswick, Nova Scotia, PEI and Newfoundland

By

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Introduction

It was interesting to read the headline “Job seekers swarming to Atlantic provinces” in the April 2nd, 2009 edition of the Globe and Mail’s Report on Business. According to the article, unemployed from other regions in Canada are being drawn to job opportunities and the quality of life in a region that has been hit less hard by the slumping economy than other parts of the country. The relative change in economic fortunes in various parts of the country is clearly affecting traditional domestic migration flows.

In an immigration context, we are seeing the emergence of similar nascent trends. There are now immigration lawyers and consultants practising in regions which at one time in the not too distant past were devoid of any full time immigration practitioners, or for that matter of an immigration movement of any note. There is interplay between government policy and various domestic/regional and international developments and trends, which impacts the flow of new immigrants to the various regions of Canada. This is particularly true since the advent of provincial nominee programs, which are specifically designed to attract immigrants to the various regions. The fact that there are well-established practitioners in markets other than the main urban centres of Toronto, Vancouver, Calgary and Montreal is evidence that there is increasing headway of substance being made toward the goal of diversifying the settlement of immigrants in a more targeted and balanced way across the country.
No matter where an immigration lawyer practices in Canada, one of the constants in the practice of immigration law is change. Regulatory changes, changes in policy and in administrative practice and procedure require that immigration lawyers keep a keen eye firmly focused on tracking and interpreting emerging program opportunities, trends and potential obstacles. Currently, there are close to 40 provincial nominee “streams” or programs across the country, which is a major evolution in the practice of immigration law when compared to the discrete few Federal and Quebec immigration streams of even a decade ago. It is incumbent on immigration practitioners to keep abreast of changes in these programs and to understand the unique opportunities and attractive potential immigration strategies they offer.

This paper is focussed on identifying key developments with respect to the “Eastern” Provincial Nominee Programs, encompassing Ontario, New Brunswick, Nova Scotia, Prince Edward Island and Newfoundland and Labrador. But first, we would like to provide an overview of some important background information on Provincial Nominee Programs in general.

**Provincial Nominee Programs**

Pursuant to A.12(2) and R. 87, the Federal Government has created the “Provincial Nominee Class”, which grants to provinces the authority to select immigrants who meet provincial government established criteria. This recognizes the fact that Immigration is a shared federal and provincial constitutional jurisdiction, and gives the provinces a direct role in selecting immigrants that meet their demographic, economic and labour market needs. The Minister has signed agreements with the provinces and territories to allow them to “nominate” or select immigrants who fill these regional or local economic needs.
It should be noted that this is different from the 1991 *Canada-Quebec Accord*, which is the most comprehensive federal-provincial immigration agreement, and which grants Quebec the authority to set its own annual immigration targets and provides for exclusive responsibility for selecting economic class immigrants who wish to settle in the province.

Also different from Quebec is the fact that there is no underlying regulatory framework for the Provincial Nominee Class. A.12(2) and R.87 create the Provincial Nominee Class, and the bilateral federal-provincial immigration agreements set general parameters - but there are currently no provincial regulatory frameworks underpinning the various nominee programs. This means provincial governments have maximum flexibility to adjust their provincial nominee programs as they gain experience and can quickly react to labour market or other imperatives. However, it also means the programs are essentially administrative, policy-based programs that are subject to discretionary interpretation by provincial government officials, fluid changes to program requirements, and limited recourse for applicants who are denied a nomination certificate. It is critically important therefore that immigration lawyers develop lines of communication and utilize resources, including local practitioners, in order to keep on top of trends and changes in the various provincial nominee programs that could affect the outcome of their clients’ applications.

There are essentially two requirements in order to qualify for a visa under the Provincial Nominee Class. First, the person must have met provincial requirements and a provincial nomination certificate must have been issued in accordance with a provincial nominee agreement, and second, the applicant must have the intention to settle in the province. Once the nominee
certificate is issued, the federal permanent resident status application is filed at the applicable visa office.

Note that the nominee does not have to meet federal selection points or any other criteria – the province has made the selection decision and the application for permanent resident status is processed on that basis. Generally speaking, the federal visa office will concern itself only with post-selection statutory requirements, namely medical and security processing. Federal interviews are rare and would occur only if there is a security, potential misrepresentation or possibly a negative substituted evaluation issue.

The prime focus of the provincial nominee programs is to select immigrants who have the intention to settle in the nominating province or territory. The provinces scrutinize closely the applicant’s intention to settle in the nominating province. If the applicant has never visited the province or only makes a cursory visit, or has family or other ties in another province, or for example applied previously for immigration in another category destined to another province, the threshold for satisfying provincial officials of genuine intent to settle in the nominating province is correspondingly higher.

It should also be noted that federal visa officers retain authority under R. 87 (3) to exercise negative “substituted evaluation” if they have good reason to believe, notwithstanding the nomination certificate, that the nominee is unlikely to become economically established in the province. The visa officer is required to first consult with the nominating province, and the exercise of negative substituted evaluation must have concurrence from a second visa officer, normally the immigration program manager.
One of the key recent changes to the Provincial Nominee class regulations is the R. 87(5) and (6) proscription against approving visas for nominees who have been issued a nomination certificate based upon a “passive investment proposal”. The limitation is designed to prevent nominee programs from competing directly with the federal (and Quebec) Immigrant Investor Programs, and will be discussed further below.

**Top 10 Issues in PNPs for Eastern Canada**

1) **Prohibition against Passive Investment Schemes**

On September 2, 2008 amendments to R. 87 (5) and (6) came into force, which preclude consideration under the Provincial Nominee Class if the nomination was *based on the provision of capital by the foreign national* or if the foreign national intends to participate in an ‘immigration-linked’ investment scheme.

These regulatory changes took direct aim at the *Immigrant Partner* programs in Newfoundland and, in particular, Prince Edward Island. Both programs have been cancelled as a result of the regulatory changes. The Immigrant Partner programs offered qualified applicants provincial nominations in return for qualifying investments, which required only relatively limited management role by the immigrant in the invested business. The Prince Edward Island (PEI) program was extraordinarily popular for its speed of processing and competitive out of pocket investment levels when compared to the Federal or Quebec Immigrant Investor Programs. PEI in particular attracted a rush of hundreds of Immigrant Partner applications in the period just before the regulatory change took effect in September 2008. The PEI Immigrant Partner program remains controversial, with issues concerning alleged inadequate program administration, and
questions surrounding security for the return of the investment in the event the permanent resident visa was not ultimately granted. The investment of $200,000 (which was usually financed), was required to be completed and committed to the business first, in order to receive the nomination certificate. The rush of last-minute applications before the regulatory deadline and the potential for refusals at the federal stage means that refunds of investments for federally refused applicants remains a potential issue of concern.

The regulatory changes also clarify under what circumstances investment-related programs are permissible under the Provincial Nominee Class. The proscription against obtaining a nomination certificate through the “provision of capital” or by participating in an “immigration linked investment scheme” does not apply to investments where the foreign national will control a percentage equity in the business of at least 33 1/3%, or where the equity invested will be at least $1,000,000. The regulation further provides that the foreign national must be providing active and ongoing management of the business from within the province, and the terms of the investment cannot include a redemption option.

2) Opportunities for International Students

The Federal Government has recently made the path to permanent resident status for International Students extremely attractive. The changes include facilitated off-campus work permits, on-line renewals, open spousal work permits, open and extended post-graduation work experience work permits, and a direct path to permanent resident status under the new Canadian Experience Class after one year of post-graduation employment in Canada in Skill Type O, or Skill Levels A or B of the NOC.
However, it is important for immigration lawyers to be aware of other and perhaps more speedy and attractive permanent resident options for International Students, available under the Nova Scotia, Ontario and Newfoundland provincial nominee programs. The Ontario and Nova Scotia programs are exclusively *employer-driven*, meaning that, unlike the Canadian Experience Class, an approved full time job offer from an employer in the province is required in order to apply for the nomination certificate. The Newfoundland program offers the possibility for International Graduates to obtain a nomination certificate without a permanent job offer.

a) **Nova Scotia International Graduate Stream**

Rather than require at least two years of study in Canada and a full one year of qualifying post-graduate work experience, as is the case under the Canadian Experience Class, the Nova Scotia International Graduate Stream requires a degree or diploma after only a minimum of one year of full time study at a recognized Nova Scotia college or university, and the ability to apply for permanent resident status after only three months of work experience in a field related to the program of study, on the basis a permanent job offer from the Nova Scotia employer.

A [*hyperlink*](#) (CNTL – click) is provided in the header above which will direct readers to the Nova Scotia Office of Immigration website for more details on this program. Hyperlinks are also provided throughout the remainder of this paper to direct readers to applicable government web pages.

b) **Ontario International Student Category**
Under the Opportunities Ontario Provincial Nominee Program there is an International Student Category, which is also an attractive alternative to the Canadian Experience Class.

The student must have completed a minimum of two years of study at an eligible publicly funded college or university in Canada (not necessarily an Ontario post-secondary institution). At least half of their studies toward the degree or diploma must have occurred in Canada. One year post graduate and certificate programs are acceptable in terms of the qualifying Canadian education credential, as long as at least 2 years of eligible study in Canada has been completed.

The permanent job offer by the employer is pre-screened, but now does not necessarily have to be in a field related to the program of study (unlike Nova Scotia), and may offer entry level wages (not necessarily prevailing wages).

An application can be made immediately after graduation, but while in legal status in Canada. Readers are directed to the hyper-link above for more details about this program.

c) Newfoundland International Graduate Category

The Newfoundland International Graduate Category is for graduates of at least a 2 year certificate, diploma or degree academic program from a recognized Newfoundland post-secondary institution. Note that unlike the other international student programs, including the Canadian Experience Class, graduation from an accredited private education institution is acceptable.
Generally speaking, the Newfoundland International Graduate Category has a requirement for a job offer related to the area of study, which offers a prevailing wage. Skill level is not specified, but the job must be related to the area of study.

A unique feature of this program is that a job offer is not mandatory. If the applicant is currently working in a job related to their area of study (for at least 6 months), and has demonstrated attachments to Newfoundland and has reasonable prospects for continued employment and advancement, the actual job offer may not be required.

Newfoundland, like Nova Scotia, does not charge an application fee to process nominee applications. Readers are directed to the hyper-link above for more details about this program.

3) **Language Requirements**

In general, the employment-based provincial nominee programs have an English or French language requirement relevant to the offer of employment, but a specific IELTS or other Canadian benchmark test result is generally not mandatory.

For business-related provincial nominee programs, the requirement to have facility in English or French has been a factor to be assessed, but has generally not been strictly mandatory – except until recently in the case of the New Brunswick Business Plan category.

The New Brunswick Business Plan category has been a particularly attractive category because there is no set minimum net worth or investment level – the amount of the investment will depend on the nature and viability of the business plan. Many well-qualified genuine small business investors have been eligible under this program, but perhaps not eligible under the
Federal Entrepreneur or other business-related provincial nominee programs because of minimum net worth and investment level requirements. However, the strict English/French language requirement (the ability to effectively conduct an interview in English or French) has limited the number of qualified applicants under that program. Recently, New Brunswick has adopted a more flexible approach in line with most other provinces with respect to the English or French language requirement for business plan applicants, now approving cases where the applicant may have only a basic level of English or French, but has provided a viable plan for acquiring the necessary language skills and managing the business.

4) **Interview Requirements**

When screening applicants under the various business-related provincial nominee programs, one of the first issues an immigration lawyer should address is the ability of the applicant to obtain a Temporary Resident Visa, because an exploratory trip and interview in the province of destination is typically a mandatory requirement. This is true for the Prince Edward Island and Newfoundland Immigrant Entrepreneur Categories, the New Brunswick Business Plan category, and as a practical matter when qualifying a proposed investment for the Ontario Investor category. Nova Scotia does not currently have an active business plan/investment related program.

5) **Opportunities Ontario**

Of particular note are the recent significant changes to the former Ontario provincial nominee “pilot” program, which on February 20, 2009 changed its name to “Opportunities Ontario”.
The “Employer Category” for foreign workers in 20 specified occupations in health, education, manufacturing and construction sectors was changed to the “General Category” for employers seeking to hire foreign workers with at least two years of relevant experience in any skilled occupation (NOC 0, A or B). This has dramatically opened up the opportunities for foreign workers with a pre-screened employer in Ontario to apply immediately for permanent resident status under the provincial nominee program. This creates opportunities for those who do not meet the Federal Skilled Worker criteria or who are unwilling to wait two years for eligibility under the new Canadian Experience Class.

Another significant and welcome change for International Students (who have graduated from a Canadian public university or college anywhere in Canada) is that the job offer no longer needs to be related to the field of study in Canada.

The “Multinational Investor” category has been changed to the Investor category and requires that the employer/investor obtain an endorsement from a relevant Ministry for the investment. The minimum requirements has been changed from a $10 million investment and creation of 25 net permanent full time jobs to an investment of $ 3 million and the creation of five net permanent full-time jobs.

The annual target has also increased from 500 nominees per year to 1,000 nominees per year.

The application fees have also been adjusted upward, and are steep relative to other provincial nominee programs (see: fees).
6) **Work Permits for Provincial Nominees**

Pursuant to R. 204 (c) (or R. 205(a) for business applicants where the federal-provincial immigration agreement has not yet been amended), provincial nominees provided a letter of support by a province may apply for a validation exempt work permit (CEC T-10) while, or even prior to, the federal processing being undertaken for their permanent resident status application.

There are reports of “dual intent” issues arising and resistance in some circumstances from some visa offices to issuing these interim work permits, but overall the practice seems to be to facilitate work permits for approved provincial nominees who have a letter of support issued by the nominating province.

New Brunswick in particular is facilitative in this regard for Business Plan category applicants who wish to start their businesses prior to the permanent resident status visa being issued.

7) **Options for Relatives**

One of the truly innovative developments under several provincial nominee programs is the opportunity being afforded to relatives in certain provinces to support applications by overseas relatives who do not qualify under the federal Family Class.

Nova Scotia has an attractive [Family Business Worker Stream](#), which is an employer-driven stream that allows owners of businesses in Nova Scotia to offer employment to relatives overseas and support an application for permanent resident status. Please CNTL - click on the hyperlink above for more details.
Prince Edward Island has a generous extended Family Class category known as the **Immigration Connections category**, which allows relatives (known as “champions”) to sponsor a child, sibling, niece/nephew, aunt/uncle, grandchild, first cousin or step-relative or in-law of the same level. The nominee should have an offer of employment but this is not strictly mandatory if the nominee can establish a clearly identified ability to work in Prince Edward Island. Further details are available through the hyperlink above.

Newfoundland also has a **Family Connections Category**, in which relatives (outside of the federal Family Class) may sponsor the nomination of a qualified relative. The relative must meet fairly comprehensive education, language, work experience and financial resources criteria, and must have a full-time permanent job offer from an employer in Newfoundland. Further details are available through the hyperlink above.

8) **Documentary Requirements Issues**

The documentary requirements for the Eastern provincial nominee programs are clearly spelled out on the respective websites and in application instructions packages, and are generally very straightforward.

An issue which created significant headaches was the mandatory requirement to provide notarized true copies of all supporting documents and translations when filing applications to the Nova Scotia Office of Immigration.

To the relief of practitioners and prospective nominees, effective March 31, 2009 the Nova Scotia Office of Immigration revised this policy, and advised that application packages will
be amended accordingly. It is no longer mandatory that photocopies of documents be notarized. However, the Nova Scotia Office of Immigration reserves the right to request notarized true copies or to view originals on a case-by-case basis.

9) Intention

R. 87 (2)(b) makes it a discrete requirement that to qualify as a provincial nominee the person must intend to reside in the province that nominated them. Retention in the province of nomination is the fundamental goal of provincial nominee programs.

This should be a lawyer’s starting point when assessing a prospective client’s eligibility for one of the provincial nominee programs.

Post-selection “retention” in the province or territory is being monitored. The provinces are aware that Charter mobility rights insulate nominees who do not settle permanently in the nominating province, but the on-going statistical analysis of what policies and practices seem to yield the best retention results is an important tool as nominee programs are adjusted to meet objectives. Note for example that practitioners whose clients routinely use a nominee program as an immediate backdoor to other provinces will almost certainly, over time, be identified and their cases become subject to increased scrutiny.

If the applicant has never visited the province or only makes a cursory visit, or has family or other ties in another province, or for example applied previously for immigration in another category destined to another province, the threshold for satisfying provincial officials of genuine intent to settle in the nominating province is much higher. Where intention is an issue, the client
should definitely do their homework about the province and if possible make an extended exploratory trip.

10) Visa Office Processing Issues

As noted above, from a visa office point of view there are essentially two requirements in order to qualify for a visa under the Provincial Nominee Class. First, the person must have met provincial requirements and a provincial nomination certificate must have been issued in accordance with a provincial nominee agreement; and second, the applicant must have the intention to settle in the province. Once the nominee certificate is issued by the province, the federal permanent resident status application is filed at the applicable visa office.

Note that the nominee does not have to meet federal selection points or any other criteria – the province has made the selection decision and the application for permanent resident status is processed on that basis. Generally speaking, the federal visa office will concern itself only with post-selection statutory requirements, namely medical and security processing. Federal interviews are rare and would occur only if there is a security, potential misrepresentation or possibly a negative substituted evaluation issue.

Although the nomination certificate is a positive selection decision, federal visa officers do retain authority under R. 87 (3) to exercise negative “substituted evaluation” if they have good reason to believe, notwithstanding the nomination certificate, that the nominee is unlikely to become economically established in the province. The visa officer is required to first consult with the nominating province, and the exercise of negative substituted evaluation must have concurrence from a second visa officer, normally the immigration program manager.
Summaries of Eastern Provincial Nominee Programs

1) **Nova Scotia**

Age limit for all applicants: between 21 and 55
Priority for all job offer categories for jobs paying more than $10.00 per hour or more than $20,000 per year

**Categories of Applicants**

1. Skilled worker
2. Family business job offer: this may change to "family connections"
3. International graduate: this may change to any Canadian institution
4. Community-identified

**Skilled Worker - Criteria**

- Guaranteed offer of permanent full-time employment
- Ability to speak French or English
- Two years of work experience
- Employer has tried to recruit, unsuccessfully, in Canada and will make effort to train Canadians
- Minimum grade 12 or 13 years of schooling

**Family Business Job Offer**

Must be relative (or step or half relative) of business owner or spouse: child; sibling; niece or nephew (child of a sibling); uncle or aunt (sibling of a parent); or grandchild

- Minimum grade 12 or 13 years of schooling
- Sufficient English or French to perform the job
- Work experience as needed for job
- Employer must be permanent resident or Canadian citizen
- Employer must own at least 33 1/3% of business
- Business must have been in operation under current management for at least two years
- Full-time position
- One application per business owner or spouse every two years

**International Graduate - Criteria**

- Graduate of a recognized Nova Scotia post-secondary institution within the past two years and have received a certificate, diploma or degree from a program of at least one year in length, at a Nova Scotia post-secondary institution
• Permanent, full-time job offer from an employer in Nova Scotia in field of study and at an acceptable level and have been working for at least three months in this position on a post-graduation work permit
• Have necessary qualifications and English or French language ability for the job being offered
• Have sufficient settlement funds

Community identified

• Not eligible for any other NSNP streams
• Have legal status in his/her country of residence
• Letter of Identification from a mandated community organization, from this list: [link]
• Have long established connections in the specific community which provided the Letter of Identification
• Wish to settle permanently in that Nova Scotian community
• Have sufficient settlement supports
• Employable i.e. have skills, training (one year post-secondary diploma, degree or certificate), and work experience (one year minimum) for future employment in a field or sector required by that community

Statistics:

2003 - 33 applied, 23 nominated
2004 - 133 applied, 117 nominated
2005 - 336 applied, 303 nominated
2006 - 578 applied, 400 nominated
2007 – 723 applied, 405 nominated
2008 – 378 applied, 309 nominated

Top four countries between 2003 and 2008:

Iran, China, UK, Korea (followed by Taiwan and US)

Retention rates:

No statistics regarding retention rates for nominees; but 63 % of all immigrants to NS between 2001 and 2008 stayed in NS

Processing times:

Two to three months

2) Prince Edward Island
• Age limit for all applicants: between 21 and 55
• Priority for all job offer categories for jobs paying more than $10.00 per hour or more than $20,000 per year

Categories of Applicants

1. Immigrant entrepreneur
2. Skilled worker
3. Immigrant connections

Immigrant Entrepreneur Criteria

• Net worth minimum $400,000
• Investment minimum $200,000 to establish new enterprise (or to purchase no less than 33% of an existing business)
• Business plan to demonstrate capacity to establish a successful business in the Prince Edward Island business environment
• No passive investments
• $100,000 business investment deposit, held in escrow and returned to the applicant after one year’s residency and the establishment of the business
• $25,000 good faith deposit in escrow with the Government of PEI, returned after applicant has resided for one year in PEI
• If capacity in English or French insufficient for interview in that language, mandatory $20,000 deposit held in escrow with the Government of PEI, to be returned upon demonstration of moderate language skills, in English or French, after arrival in PEI
• A combination of age, education, language skills and transferrable management skills: ideally, less than 55 years of age; minimum 14 years of education, including one (or more) post-secondary certificates or degrees; capable of being interviewed in English or French; several years of management (or, preferably, business ownership) experience in a sector with relevance to the PEI economy
• Lack of language skills must be offset by strengths in education or transferrable management skills;
• Exceptional transferable management skills may offset a lack of post-secondary education
• Mandatory exploratory visit to PEI, of at least three business days duration, and preferably, five business days
• Mandatory interview with Canada-PEI Business Service Centre during exploratory visit
• $2,500.00 application fee

Skilled Worker Criteria

• Pass with 50 points on questionnaire: http://www.gov.pe.ca/forms/pdf/533.pdf
• Bona fide job offer from PEI employer
• Sufficient English or French to perform the job
• Work experience and education as needed for job
• $250.00 application fee
**Immigrant Connections**

- Eligible family to nominate: child; sibling; niece or nephew; aunt or uncle (parent's sibling); grandchild; first cousin; or step relative or in-law of the same level
- Nominator must
  - be a Canadian citizen or a Permanent Resident who has lived in Prince Edward Island for more than two years
  - Have regular income source sufficient for their needs and their dependents
  - Have a generally unblemished personal history
- Preferable to have offer of employment or, in the view of the Province, clearly identified capacity to work in Prince Edward Island; and
- $250.00 application fee

**Nominations by years:**

2004 – 160  
2005 – 161  
2006 – 441  
2007 – 799  
2008 – 2,130

**Top Three Countries**

China, Korea and Iran

**Retention:**

Settlement agency in PEI reports 949 new registrants in 2007 and 1,077 in 2008 and establishment of Korean and Chinese community associations.

**Processing Times:**

Eight to 12 weeks

3. **New Brunswick**

**Categories of Applicants**

1. Job offer applicants
2. Business plan applicants

**Job Offer Applicants - Criteria**

- Score at least 50 points
• Guaranteed offer of permanent full-time employment

• Work for a New Brunswick employer

• Work normally done in New Brunswick

• Employer provides competitive wages and working conditions

• Work in an area of skill shortage

• Sign declaration stating intention to live and work in New Brunswick

**Skilled Workers**

• Most Skilled Worker Applications are visa conversions

• Skilled Workers are in New Brunswick with a temporary work permit

• Human Resources and Skilled Development Canada (HRSDC) through Service Canada issues the authorization to hire the foreign worker

• Citizenship and Immigration Canada (CIC) issues the temporary work permit

• Candidates apply through the Nominee Program if employer and employee wish to make the job "permanent"

**Business Plan Applicants - Criteria**

• Experience in owning or managing a business

• Financial resources for business development and family settlement

• Active involvement in the business

• Link between previous experience and business plan

• Basic knowledge of English or French

• Joint ventures or partnerships with existing New Brunswick companies are options

**Interview in New Brunswick**

• Spend at least 5 full business days in New Brunswick

• Research the business environment
• Consult with economic development agencies

• Identify opportunities related to the applicant’s field of expertise

• Explore education, housing and community facilities

**Submit a Business Plan**

• Submit a detailed business plan

• Should include details of the business idea developed during the applicant’s visit to New Brunswick

**New Brunswick Nominations**

• Applications

  • 2004 - 379 applications
    197 nominated

  • 2005 - 335 applications
    342 nominated

  • 2006 - 482 applications
    331 nominated

  • 2007 - 602 applications
    432 nominated

  • 2008 - 652 applications
    513 nominated

* Note: Some applications were withdrawn and some applications were also put on hold

**Origin of Applications**

1. China

2. Korea

3. Iran
4. India

**Processing Time**

- Skilled Workers - 3 months
- Business Applicants - 4 to 5 months
- Trying to improve

**Retention Rates**

- 5 years ago, 60 to 70 percent staying
- Trying to improve

4) **Newfoundland**

**Categories of Applicants**

1. Occupational/skilled worker
2. Family connections
3. International graduate
4. Immigrant entrepreneur

**Occupational/Skilled Worker - Criteria**

- Score at least 50 points
- Guaranteed offer of permanent full-time employment
- Utilizes specialized skills that could not otherwise be obtainable in Canada
- Is within the Province of Newfoundland strategic sector list

**Newfoundland Family Connections - Criteria**
• Residents who have resided in the Province for at least one year can sponsor family members from abroad

• Does not apply to family members who are eligible for Federal family class sponsorship

• Permanent full-time job offer or the intention and ability to obtain one

• Be between 18 and 49 years of age

• Have completed post-secondary education

• Have at least one year of work experience

• Have adequate English language ability

• Have enough money to live in the Province ($10,000.00 for the principal applicant and $2,000.00 for each accompanying family member)

• Have a family member sponsor who is willing to provide settlement assistance and sign an affidavit of support

**International Graduate - Criteria**

• Have graduated from a recognized Newfoundland and Labrador post-secondary institution in the past two years

• Have received a certificate, diploma or degree from a program of at least two years in length

• Have obtained a permanent full-time job offer or have a reasonable expectation of employment in the Province in the near future

• Have obtained a post-graduation work permit

• Have necessary qualifications and English or French language ability for the job being offered

• Have sufficient settlement funds

**Immigrant Entrepreneur - Criteria**
• Score at least 50 points

• Must establish or purchase a business that is within the Province’s Strategic Sector list

• Have a minimum of five years of senior management or entrepreneurial experience in a business similar to the one proposed

• Have a minimum net worth of $450,000.00, of which at least $350,000.00 should be in liquid assets

• Be prepared to sign a performance agreement promising a minimum business investment of $200,000.00

• Be prepared to make a $100,000.00 deposit that will be returned once the obligations of the performance agreement has been met

• Prior to the completion of the application, be willing to make an exploratory visit to Newfoundland

• Submit a detailed business plan

• Candidate must prove eligible relationship to Nominator

5. **Ontario** (please see pp. 11 – 13 above)