

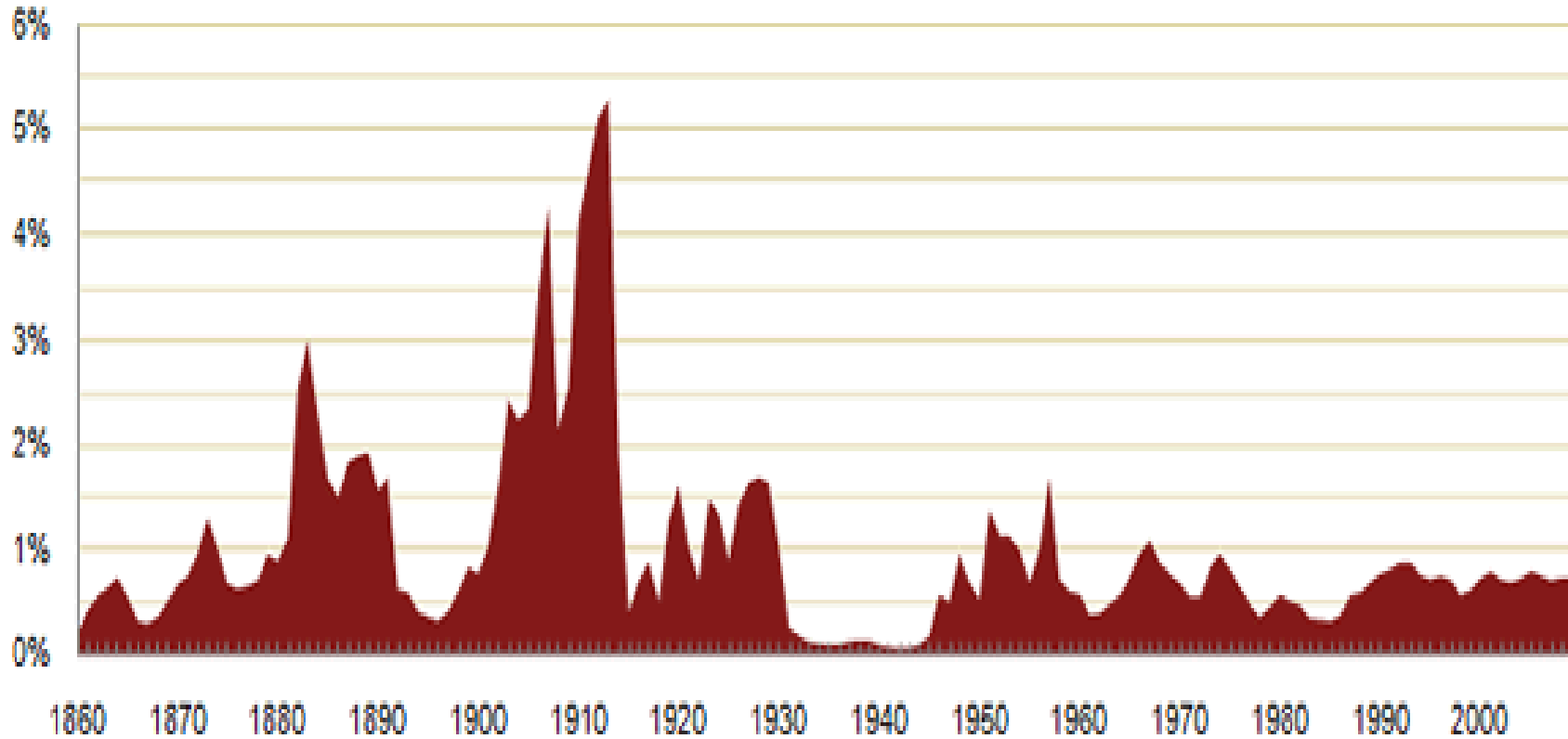
Selecting Skilled Immigrants: National Standard and Provincial Nomination

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(I) Some Notable Recent Changes

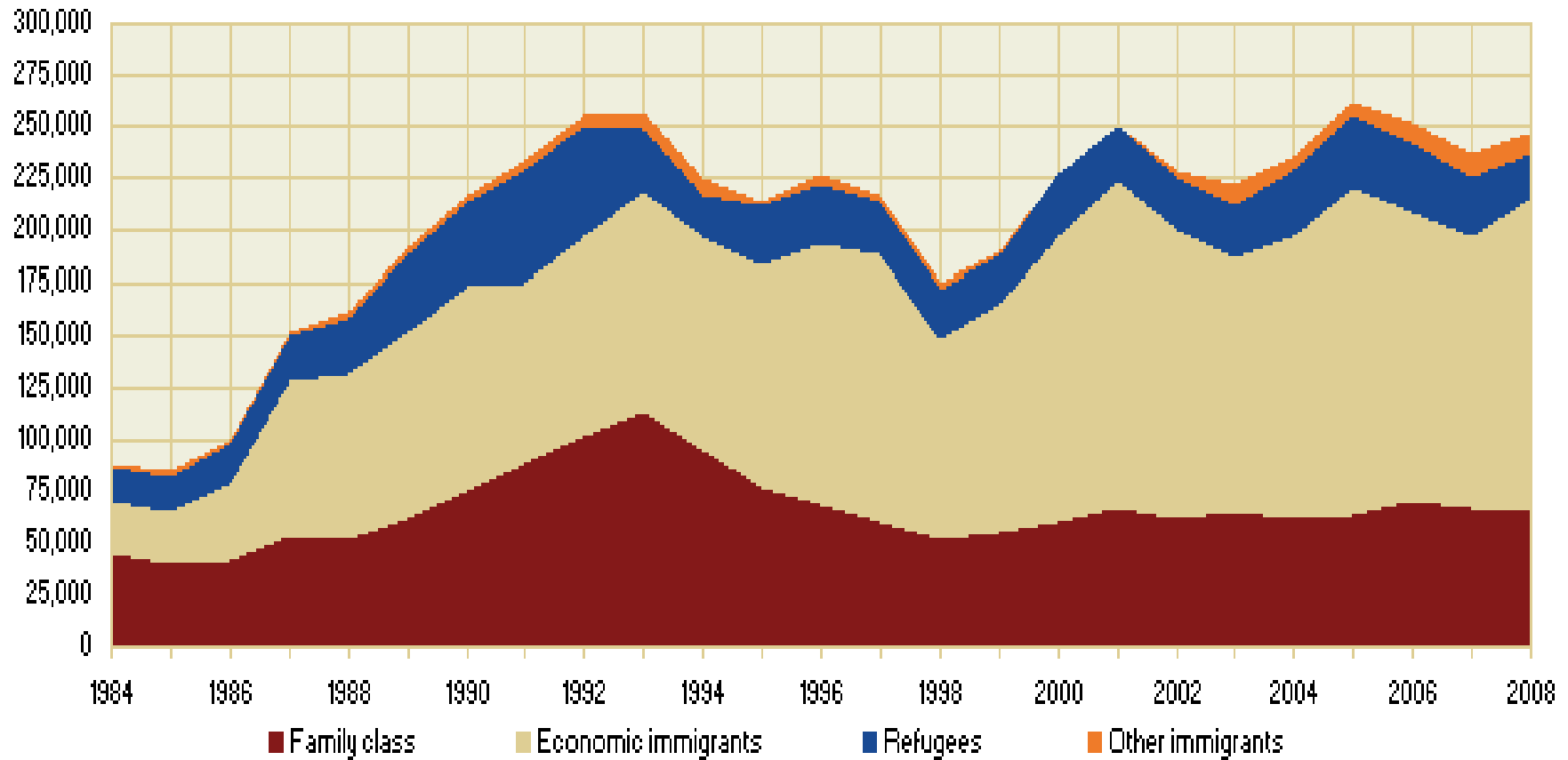
- Proportional increase in economic class (includes skilled, business, provincial nominees, live-in caregivers)
- Increase in temporary class (includes foreign students, foreign workers)
- Increase in provincial nominees

Permanent Residents Admitted Annually as a Percentage of Canada's Population, 1860 to 2009



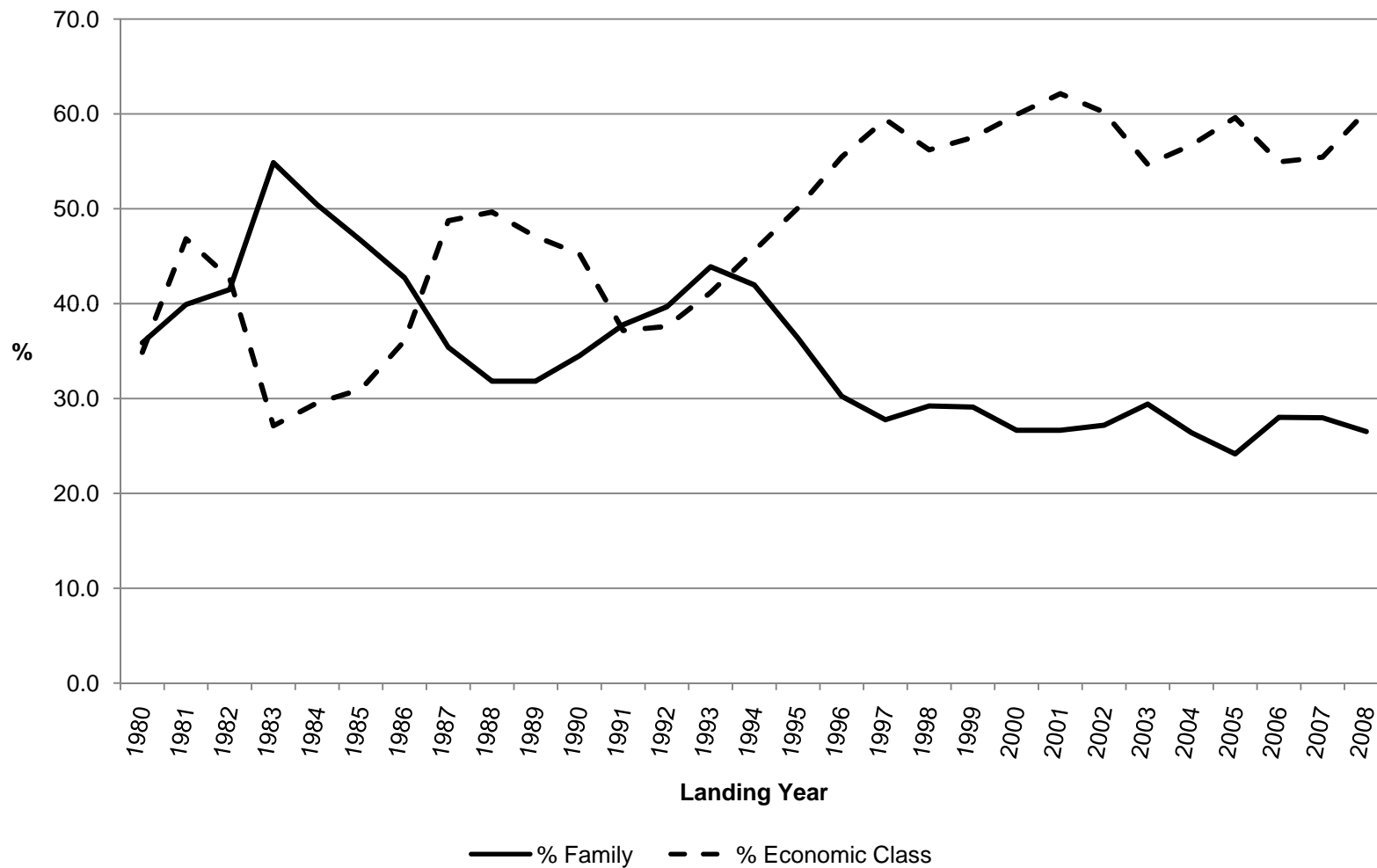
Source: Citizenship and Immigration Canada, Facts and Figures 2009 – Immigration overview: Permanent and temporary residents.

Permanent Residents Admitted Annually By Category of Admission, 1984 to 2008

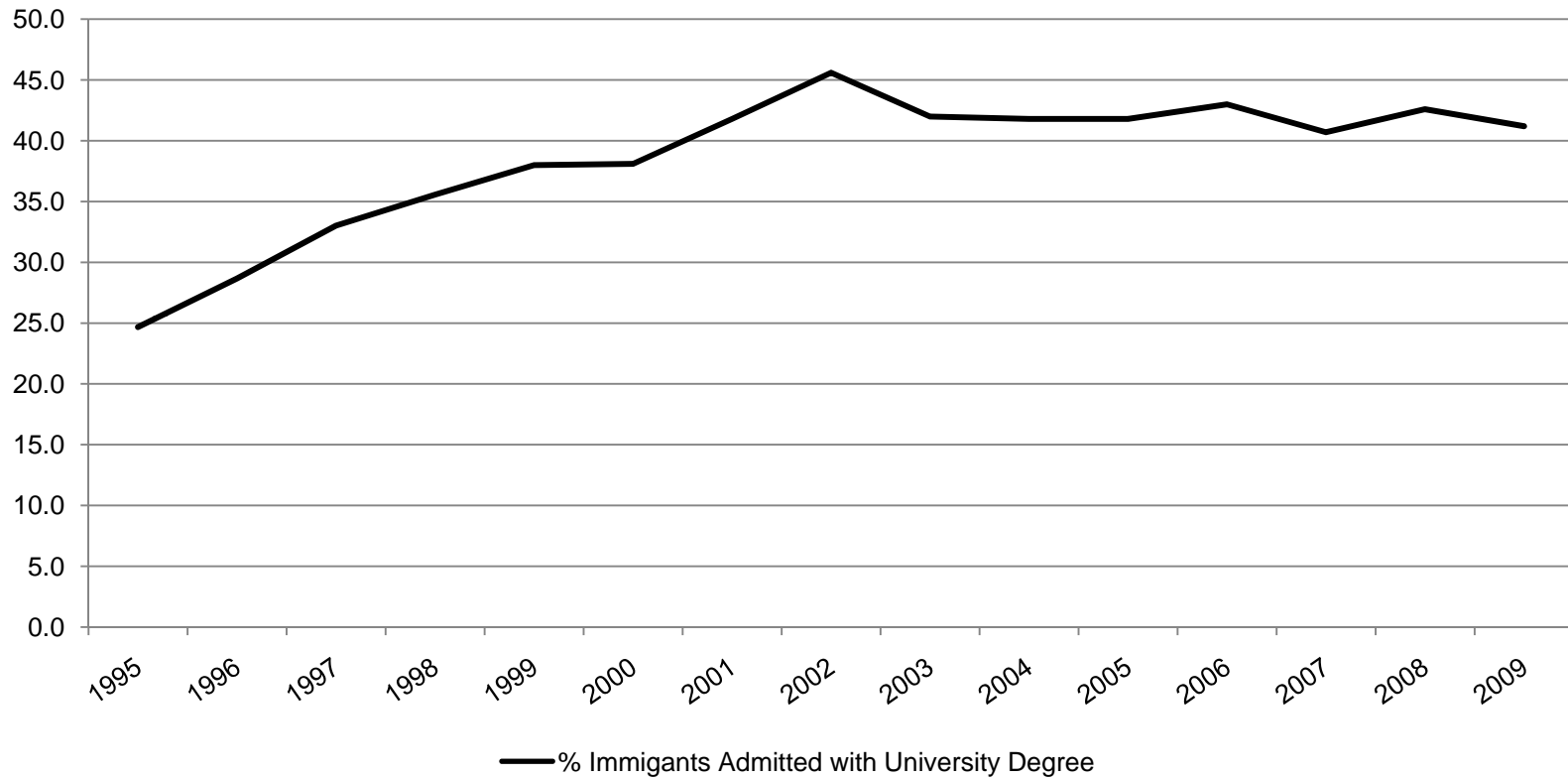


Source: Citizenship and Immigration Canada, Facts and Figures 2009 – Immigration overview: Permanent and temporary residents.

Percent Family Class and Economic Class Admitted Annually by Landing Year, 1980-2009

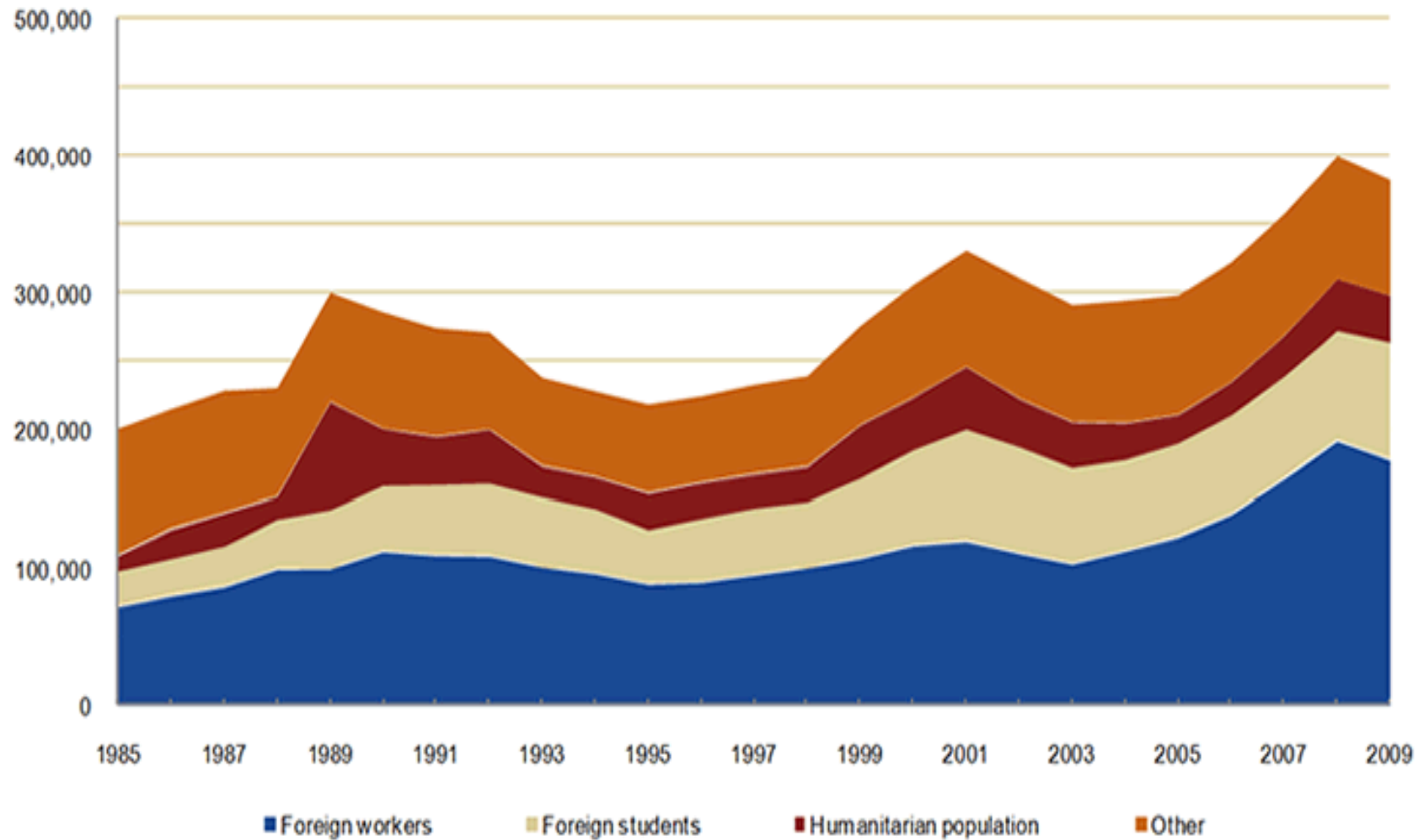


% Immigrants Admitted Annually with University Degree, 1995 to 2009



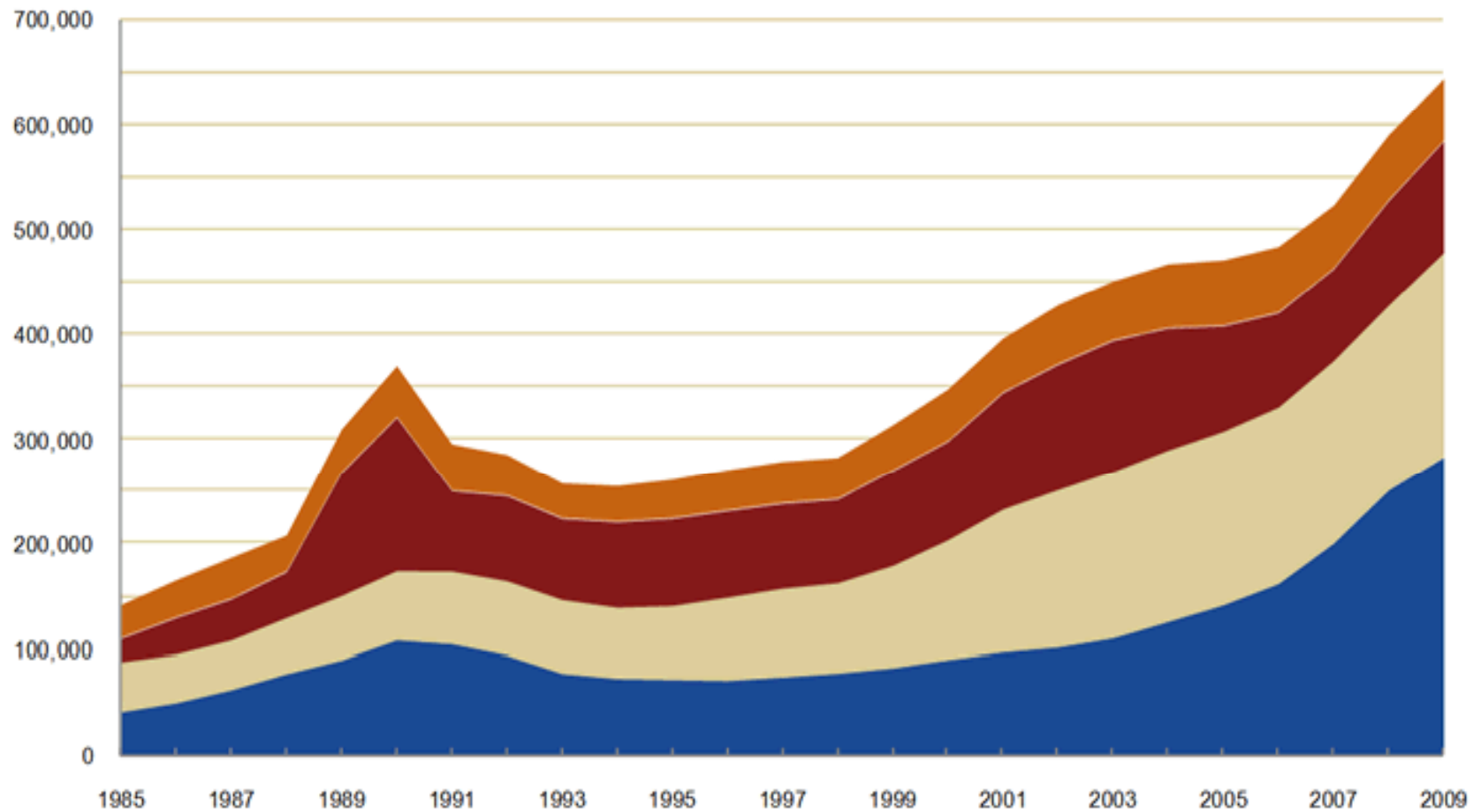
Source: Citizenship and Immigration Canada, Facts and Figures, various years.

Temporary Residents Admitted Annually By Status, 1985 to 2009



Source: Citizenship and Immigration Canada, Facts and Figures 2009 – Immigration overview: Permanent and temporary residents.

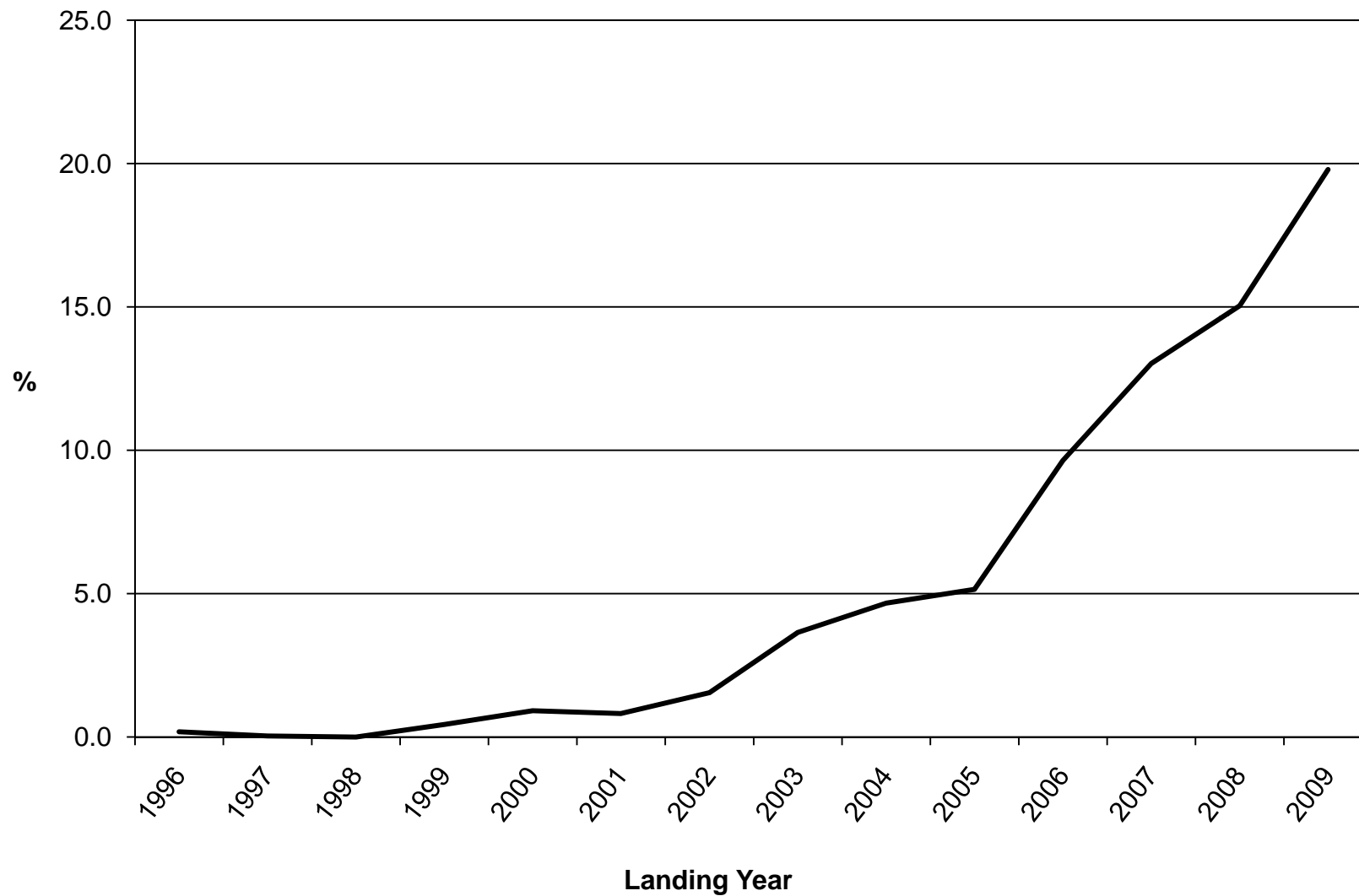
Temporary residents present in Canada on December 1st By Yearly Status, 1985 to 2009



Source: Citizenship and Immigration Canada, Facts and Figures 2009 – Immigration overview: Permanent and temporary residents.

Table 2: Provincial Nominees Admitted, 1996-2009			
Landing	Economic	Provincial Nominees	
Year	Immigrants	No.	% of Econ. Immigrants
1996	125,370	233	0.2
1997	128,351	47	0.0
1998	97,911	0	0.0
1999	109,251	477	0.4
2000	136,287	1252	0.9
2001	155,720	1274	0.8
2002	137,863	2127	1.5
2003	121,046	4418	3.6
2004	133,748	6248	4.7
2005	156,312	8047	5.1
2006	138,251	13336	9.6
2007	131,244	17094	13.0
2008	149,071	22418	15.0
2009	153,498	30378	19.8

Provincial Nominees as % of Economic Immigrants By Year, 1996-2009



(II) Changes in Federation-Provincial Jurisdiction in Immigration

- Constitution Act of 1867
- De facto pre-WWII federal authority over immigration
- Constitution crisis in 1982 repatriation, 1987 Meech Lake, 1992 Charlottetown
- 1991 Canada and Quebec Accord
- Federal-provincial agreement on immigration since 1996

1867 Constitution Act

Section 95:

“In each Province the Legislature may make laws in relations to Agriculture in the Province, and to Immigration into the Province...the Parliament of Canada may from time to time make laws in relation to Agriculture in all or any of the Provinces, and to Immigration in all or any of the Provinces; and any law of the Legislature of a Province...shall have effect in and for the Province as long and as far as it is not repugnant to any Act of the Parliament of Canada”.

Historical Authority of Federal Government Over Immigration

- Canada has power over naturalization and aliens; Canada and provinces share power over immigration
- Condition of repugnancy and the exclusive rights of the federal government over matters of aliens give federal government paramount say in immigration
- The settlement of the West and the wheat boom in early 20th century enabled federal government to link immigration to a national economic development plan
- BC passed some laws to regulate Chinese immigration in 19th century, but these were declared unconstitutional

De Facto Federal Control over Immigration

- By the end of WW II, provinces had shifted from their earlier role of providing services to immigrants for land settlement to one aimed at service delivery to general population in health, welfare and education
- Immigration policy development became largely concerns of federal government
- Post-WW II: end of free unskilled migration, rising demand for skills worldwide, increased government intervention by receiving countries

Post WW II Federal Immigration Policy

- Mackenzie King 1947 statement: (1) viewed immigration as a source of population and economic growth; (2) did not want to change racial composition of Canada; (3) in favour of immigration from Europe and US
- 1952 Immigration Act: admission categories excluded Asian countries
- 1967 Immigration Regulations: point system introduced. The point system remains the basic framework of immigrant selection

2001 Immigration Act

2002 Immigration Regulations

- Replaced 1976 Immigration Act & over 30 amendments
- Require Minister to refer proposed regulations to House committees before tabling in Parliament
- Separate immigration from refugee protection
- Framing immigration in terms Canada's national benefits and its social and cultural features
- Stress importance of skilled immigrants and their economic benefits to Canada
- New selection grid places even greater emphasis on human capital in providing flexible skills to Canada's changing labour market

(III) New Federation-Provincial Agreements in Immigration

Background issues or tensions

- Labour market needs and immigrant occupational type
- Justifying immigration as a national policy by economic contributions of immigrants
- Specific occupational selection versus generic human capital
- National immigrant admission and local costs
- National benefit and regionalization

Federal/Quebec Immigration Agreements

- Quebec's concerns: (1) to have a proportional share of new immigrants and (2) to take control of integrating new immigrants to maintain the demographic and linguistic position of French speaking population
- Quebec the first province that signed an immigration agreement: 1971 Lang-Cloutier Agreement; 1978 Canada/Quebec Agreement; 1991 Canada and Quebec Accord relating to immigration and temporary admission of aliens

Features of 1991 Accord

- Quebec has sole responsibility to select immigrants; Canada has sole responsibility to admit immigrants
- Quebec not Canada would provide programs for reception and linguistic and cultural integration of immigrants, and receive federal compensation
- Devolution of immigration power to Quebec partly arises from constitution debate of the 1980s. The abortive 1987 Meech Lake Accord reflects a strong will to shift substantial authority in immigration to provinces, and it has key elements in the 1991 Accord.

Features of Federal/Provincial Immigration Agreements

- (1) Agreements recognize difference in local conditions in settling immigrants & need to design provincial settlement programs with federal funding
- (2) Need for federal government to consult with provinces in developing general immigration policies & take into account provincial objectives and needs in developing immigration targets
- (3) Allow provinces to nominate immigrants to address local economic needs
- (4) Earlier agreements had time limits and a low upper ceiling for provincial nominees; current ones mostly indefinite, and often without ceilings.

Table 1: Federal-Provincial Territorial Agreements				
<u>Province</u>	<u>Agreement</u>	<u>Year Signed</u>	<u>Originally Signed</u>	<u>Year Expired</u>
Alberta	Agreement for Canada-Alberta Cooperation on Immigration	2007	2007	Indefinite
British Columbia	Canada-British Columbia Immigration Agreement	2010	1998	2015
Manitoba	Canada-Manitoba Immigration Agreement	2003	1996	Indefinite
New Brunswick	Canada-New Brunswick Agreement on Provincial Nominees	2005	1999	Indefinite
Newfoundland and Labrador	Canada-Newfoundland and Labrador Agreement on Provincial Nominees	2006	1999	Indefinite
Nova Scotia	Agreement for Canada-Nova Scotia Co-operation on Immigration	2007	2007	Indefinite
Ontario	Canada-Ontario Immigration Agreement	2005	2005	2011
Prince Edward Island	Agreement for Canada-Prince Edward Island Co-operation on Immigration	2008	2001	Indefinite
Quebec	Canada-Quebec Accord Relating to Immigration and Temporary Admission of Aliens	1991	1991	Indefinite
Saskatchewan	Canada-Saskatchewan Immigration Agreement	2005	1998	Indefinite
Yukon	Agreement for Canada-Yukon Co-operation on Immigration	2008	2001	Indefinite
Northwest Territories	Canada-Northwest Territories Agreement on Provincial Nominees	2009	2009	Indefinite

Source: Citizenship and Immigration Canada, Annual Report to Parliament on Immigration, 2010.

Differences in Nominee Programs

- Size of annual immigrant flow and provincial economic features affect features of the program
- Ontario with a large intake (45% in 2008) has a restrictive program aimed at attracting investment capital and diverting skilled workers outside of GMA
- BC's program stresses addressing labour shortages in skilled, semi-skilled and health jobs and attracting business investments (BC intake 18% in 2008)
- Alberta's program is employer driven but also accepts semi-skilled workers and self-employed farmers
- For smaller provinces, greater emphasis to attract immigrants

Table 3: Age at Immigration, University Degree and Official Language Capacity of Provincial Nominees and Skilled Immigrants, Principal Applicants Only, 1999-2008 Landing Years		
	<u>Provincial Nominees</u>	<u>Skilled Immigrants*</u>
Mean Age at Time of Immigration to Canada	37.4	35.2
% With University Degree	50.1	82.5
% Speaking Either or Both Official Languages	82.9	86.6
Total Number of Cases	27,099	479,865
* Business immigrants, live-in caregivers are not included.		
Source: Compiled from Permanent Residents Data System (PRDS), 1980-2008, microdata file.		

Table 4: Occupation of Provincial Nominees and Skilled Immigrants, Principal Applicants Only, 1999-2008 Landing Years

<u>Occupation</u>	<u>Provincial Nominees</u>	<u>Skilled Immigrants*</u>
	%	%
Senior Management	4.8	0.5
Middle Management	12.3	5.9
Professional/Administrative in Business and Finance	6.3	12.3
Professional/Technical in Natural/Applied Sciences	16.3	51.8
Professional/Technical in Health	6.8	5.4
Other Professional/Paraprofessional	7.0	13.4
Clerical	3.7	1.2
Occupation in Sales and Services	7.1	5.6
Trades/Skilled occupation in Transportation/ Equipment Operation	25.2	3.4
Other Trades , Skilled and Semiskilled Occupation	7.3	0.3
Occupation in Primary Industry	3.1	0.2
Total	99.9	100.0
[Number of cases]	[23,857]	[467,176]

* Business immigrants, live-in caregivers are not included.

Source: Compiled from Permanent Residents Data System (PRDS), 1980-2008, microdata file.

Table 5: Occupation of Provincial Nominees, Principal Applicants, by Priarie Provinces, 1999-2008 Landing Years				
				All
<u>Occupation</u>	<u>Saskatchewan</u>	<u>Alberta</u>	<u>Manitoba</u>	<u>Provinces</u>
	%	%	%	
Management	5.3	9.2	8.1	17.2
Professional/Paraprofessional	35.4	41.8	33.7	36.4
Clerical, Sales, Services	9.0	13.7	13.6	10.9
Trades/Skilled occupation in				
Transportation/Equipment Operation	38.4	20.6	30.3	25.2
Other Trades , Skilled & Semiskilled	3.3	9.6	11.4	7.3
Occupation in Primary Industry	8.6	5.0	2.8	3.1
Total	100.0	99.9	99.9	100.1
[Number of cases]	[2,465]	[2,396]	[11,824]	[23,857]
Source: Compiled from Permanent Residents Data System (PRDS), 1980-2008, microdata file.				

Provincial Nominees & Skilled Immigrants Admitted, 1999-2008

- Provincial nominees less well educated than skilled immigrants
- One-quarter of nominees in trades & skilled occ in transportation & equipment operation, compared to 3% among skilled immigrants
- 52% skilled immigrants and 16% nominees in professional/technical occ in natural & applied sciences
- Nominees more likely to be in primary industry (4%) and in senior & middle management (17%) than skilled immigrants (6%)

Policy Implications

- Provincial nominees increased from less than 1% of economic immigrants before 2002 to 19% in 2009. If this trend continues, provincial nomination will become a major source for admitting economic immigrants
- The expansion of the Provincial Nominee Program will likely result in a multi-tiered system of selection based on regional emphasis, but immigrants are not tied to a region.
- Admission of nominees based on short-term local needs; long-term mobility of immigrants based on national economic forces of supply and demand
- Increasing provincial nominees and therefore economic immigrants will inevitably lead to longer and longer immigration backlog, especially for family class.