

Mobility: immigration alert

March 2021

Canada

Ontario to introduce and expression of interest system for the Ontario Immigration Nominee Program

Executive summary

The Ontario Ministry of Labor, Training and Skills Development will launch a new Expression of Interest system in the coming weeks for the Ontario Immigrant Nominee Program (OINP). The Expression of Interest system will be a points-based registration process to invite skilled immigrants to submit a provincial nominee application for permanent residency. Full details on how the Expression of Interest will operate and how the points system will apply have yet to be released. We expect that the Expression of Interest will work in a similar fashion to the points-based allocation system under the Canadian government's Express Entry program.

Background and analysis

After several months of consultations with stakeholders, the government of Ontario has now released regulatory changes to amend the *Ontario Immigration Act, 2015* in order to introduce an Expression of Interest system.

The Expression of Interest system will be used for nominations that will be processed outside of the federal government's Express Entry program. The Expression of Interest will allow the Ontario government to better respond to regional labour market needs using the OINP and to strategically manage the intake of applications. It will be used for Employer Job Category streams (Foreign Worker, International Student and In-Demand

Skills), the Masters Graduate stream and the Ph.D. stream, all of which are currently closed to new applicants. These streams are expected to launch using the new Expression of Interest system in the coming weeks.

Candidates will be required to submit an Expression of Interest and will need to receive an "Invitation to Apply" before being permitted to submit an actual OINP application. The Province's regulatory amendments will allow the government to target specific criteria for selection which includes, education, language proficiency, location in the province, earning history, skill and work experience. This will allow more control in who receives an Invitation to Apply to the OINP. This is a significant change to the OINP filing process since applications would previously be processed on a "first come, first served basis", and some streams reached their quota within hours of opening. The province will be able to manage OINP volumes and respond to specific labour market needs under the new system.

Ontario is joining the many other Canadian provinces who already use an Expression of Interest system to determine who receives an Invitation to Apply for a provincial nomination certificate. Many provinces, including British Columbia and Manitoba, have had their own Expression of Interest systems in operation for several years.



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Recommendations

Employers should review the applicability of the OINP to employees once the full details of how the Expression of Interest will operate is released. Employers should also continue to monitor the OINP's program developments and announcements, along with selection trends to determine if employees can potentially receive an Invitation to Apply through the new Expression of Interest system.

We will continue to monitor, review future developments, and provide updates. For additional information, or if you wish to discuss this further, please contact your EY Law LLP professional.

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