

Important MPNP-B/FSRI Information & Policies

As an applicant, you must make a commitment to reside in rural Manitoba with your dependents, to operate a farm business in rural Manitoba and to assume an active managerial role in that farm business. A Program Officer must be convinced of an applicant's commitment to live in rural Manitoba and conduct farm primary production in rural Manitoba before recommending nomination.

Truthful and Correct Information (Misrepresentation, fraud or concealment of information)

As the principal applicant, you are responsible for the accuracy and reliability of the documents and information submitted with a Nomination Application to the MPNP-B and for any information or documents provided on your behalf by a person who you authorize. The MPNP-B may consult third parties to verify the veracity of the documents submitted. **A false declaration, fraudulent document or concealment of information could result in the rejection of an application, withdrawal of nomination, and the refusal to examine any other application from that applicant for a period of two years, and, if applicable, may result in exclusion from Canada and/or become grounds for prosecution or removal.**

If, at any time during the application process, nomination stage or submission of an Application for Permanent Residence, it is found that you have misrepresented facts, supplied fraudulent documents or concealed relevant information from the MPNP-B, the MPNP-B reserves the right to close the application and withdraw the nomination (if issued).

Routine checks are conducted with issuing authorities, home government departments and other reliable sources to verify whether information provided and documents submitted are genuine.

There is no excuse or justification for misrepresentation. If a required document is not available, you should attach a written explanation when submitting your application and, if possible, provide other documents or information that might substantiate the issue in question.

Misrepresentation or withholding material facts relating to your Application for Permanent Residence in Canada is a criminal offence.

Information Change Requests and Information Accuracy

The MPNP-B relies, although not exclusively, upon the information provided in the application and, the interview of the applicant. Additionally, the MPNP-B undertakes its own due diligence with respect to prospective nominees, which may include conducting investigations to verify the accuracy of applicant-provided information. The MPNP-B has the obligation and authority to determine suitability for nomination and to investigate applicants and the information provided in the application, as well as any communications concerning the application, made either directly by the applicant or by the applicant's representative.

Every applicant is expected to be honest, open and forthright in his/her interactions with the MPNP-B. This includes the submission of the application, and also includes the relevant documentation that is provided in support of that application. Applicants are required to ensure that their application is complete and accurate when it is submitted, and should not expect to rely on being able to correct errors or omissions later on in the evaluation process.

Applicants are expected to disclose to the MPNP-B any updates in personal or financial circumstances which might alter, in a material way, information that they have already submitted. Any such updated information or documentation must be accompanied by an explanation from the applicant, indicating the nature of and reasons for the update.

If the MPNP-B determines that a submitted information update is particularly onerous (for example, if it substantially alters the content of the application), then it may set back the timeline for assessment of the application or require the applicant to withdraw their application altogether and reapply. Decisions regarding the effect of new or updated applicant-provided information are strictly at the discretion of the MPNP-B. You should be aware that any information provided to the MPNP-B after the application has been submitted may affect the decision being made. The MPNP-B has the discretion to render its decision based on the totality of information submitted, including having reference to the original application, as well as any new or updated information submitted, and the circumstances of such submission, and also having reference to any information obtained through the MPNP-B's own due diligence. Each MPNP-B decision will be determined on a case-by-case basis, and the outcome in any one case cannot be taken as a guarantee of a particular result in any other case.

You are ultimately responsible for any and all information that you submit, or that is submitted on your behalf. Material misrepresentation of a relevant fact on an application may be grounds for refusal or revocation of a nomination certificate. If the MPNP-B becomes aware of or discovers discrepancies, such as false submissions, omissions, etc. of a relevant and material nature in an application or other applicant-provided information, the application may be declined, even when such misrepresentations are made by your representative.

If new information is submitted after the application has been assessed, that information will not be accepted. If a request for an interview or meeting with MPNP-B staff to discuss new information is made, that request will be declined. All communications concerning an application under assessment must be made in writing and sent to the MPNP-B either by e-mail or postal mail.

Change in Contact Information

You are encouraged to provide an up-to-date personal e-mail address and contact details that can be used to communicate with the MPNP-B. Your e-mail address is very important for the MPNP-B. Please write this in clear and legible letters. The MPNP-B will communicate with you or your representative (if any) in a timely and efficient manner, preferably through e-mails. If you do not provide an e-mail address, please be advised that processing time will increase due to the time required for mail services. Changes in contact details must be supplied to the MPNP-B immediately. You should expect a longer processing time if this information is not communicated to the MPNP-B in a timely manner. It is your responsibility to ensure that the information in the application is up-to-date.

MPNP-B Fee

The MPNP-B charges a CDN \$2,500, non-refundable application processing fee for all business applications, including the Farm Strategic Recruitment Initiative (FSRI). If nominated, an applicant is responsible for all Citizenship and Immigration Canada (CIC) processing fees and Right of Permanent Residence fees. Applicants and family members are also responsible to pay for medical examinations and police clearances. Please refer to the respective visa post web sites regarding the fee details and payment process. www.cic.gc.ca/english/information/fees/fees.asp

Use of an Immigration Representative

You must complete a Code of Conduct for Immigration Representatives Who Represent Applicants to the Provincial Nominee Program form. If an applicant obtains the services of an authorized, paid representative, your representative must also complete the first part of this form. Please note that you are no longer required to complete IMM5476-Use of Representative form. However, you will have to complete this form when submitting your Permanent Residence Visa application to the Central Intake Office in Sydney, Nova Scotia, following nomination by the MPNP-B.

If you wish to change your immigration representative, you and your new representative must complete a new Code of Conduct for Immigration Representatives and Applicant's Declaration form and send this to the MPNP-B. This will automatically cancel the previous representative and authorize the new representative to work with the MPNP-B on your behalf.

You may cancel the appointment of a named representative at any time by completing the last part of the Code of Conduct for Immigration Representatives and Applicant's Declaration form. In this case, you do not need any authorization or consent from your previous immigration representative.

You should be aware that employing a lawyer or consultant will not guarantee success of your application, and that anyone who provides a guarantee of successful immigration may be making a false promise. CIC or the MPNP-B does not give any preferential treatment to applications represented by a lawyer or consultant. Each case is treated in the same manner and each application is evaluated based on the same criteria. For further information, please visit

<http://www.immigratemanitoba.com/2014/04/16/mpnp-representatives-consultants/>.

Accumulation of Net Worth (Source of Funds)

In order to meet the MPNP-B requirements, your declared net worth must have been legally obtained. You must demonstrate, through documentation, how your net worth was obtained. The MPNP-B will assess your net worth based on the information supplied on Federal form *Schedule 4A: Economic Classes – Provincial Nominees – Business Nominees* and the supporting documentation provided by you. Merely declaring income or inheritance of assets is not sufficient information to convince the MPNP-B that you have earned such income or acquired assets in the past. You must provide details of your income from all sources, including capital gains, rental income, etc. You must consider all your investments and living expenses when accounting for your accumulated net worth. The MPNP-B will also consider the value of assets, liabilities, income and expenses of your spouse and dependent children. Hence, the same must be reported while providing the details of your net worth. All such claims must be supported by sufficient and credible documents. Some of these supporting documents

might include copies of bank statements, individual tax receipts/returns or any other documents which you feel are appropriate to substantiate this information.

If you do not meet this criterion, your application will be declined and you will not be eligible to apply again to the MPNP-B for one (1) year from the date of the application submission.

Notarized/Certified Copy of a Document

To have documents notarized/certified, you must take your original documents and a photocopy of each document to a Notary Public in your community. This authorized individual needs to sign on your photocopies, indicating that these copies are true representations of the original documents, print his/her name, official position, date of certification, contact details and affix his or her official stamp. The MPNP-B accepts documents certified by a Notary Public in your country.

Notary Public – (also called a Notary). This is a public official who verifies that documents are real and/or official.

Note: The MPNP-B does not accept copies of documents certified by family members and/or an applicant's immigration representative.

Document Translation

The MPNP-B requires that all documentation be provided in either English or French. When documents are in a language other than English or French, the applicant must submit a notarized photocopy of the original document (as required in the Document Checklist) as well as a copy of its translation.

The MPNP-B will accept translated documents by a certified English/French translator or any person (with the necessary translation ability) other than the principal applicant's spouse, a member of the principal applicant's family, or a paid third party (immigration representative) that has assisted and prepared the application to the MPNP-B.

A Translator Affidavit must be provided, which describes the translation ability of the translator. A Translator Affidavit is a document that recognizes the translator has sworn, in the presence of a person authorized to administer oaths in the country in which the translator is living, that the contents of his/her translation are a true translation and representation of the contents of the original document. In this affidavit, the translator must provide his/her complete contact details including name, address, phone, fax number and e-mail address, start date and termination date of authorization, if applicable.

Substituted Evaluation

The MPNP-B does not base approval or nomination solely on an applicant meeting the basic criteria of the FSRI. A substituted evaluation may be used if an officer believes that an applicant's adaptability specifically relating to practical farming skills, technical knowledge and experience in technological based farming practices will not transfer directly to or is not relevant to Manitoba primary production farming industry. A substituted evaluation might also be used if there is not sufficient indication of the applicant being destined to Manitoba and/or demonstrates the potential to become economically established in rural Manitoba.

Here is a list of the most common situations in which the officer might decide to do a substituted evaluation. This list is only intended to provide guidance and is not a prescribed list of factors and circumstances to be used in support of exercising a substituted evaluation. There are a number of factors that an officer might cite individually or in combination as being pertinent to assessing the likelihood of the ability and the intention of the applicant to settle in Manitoba and become economically established in the province.

Questionable Intention to Settle in Manitoba:

- Strong family connection to other province(s).
- Recently worked or studied in other province(s), or currently or recently working or studying in other province(s).
- Recent or active immigration application(s) with a destination outside of Manitoba.

Unsubstantiated Sources of Funds:

- If the applicant has not adequately accounted for all of and/or the origins of all of his/her and his/her family's income and net worth.
- If the applicant cannot provide sufficient documentation from official sources to support or substantiate the accumulation of net worth.

Inability to Become Economically Established in Manitoba:

- The applicant's proposed farm business is not a relevant or Eligible Farm Business Investment.
- Lack of necessary resources and transferrable skills to manage the proposed farm business.
- Inability to demonstrate adaptability, specifically relating that practical farming skills, technical knowledge and experience in technology based farming practices will transfer directly to Manitoba farm production industry.
- Failed to demonstrate a potential for long-term contribution to the rural Manitoba economy.

A substituted evaluation is considered on a case-by-case basis. The scope of what an officer might consider as relevant cannot be limited by a prescribed list of factors to be used in support of exercising a substituted evaluation. There are any number and combination of considerations that an officer might cite as being pertinent to assessing the likelihood of the ability of the applicant to become **economically established** in Manitoba.

MPNP-B's Decision Process - Procedural Fairness

The **Procedural Fairness Process** allows an applicant a fair opportunity to respond to the MPNP-B's concerns prior to a negative decision being made on his/her application.

In cases in which the assessing officer would normally recommend an application for decline due to insufficient information, or concerns that the applicant does not meet all the MPNP-B's requirements, a Pre-Assessment Notice (PAN) letter will be sent to the applicant and his/her authorized representative (if applicable). The PAN letter will outline the officer's concerns and allow the applicant or his/her representative 30 days to respond to the content of the PAN letter. This time period allows the applicant a fair opportunity to respond to the concerns outlined in the PAN letter. After the specified period has expired, the officer will complete his/her assessment of the application and make a recommendation. The final step of the application assessment process is for the officer to make a

recommendation that will be reviewed by the Assessment Review Team (ART). This multi-step process involving multiple officers of the MPNP-B ensures that each application is assessed fairly.

Please refer to the FAQ section for additional information.

Nomination and Withdrawal of Nomination

After receiving nomination, the applicant (now a MPNP-B Nominee) is responsible for completing and submitting a complete Application for Permanent Residence to the appropriate office of CIC. This must be done within 180 days from the date of nomination.

A nomination may be withdrawn at any time prior to CIC issuing you a Permanent Resident Visa if the MPNP-B is not satisfied that you continue to meet the original requirements under which you were nominated. Reasons for which the MPNP-B may withdraw a nomination include, but are not limited to:

- The MPNP-B is advised that information provided in your visa application is false or has been misrepresented.
- You are deemed to not intend to live and/or start a business in Manitoba.

Submission of Application for Permanent Residence

You are advised to keep a copy of your MPNP-B application. You will be required to submit the same information provided in your MPNP-B application to Citizenship and Immigration Canada when making your Permanent Resident Visa application. However, in cases in which the information has changed substantially from the time of the Nomination Application and Application for Permanent Residence, you must provide a copy of the relevant changes to the MPNP-B. If you fail to advise the MPNP-B of the changes to your information, the MPNP-B reserves the right to withdraw the nomination.

Dependents

The nomination of an applicant includes the applicant's spouse or common-law partner and dependent children as defined by the Immigration and Refugee Protection Act (IRPA).

Accompanying Dependents – A spouse and/or a dependent child of the principal applicant, and/or his/her spouse, or common-law partner who intend to immigrate to Manitoba with the principal applicant.

Dependent Children – In order to be considered eligible to accompany an MPNP applicant to Manitoba, a dependent child must be:

1. under the age of 19 and not married or in a common-law relationship, or
2. 19 years of age or older, dependent substantially on the financial support of the parent since before the age of 19 and unable to be financially self-supporting due to a physical or mental condition

[CIC's amendment](#) of the definition of dependent child affects all federal and provincial immigration programs.

Please note the following:

- All existing dependents must be declared to the MPNP-B BEFORE nomination.
- New dependents, after nomination, must be declared to the MPNP-B and the Government of Canada Visa Office BEFORE Permanent Residence Visas are issued.
- If you do not declare a new dependent to the MPNP-B and the Government of Canada BEFORE your Permanent Residence Visa is issued, you will need to apply separately to sponsor these dependents through a Government of Canada sponsorship program AFTER you settle in Manitoba.
- The MPNP-B cannot assist you with a sponsorship application.
- Please also note that CIC may introduce regulatory changes to amend or change the definition of a “dependent”. In that eventuality, the newly introduced definition of a “dependent” will prevail.