

- A list of all guidelines from the British Columbia Provincial Nominee Program, regarding revoking nominations.

-
1. Current Program Guides
 2. Text of the Canada BC Immigration Agreement (CBCIA)
 3. 2016 PNP Policy Manual
-

Current PNP Program Guide:

Re: Withdrawing your nomination. From page 62 of the program guide (and also found here: <https://www.welcomebc.ca/Immigrate-to-B-C/B-C-Provincial-Nominee-Program/Documents>):

Withdrawing your Nomination

Anytime throughout the process, the BC PNP may withdraw or revoke your nomination if you do not continue to meet the requirements under which you were nominated.

- Some reasons why we may withdraw a nomination include (but are not limited to):
- the information provided in your application to the BC PNP was false or misleading
- the terms under which you were nominated are no longer being met. For example, if your income was reduced and you no longer meet the income threshold, or if your hours of work have been reduced to casual or part-time employment
- you leave your current job in B.C. or change employers
- you do not notify the BC PNP of changes in your employment status – such as whether you have been promoted, terminated, laid off, on extended leave, or if the business has closed or changed ownership
- you are no longer living in B.C.

Text from the 2015 Canada-BC Immigration Agreement :

Also available at:

<http://www.cic.gc.ca/english/departement/laws-policy/agreements/bc/bc-2015.asp>

4.21 Given the importance of communication and cooperation between Canada and British Columbia in assuring program integrity, where Canada has refused an applicant on the basis of misrepresentation under section 40 of the IRPA and Canada has provided British Columbia with all relevant case-specific information relevant to its decision as set out in section 4.18 of this Annex, British Columbia shall examine the information provided by Canada, conduct its own review of the Provincial Nominee application in accordance with the province's policies and procedures, and **withdraw** its nomination where it has confirmed that misrepresentation has occurred.

2016 PNP Policy Manual:

Nomination Withdrawal

1

- (1) The BC PNP may withdraw a nomination if the nominee does not continue to meet the requirements under which they were nominated.

Refusals for Misrepresentation

1

- (1) An application will be refused, or a Nomination withdrawn, where:
 - (a) The BC PNP has reasonable grounds to believe that an Applicant has misrepresented or withheld material facts relevant to a Decision; and,
 - (b) The Applicant has been given a reasonable opportunity to respond to concerns of the BC PNP regarding facts set out in an Application and has not satisfactorily addressed those concerns.

Termination or Change of Employment

1

- (1) The supporting Employer and Nominee Applicant must notify the BC PNP if the terms of employment change from those in the Job Offer, including promotion, new employment, lay off, or termination of employment.
- (2) In the case of termination of employment the BC PNP will review the case and may withdraw the Nomination.
- (3) If a Nomination is withdrawn, the BC PNP will communicate the decision to withdraw to the Nominee and the supporting Employer as soon as possible and notify IRCC of this decision.
- (4) If the Nomination is not withdrawn, the Nominee must:
 - (a) Continue to make attempts to secure employment in B.C.;
 - (b) Continue to demonstrate an intent to permanently reside in B.C.;
 - (c) Provide to the BC PNP, on request, details of the Nominee's attempts to secure employment; and,
 - (d) Meet with the BC PNP, on request.
- (5) The BC PNP may withdraw a nomination where a Nominee's employment is terminated if the BC PNP concludes that the Nominee will be unable to secure employment as required for the nomination, or if the termination was for cause.

- (6) A Nominee may change supporting employers and continue to be nominated if the following requirements are met:
- (a) The Nominee notifies the BC PNP immediately upon receiving a new job offer;
 - (b) The new supporting Employer provides supporting Nomination documentation;
 - (c) The employment change is reviewed by the BC PNP to determine ongoing eligibility including that the conditions of original Nomination continue to be met.

Refusal of Nominee's Application for a Permanent Resident Visa

2

- (1) Where IRCC has refused an Applicant on the basis of misrepresentation under section 40 of the IRPA and IRCC has provided the BC PNP with all relevant case-specific information relevant to its Decision, the BC PNP shall examine the information provided by Canada, conduct its own review of the Provincial Nominee application and withdraw the Nomination where it has confirmed that misrepresentation has occurred.

Text from the Provincial Immigration Programs Act : The following are relevant sections under the approved British Columbia *Provincial Immigration Programs Act (2015)* relating to withdrawals, referred to as “cancellation of approval”. Please note that this Act will come into force with the approval of regulations by Lieutenant Governor in Council.

Approvals

4 (1) On application by a person under section 3, the director may, after taking into consideration the prescribed matters and any other matters the director considers relevant,

(a) approve the application, or

(b) decline the application.

(2) An approval under subsection (1) (a) may be made subject to any conditions that the director considers necessary or advisable.

(3) The director, as soon as practicable, must notify the person of a decision made under subsection (1).

(4) The notice under subsection (3) must,

(a) if the director approves the application, set out the conditions, if any, imposed under subsection (2), and

(b) if the director declines the application, provide reasons for the decision.

Obligations of approved person

5 (1) An approved person must do both of the following:

(a) advise the director of any material change in the approved person's circumstances;

(b) comply with conditions imposed under section 4 (2).

(2) An approved person must not

(a) obstruct or interfere with an inspection conducted under section 11, or

(b) retain, for the purposes of making an application under section 3 (1) or for another purpose respecting this Act, a representative who does not meet the prescribed requirements.

Cancellation of approval

6 (1) After giving an approved person an opportunity to be heard, the director may cancel an approval, if the director is satisfied that the person

(a) has failed to comply with section 5,

(b) has failed to comply with a prescribed requirement, or

(c) has provided false or misleading information in an application under section 3.

(2) The director, as soon as practicable, must notify the person of a cancellation under subsection (1).

(3) The notice under subsection (2) must

(a) include reasons for the cancellation, and

(b) advise the person that the director, under section 3 (3) (c), may refuse to accept future applications from the person.