

New Brunswick's Citizenship and Immigration Law Section: Update to Members

First Meeting

Our first section meeting will take place in Fredericton on February 27, 2007 at 12:00 p.m. (location yet to be confirmed). Anyone who practices immigration law or is interested in learning more is welcome to attend. Please confirm at your earliest opportunity whether you plan on attending so that we can make the necessary arrangements for booking a location, etc. George Iatofa, Immigration Officer with the Department of Business New Brunswick, Immigration Division, will be speaking to us about New Brunswick's Provincial Nominee Program. If anyone has any specific issues/questions which they would like to be addressed during this presentation, please advise.

National Update on Section 117(9)(d) of IRPA

By correspondence dated December 21, 2006, Jean-Phillipe Brunet, Chair of the National Citizenship and Immigration Law Section wrote to Minister Solberg to voice the CBA's continued concerns regarding s.117(9)(d) of the *Immigration and Refugee Protection Regulations* (the "Regulation"). As a result of the operation of the Regulation, there is the potential for lifelong separation of spouses and dependent children. In his correspondence, Mr. Brunet reaffirms the CBA National Section's invitation to meet with Minister Solberg to discuss the issue in greater detail in January or at the National Conference in April.

On January 8, 2007, the Canadian Council of Refugees ("CCR") (represented by Elizabeth McWeeny, Janet Dench and Francisco Rico-Martinez) had a series of meetings with Citizenship and Immigration Canada ("CIC") and Canada Border Services Agency (CBSA) regarding the practical implications of s.117(9)(d). According to Ms. Dench's summary of the meeting, CIC showed a new willingness to accept that Humanitarian and Compassionate applications may not be working as a solution to s.117(9)(d) problems. They were interested in case examples and more details which could be analyzed where problems exist. It was also suggested that if the CCR could come up with an alternative that addresses CIC's concern regarding fraudulent applications, CIC might eventually be willing to consider proposing a change to the Regulation.

On January 16, 2007, the CBA Citizenship and Immigration Law Executive received a letter from Elaine Cooke, Director, Ministerial Inquiries Division at CIC, which confirmed that the letter to Minister Solberg was being forwarded to "department officials for review".

New Minister

Canada has recently welcomed the Honourable Diane Finley as the new Minister of Citizenship and Immigration. Our former minister, Mr. Solberg leaves the Ministry of Citizenship and Immigration after 10 months on the job and becomes the Minister of Human Resources and Social Development. With his new position at HRSDC, he will be working closely with Ms. Finley in co-ordination of CIC policy and programs. More information on Minister Finley's biography can be found on the Citizenship and Immigration's Website: www.cic.gc.ca

A letter to Minister Finley will be sent shortly on behalf of our National Section which introduces our section to her as well as asking for a meeting with her in the near future.

National Conference

This event is touted as being the premier Canadian legal education seminar for immigration lawyers. It will take place April 13 and 14 at the Fairmont Empress in Victoria. Each year it sells out so if you are interested you should book as soon as possible. The draft conference agenda can be found at:

English link: http://www.cba.org/cba/cle/cle00/imm_07.aspx

French link: http://www.cba.org/ABC/FJP/fjp00/imm_07.aspx

Future New Brunswick Section Meetings/Guest Speakers

If anyone has any other ideas for a guest speaker or topics for future section meetings, please let me know. It would be wonderful if we could have speakers from other cities and could rotate meeting locations.

Best Regards,



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