

**Ministry of Citizenship
and Immigration**

Application Guide for Employers

**Ontario Pilot Provincial Nominee Program
Multinational Investor Category**

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Sending sensitive personal information through unsecured e-mail channels is risky and is strongly discouraged by the Ontario Pilot Provincial Nominee Program (Pilot PNP). Users assume the risk associated with any electronic transfer of information to the Pilot PNP as the Pilot PNP is not liable for any damages that may arise from interception, loss, theft or other action regarding your personal information while in transit.

1.

BRINGING KEY EMPLOYEES TO ONTARIO

Companies establishing or expanding their businesses in Ontario often want to bring key executives, managers or employees to work in their Ontario operations.

To work legally in Canada, in most cases, individuals who are not Canadian citizens must either be permanent residents of Canada or have a work permit. Permanent resident visas and work permits are issued by the federal government of Canada.

To help companies succeed in Ontario, the government of Ontario has established the Ontario Pilot Provincial Nominee Program (Pilot PNP). This program allows companies to nominate key individuals, who are crucial to the company's operations, for work permits and permanent resident visas under the Multinational Investor Category.

How does the Pilot PNP benefit your business?

All work permits and permanent resident visas for Canada are approved by Citizenship and Immigration Canada, a department of the federal government. A successful nomination through the Multinational Investor Category of the Pilot PNP can speed up applications to the federal government, and help employers build the skilled labour force they need, more quickly.

2.

WHO CAN APPLY

The Multinational Investor Category of the Pilot PNP is intended for companies that are making a significant investment in Ontario which will lead to job creation and economic development. To be eligible for the Pilot PNP, a company must:

- Make a qualifying investment in Ontario of \$10 million or more, and
- create 25 net permanent full-time positions.

When applying to the Pilot PNP, companies must specify:

- The positions being applied for;
- the roles and responsibilities of each position; and
- the qualifications and experience required for each position.

Companies may request up to a maximum of five employees, known as nominees, for each qualifying investment they make in Ontario.

Who approves applications for the Pilot PNP?

Employers are pre-screened by the Ministry of Economic Development and Trade. If the employer is approved for the program, employees – known as ‘nominees’ – then apply to the Pilot PNP for individual approval. The Pilot PNP is a program of the Ministry of Citizenship and Immigration.

3.

THE EMPLOYER APPLICATION PROCESS

To participate in the Pilot PNP, employers must first qualify under the Multinational Investor Category, and obtain approval for the positions they intend to fill through the program. This is called the Multinational Investor Pre-screen application process.

To complete the Multinational Investor Category Pre-screen application process, follow these steps:

1. Obtain the Multinational Pre-screen Application form

The Multinational Pre-screen Application form and related documents are available on the Ontario Immigration website at:

<http://www.ontarioimmigration.ca/english/PNPInvestors.asp#Forms>

- Multinational Investor Category Pre-Screen Application form
- Multinational Investor Category Application Guide
- Authorizing or Cancelling an Employer Representative form
- Translator Affidavit

2. Complete the Pre-screen Application

All questions on the form must be answered. If a question is not applicable, mark the space "n/a". Incomplete applications will not be considered for assessment. You will find detailed instructions for completing the form in the next section of this guide.

3. Attach supporting documents

The completed Multinational Investor Category Pre-Screen Application form must be accompanied by a number of supporting documents. These are described in the next section of this guide. Supporting documents comprise:

- An executive summary of the business plan related to the investment;
- audited financial statements for the last three fiscal years;
- the Authorizing or Cancelling an Employer Representative form (where applicable);
- and

- Translator Affidavit (where applicable).

4. Submit the application for approval

The completed Multinational Investor Category Pre-screen Application form and supporting documents should be submitted to:

Ministry of Economic Development and Trade
Business Immigration Section
3rd Floor, Hearst Block
900 Bay Street
Toronto, Ontario
M7A 2E1

Document translation

If supporting documents are not in English or French you must supply the document, a translation of the document and an affidavit from the person who completed the translation. Otherwise, applications will not be processed. Translations by family members are not acceptable.

4.

WHAT HAPPENS AFTER YOU APPLY

Applications to the Pilot PNP are processed in the order they are received. If additional information is required to process your file, you will be notified. Documents submitted to the Pilot PNP during this process will not be returned.

It is important to remember that a number of factors may result in delay or denial:

- Illegible forms or applications.
- Incomplete forms or applications.
- Incomplete or translations that are not notarized.
- Failure to deliver requested documentation.

If your application is not successful, you will be notified.

If your application is successful, you will receive a Multinational Investor Category Pre-screen Approval letter and a package of materials, as described in the following section of this guide.

5.

WHAT TO DO IF YOU ARE APPROVED

If your Pre-screen Application is approved, you will receive a package of materials for proposed employees for the approved position(s), will include:

- Application Guide for Nominees
- Multinational Investor Category Pre-screen Position form
- Multinational Investor Category Nominee Application
- Joint Verification form
- Affidavit of Nominee
- Authorizing or Cancelling a Representative for Nominee form
- Application Payment form
- Translator Affidavit
- Changes in Personal Information form

Important:

Prospective Nominee applications must be received within 60 days

Prospective nominees will have 60 days after the date of issue of the Pre-screen Position form to submit completed applications to the Pilot PNP. The date of issue is located on the Pre-screen Position form. If a nominee application is not received in connection with a position after 60 days, the Pilot PNP may reassign the nominee position to a different employer. If a prospective nominee cannot submit a completed application within 60 days, either the prospective nominee or the approved employer may, in writing to the Pilot PNP, request an extension of 30 days, providing reasons for the extension request. Approval of an extension is discretionary and no further extension will be granted.

On receipt of these materials, you as the employer must take the following steps, and ensure that nominee applications are submitted to the Pilot PNP within 60 days of the date of issue set out on the Multinational Investor Category pre-Screen Position form.

1. Request nominee applications

Send the documents and forms listed above to nominees, accompanied by a signed job offer. Request that nominees complete these forms, and submit to the Pilot PNP.

2. Complete the joint verification

On receipt of nominee application documents, sign the Joint Verification form, and provide the signed form to the nominee for his or her application.

3. Submit nominee applications

All completed nominee application forms, and the signed joint verification and job offer, should be submitted by the nominee for approval to the Pilot PNP at:

Ontario Pilot Provincial Nominee Program,
400 University Ave. 1st Floor
Toronto, Ontario
M7A 2R9

The Pilot PNP reserves the right to not respond to requests for the status of applications so that our resources can be directed to the processing and finalization of applications under assessment. Please do not contact our office to inquire about the status of your application as this may result in delays in our ability to process applications. For questions on the application process call the Pilot PNP at 416-327-0374 or 1-866-214-6820.

Your feedback is important

The Pilot PNP will be seeking participant feedback over the course of three years from the date of the nominee(s) landing in Ontario. Feedback may be sought from both nominees and employers after three months, one year and three years.

6.

STEP-BY-STEP: EMPLOYER APPLICATION GUIDE

1. Completing the Multinational Investor Pre-Screen Application

To complete the Multinational Investor Category Pre-Screen Application form, follow these steps:

Section A: Company Information

1. Print legal name of company as it appears in the articles of incorporation or letters of patent and Ontario Company name (if different).
2. Check the appropriate box to indicate if the company is incorporated/registered in Ontario. Indicate registration/incorporation number, date of business registration/incorporation and jurisdiction of registration/incorporation.
3. Check the appropriate box to indicate if the company is registered to do business in Ontario. If yes, indicate the business name and registration number and the type of actual or intended operation in Ontario.
4. Print mailing address (street name and address, unit/suite/apt. number, PO box, city/town/ Province/State/ Country and postal/ZIP code).
5. Print company website.
6. Print number of permanent full-time employees in Ontario and worldwide; print the number of part-time employees in Ontario and worldwide; check the appropriate box to indicate if the company has laid off any employees in the past year; if it has, print how many.
7. Describe the business sector the company is in.
8. Describe the business activities of the company.
9. Provide company's financial information for the last three years (total assets, total liabilities, equity, sales/revenue and net income).

Important:

An executive summary (five page maximum) of the business plan related to the investment must be attached to the form.

Section B: Company Signing Officer Information

1. Print Signing Officer's last (family), middle and first (given) names, business telephone, cell phone, facsimile and e-mail address.
2. Print Signing Officer's title and position in the company.
3. Print Signing Officer's duties and responsibilities in the company.

Section C: Investment Information

Important:

A qualifying investment does not include passive investments or real estate investments not directly related to the project.

1. Indicate the amount of the investment.
2. Print date of commencement of investment.
3. Indicate number of jobs to be created.
4. Indicate the location of the investment.
5. Indicate the expected date of completion for the investment.
6. Briefly describe investment objectives.

Section D: Position(s) Being Recruited For: Occupation Information

Important:

This section must be completed for each position recruited.

1. Indicate the title of the position.
2. Print annual salary.
3. Print location of the position.
4. Describe roles and responsibilities of the position.
5. Describe what qualifications and experience would be required to perform the duties of the position.
6. Check the appropriate box to indicate whether you have identified a candidate for the position.
7. If a candidate has been identified, check the appropriate boxes to indicate his/her proficiency in English and/or French and indicate if any other language proficiency is required for the position.
8. Provide an explanation of how the position(s) to be filled will accomplish one or more of the objectives of the Pilot PNP.

Section E: Additional Contact Information

1. Provide the contact information of the Human Resources Representative, if different from the contact provided in Section B (last, first and middle names, telephone number, facsimile number, e-mail address and title/position in the company).
2. Provide Banker contact information (Bank name, last, first and middle names, telephone number, facsimile number, e-mail address).
3. Provide Accountant contact information (Firm or company name, last, first and middle names, telephone number, facsimile number, e-mail address).
4. Provide Lawyer contact information (Firm or company name, last, first and middle names, telephone number, facsimile number, e-mail address).

Section F: Assistance With Application

1. Indicate if you had help preparing the application.

Important:

If you did have help, and will continue to use the services of a representative, attach an Authorizing or Cancelling an Employer Representative form. You will find instructions for completing the Authorizing or Cancelling an Employer Representative form below.

Section G: Learning About the Ontario Pilot Provincial Nominee Program

1. Check the appropriate box to indicate how you learned about the Pilot PNP (you may check more than one box).

Authorization

1. Read and ensure authorization section is fully understood.
2. Print name of authorized Signing Officer.
3. Print title of authorized Signing Officer.
4. Provide signature of authorized Signing Officer.
5. Print the date the document has been signed.

Supporting Documents

You must submit the following documents with your application:

- Executive summary (five page maximum) of the business plan related to the investment.
- Audited financial statements for the last three fiscal years.
- Authorizing or Cancelling a Representative form (if applicable).

Important:

At any time following the submission of a Multinational Investor Category Pre-Screen Application, you may be contacted and asked to submit further documentation.

2. Completing the Authorizing or Cancelling an Employer Representative Form

This form is used to authorize a representative to act on your behalf in connection with your application. Please note that this form is a separate document from the *Multinational Investor Category Pre-screen Application*.

A representative is someone who has your permission to communicate on your behalf with the Ontario Ministry of Citizenship regarding the Pilot PNP. You may have only one representative at a time. A representative can only be appointed by the use of this form. If you appoint another representative, the previous representative will no longer be authorized to conduct business on behalf of the company or receive information about the company's application.

You are not obliged to hire a representative. The program treats all applicants equally.

Unpaid representatives might include anyone while paid representatives must be authorized according to the rules of the Immigration and Refugee Protection Act of Canada. Authorized Representatives are:

- Immigration consultants who are members in good standing of the Canadian Society of Immigration Consultants (CSIC);
- Lawyers who are members in good standing of a Canadian provincial or territorial law society and students-at-law under their supervision; and
- Quebec notaries.

If you authorize a paid representative who is not an Authorized Representative, your application will not be processed and will be returned to you.

Advisory Notice: Paid Representatives

The Ministry of Citizenship and immigration is aware that, in the past, some individuals considering immigration to Ontario have paid large fees to persons who may have provided incorrect or fraudulent advice.

Individuals who are considering hiring a paid representative to assist them with immigration matters processed by the OPPNP and/or the Canadian Government should be aware the federal government's Immigration and Refugee Protection Regulations state that only authorized representatives may charge fees to represent an individual in an immigration application. The OPPNP applies this rule.

Section 13.1 (1) of the Immigration and Refugee Protection Regulations states, "...no person who is not an authorized representative may, for a fee, represent, advise or consult with a person who is the subject of a proceeding or application before the Minister, an officer or the Board."

Only an authorized representative belonging to a Canadian provincial or territorial law society, the Canadian Society of Immigration Consultants (CSIC), or the *Chambre des notaires du Québec* may charge a fee for conducting business on an individual's behalf.

For more information about representatives, how to choose a representative, what services they may offer and frequently asked questions, visit the Citizenship and Immigration Canada website at

<http://www.cic.gc.ca/english/information/representative/index.asp>.

To complete the form, follow these steps:

1. Check appropriate box to indicate whether you are appointing a representative OR cancelling the appointment of a representative.
2. If you are appointing a representative please complete Sections A, B and D.
3. If you are cancelling the appointment of a representative, please complete Sections A, C and D.

Section A: Company Signing Officer Information

1. Print your last name (family name).
2. Print your first name(s).
3. Print your title/position in company.
4. Print your company name.
5. Print your company location (City/Town and Province).

Section B: Appointment of Representative

1. Please read and ensure you understand the authorization statements at the beginning of this Section.
2. Print the last name (family name) of your representative.
3. Print the given name(s) of your representative.
4. Check the appropriate box to indicate whether your representative is a PAID or UNPAID member of the various listed organizations, friend, family member or other.
5. Print the name of the firm or organization of your representative (if applicable).
6. Print the full mailing address of your representative.
7. Print the telephone number of your representative including country code and area code.
8. Print the email address of your representative (if applicable).
9. Ensure your representative reads, understands, signs and dates the declarations presented at bottom of Section B.

Part C: Cancel the appointment of a Representative

1. Print the last name (family name) of the representative whose appointment you are cancelling.
2. Print the given name(s) of the representative whose appointment you are cancelling.
3. Print the name of the firm or organization of the representative whose appointment you are cancelling (if applicable).

Part D: Applicant's Declaration

1. Please read and ensure you understand the statements at the beginning of this Section.
2. Provide full name and sign the form and print the date of signature.

Privacy and Confidentiality

Although the applicant may consider some information included in the application form or the supporting documents submitted to the Pilot PNP to be proprietary or confidential, any such material may be disclosed to a third party, in accordance with Applicant's consent, and where required by law or if required by order of a court or tribunal.