



STANDING COMMITTEE ON THE ECONOMY

Hansard Verbatim Report

No. 33 — May 6, 2024

Published under the
authority of
The Hon. Randy Weekes
Speaker



Legislative Assembly of Saskatchewan

Twenty-Ninth Legislature

Hansard on the Internet

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STANDING COMMITTEE ON THE ECONOMY

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Mr. Ken Francis
Kindersley

Mr. Delbert Kirsch
Batoche

Mr. Greg Ottenbreit
Yorkton

Mr. Doug Steele
Cypress Hills

Ms. Aleana Young
Regina University

[The committee met at 16:05.]

The Chair: — Good afternoon, everyone, and welcome to the Standing Committee on the Economy. I'm Colleen Young and I'll be chairing meetings this afternoon. We have members Nathaniel Teed sitting in for Jennifer Bowes and Noor Burki sitting in for Aleana Young. Other committee members who are here: Delbert Kirsch, and we have Terry Dennis sitting in for Doug Steele. Other members will be joining us.

Before we begin I'd like to table three reports from the Law Clerk and Parliamentary Counsel that identify any issues pursuant to rule 147(2) that he found with regulations and bylaws filed in 2020, 2021, and 2022 and any steps that have been taken to rectify these issues. If the committee chooses, it may bring in the Law Clerk and Parliamentary Counsel to review these reports at a subsequent meeting.

Those reports are as follows: ECO 22-29, Law Clerk and Parliamentary Counsel: 2020 report on regulations and bylaws; ECO 23-29, Law Clerk and Parliamentary Counsel: 2021 report on regulations and bylaws; and ECO 24-29, Law Clerk and Parliamentary Counsel: 2022 report on regulations and bylaws.

Bill No. 158 — *The Saskatchewan Commercial Innovation Incentive (Patent Box) Amendment Act, 2024*

Clause 1

The Chair: — Today the committee will be considering two bills, beginning with Bill No. 158, *The Saskatchewan Commercial Innovation Incentive (Patent Box) Amendment Act, 2024*. We will begin our consideration with clause 1, short title.

Minister Harrison has joined us here this afternoon with his officials. I'll ask officials the first time you speak at the mike to mention your name and your title, and Hansard will turn the mikes on for you each time so you don't have to touch them. So, Minister, you can begin by introducing your officials that have joined you here and your opening remarks.

Hon. Mr. J. Harrison: — Sure. Thanks very much, Madam Chair. And I'd like to thank committee members for being here this afternoon — a bit later than we had planned, but that's how it goes — for consideration of Bill 158, *The Saskatchewan Commercial Innovation Incentive (Patent Box) Amendment Act, 2024*. And I'd like to thank officials Jodi Banks on my right, deputy minister, and Lindsay Freistadt, assistant deputy minister, on my left.

I am pleased to present *The Saskatchewan Commercial Innovation Incentive (Patent Box) Amendment Act, 2024* before committee today. This initiative is often referred to as the patent box program or SCII [Saskatchewan commercial innovation incentive]. The patent box program is intended to incentivize medium- and large-scale businesses to commercialize new products at scale. For a successful applicant, the program would reduce the provincial corporate income tax rate to 6 per cent for income generated in Saskatchewan for commercialized intellectual property.

The legislative change being brought forward is to extend the life

of the program by one year. This will enable applications to be submitted and accepted until June 30th, 2025. During this time, the Ministry of Trade and Export Development will undertake a program review in partnership with the Ministry of Finance during the 2025-26 budget development process to inform future direction. This change creates no incremental costs to the government, as the program is refunding taxes that the Government of Saskatchewan otherwise would not have received.

Right now to be eligible, applicants must first complete a multi-stage application process that includes application for scientific eligibility, which is reviewed by the National Research Council to confirm the intellectual property is valid and unique; creation of a separate corporation to attract revenue from the unique intellectual property; and third, economic eligibility application requiring the application to meet at least two economic benefit thresholds, such as capital expenditures of \$10 million, research and development expenditures of \$3 million, a minimum of 10 new employees, a corporate income tax revenue of 3.5 million, or a new benchmark pre-approved by the Ministry of Trade and Export Development.

Once the applicant demonstrates the required economic benefits to Saskatchewan, it would be issued a SCII certificate of eligibility which can be seen as the final approval. The corporation can then submit the SCII certificate to the Ministry of Finance at a time of its choosing to begin claiming its 10- or 15-year corporate income tax rebate benefit period. The 15-year option is only available if 50 per cent or more of the research and development is completed in Saskatchewan.

The program's current application process and eligibility requirements are complex and our government wants to further support business to grow and take advantage of this incentive, and thus will be undertaking the program review. We want to make sure that businesses can succeed and commercialize here in Saskatchewan with the intellectual property that they develop.

Therefore we intend to seek feedback from current and potential applicants of the program to help determine how to create or change a program that meets their needs. Madam Chair, the program's current application process and eligibility requirements are complex and our government wants to further support business to grow and take advantage of this initiative. Through these concerted efforts, we reaffirm our commitment to fostering innovation, driving economic resilience, and propelling Saskatchewan towards a brighter, more prosperous future.

It's also a key part of Securing the Next Decade of Growth: Saskatchewan's Investment Attraction Strategy, where incentives like this one make Saskatchewan one of the best places in Canada to invest. We need to seize this opportunity to shape a future where Saskatchewan remains a leader in innovation, prosperity, and economic opportunity for generations to come.

And with that, Madam Chair, I and our officials are happy to take questions. Thank you.

The Chair: — Thank you, Minister. I'll make note now that we have Marv Friesen, member, who has joined us in place of Ken Francis, and member Greg Ottenbreit.

I will open the floor now to questions from committee members. And I'll recognize Mr. Teed.

Mr. Teed: — Thank you so much. I'm going to be posing some questions on behalf of our jobs and Economy critic here today. And I know we've asked for a short time, so I'm going to jump in on those questions.

My first question is, can you tell me the number of patents put in the box each year since it was introduced?

Ms. Banks: — Good afternoon. Jodi Banks, deputy minister of Trade and Export Development. And so to date we have had 12 applications for this incentive in different sectors, including agriculture and others.

Mr. Teed: — Can you tell me the value of the credits in each year since it was introduced?

Ms. Banks: — So to date we have not issued any credits, so these 12 applications have gone through different pieces of the application process, and as Minister Harrison described, there are a number of different steps that you need to go through. And so to date none have gone all the way through, and thus we have not issued any credits to date.

Mr. Teed: — Okay. And have you ever done any review of the effectiveness of the program, with that there has not been any credits given out?

Ms. Banks: — So that is really what the intent of this is. It definitely did slow down during COVID, and so since it's back we have seen an even slower uptick. And so we really are taking this opportunity over the next year to do just that.

Mr. Teed: — [Inaudible] . . . can you give a little bit of an explanation of what that review process will look like?

Ms. Banks: — Sure. So right now what we are going to do is we are going to get a third party to come in and assist with ourselves and the Ministry of Finance to take a look at each of the three different components of the application process. We will be talking to those who have started the application process to find out, you know, if they intend to continue or what maybe has stopped them. We are going to talk to others in the innovation sector to see if there's something that is keeping people from utilizing the incentive, and really just going to go look back through to see if there is too much red tape, if there is other things that we can do to make the process easier.

Mr. Teed: — Thank you so much. That's all the questions I have for today.

The Chair: — Okay. Seeing there are no more questions or comments from committee members, we will proceed to vote on the clauses.

Clause 1, short title, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

[Clause 1 agreed to.]

[Clauses 2 and 3 agreed to.]

The Chair: — His Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: *The Saskatchewan Commercial Innovation Incentive (Patent Box) Amendment Act, 2024.*

[16:15]

I would now ask a member to move that we report Bill No. 158, *The Saskatchewan Commercial Innovation Incentive (Patent Box) Amendment Act, 2024* without amendment.

Mr. Ottenbreit: — I so move.

The Chair: — Mr. Ottenbreit so moves. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. Minister, any closing remarks you'd like to make on this bill?

Hon. Mr. J. Harrison: — No. I appreciate the time of the committee.

The Chair: — All right. I see officials are already switching chairs, so we can move right into the next one.

Bill No. 160 — *The Immigration Services Act*

Clause 1-1

The Chair: — The next bill the committee will be considering is Bill No. 160, *The Immigration Services Act*, and we will begin with clause 1-1, short title. Minister Harrison is here with his officials. You may introduce them and then begin with your opening remarks.

Hon. Mr. J. Harrison: — Sure. Thanks very much, Madam Chair, and thank you again to the committee for their time and attention for Bill 160, *The Immigration Services Act*.

And by way of introduction of officials, on my right, Richelle Bourgoin, deputy minister of Immigration and Career Training; Anne McRorie, on my left, who is our executive director at immigration services; behind, Monica Chu, our senior advisor; and Shelley Kilbride, who also is a senior official, executive director with Immigration and Career Training.

Immigration is a key factor that contributes to population and labour force growth in Saskatchewan. From 2007 to 2023, over 204,000 newcomers from 187 countries arrived in approximately 456 Saskatchewan communities.

The Saskatchewan immigrant nominee program, or SINP, drives immigration in Saskatchewan, accounting for over 75 per cent of newcomers to the province each year since 2022.

The SINP is growing and is helping address labour market needs in the province. Last year the province nominated 7,350 international workers for permanent residence, which fully

utilized Saskatchewan's provincial nominee program allocation of 7,250 as well as an additional 100 in unused allocations from the province of Manitoba. When you account for family members of principal applicants, this will result in close to 19,000 newcomers who will arrive in the province.

The SINP is also experiencing unprecedented demand from Saskatchewan employers. Compared to pre-pandemic levels, employer demand for workers through the SINP has nearly tripled. A record number of 5,517 employers are currently registered to recruit workers internationally.

Strengthening legislation to support newcomers and workers is crucial to ensure that Saskatchewan can attract and retain the labour force required to support its growing economy and vibrant communities. *The Immigration Services Act* will enhance Saskatchewan's ability to support newcomers as they arrive in the province, make processes more efficient, enhance accountability, and further protect our immigration system from fraud.

With this new Act, Saskatchewan's immigration system is poised to have the highest level of program integrity and set a new standard in the country. The Act will enhance the province's ability to provide a full suite of settlement services from pre-arrival support to longer term retention assistance.

It will enhance the existing immigration framework by increasing investigative authorities and enforcement measures to tackle immigration fraud, including the highest potential fines for violations in the country. The new Act increases the maximum fine for offences to \$750,000 for individuals and \$1.25 million for corporations.

It also provides the authority to prescribe administrative monetary penalties in the regulations. Administrative penalties will be used for contraventions of the Act or regulations where court charges are not required.

In addition the new Act seeks to further strengthen protections for foreign workers against exploitation and improving oversight of foreign-worker recruiters, immigration consultants, and employers who recruit internationally. The new legislation will prohibit situations where foreign-worker recruiters, immigration consultants, or employers are using any information, documentation, or decisions provided for or by an immigration program like the SINP as leverage for personal or financial gain.

It also formalizes the authority and process for a person, individual to file a complaint related to *The Immigration Services Act* to the ministry and provides source privilege to safeguard the identities of complainants. This means that the identity of an individual will not be disclosed without the prior written consent of the complainant. This is particularly important to help foreign nationals overcome their fear of reprisal for filing complaints and jeopardizing their residency status in Saskatchewan and their ability to become permanent residents in Canada. Additionally it allows the ministry to order an employer to compensate an individual if the employer has accepted compensation in any form from anyone for a job offer or support for immigration by the SINP.

This legislation also facilitates collaboration and information

sharing between immigration and enforcement agencies to combat immigration fraud and labour exploitation more efficiently. Increased scrutiny and enforcement are needed to deter those who would exploit the immigration system.

That is why the Government of Saskatchewan is implementing strict measures to safeguard the interests of foreign workers and maintain public trust. Those who are non-compliant and exploiting Saskatchewan's immigration system will be held accountable for their actions. Those who are following the rules and abiding by the law will be minimally affected. The ministry is determined to establish the most robust program integrity framework in Canada, which will provide the best possible protection for newcomers and foreign workers.

Furthermore the new Act will allow the government to offer more services to foreign nationals and newcomers immigrating to and settling in Saskatchewan. These services may start at pre-arrival through to longer term retention and provide the ministry authority to deliver an expanded array of services in the future, which will help immigrants to build a successful social, cultural, and economic life in Saskatchewan. This is important as the Government of Saskatchewan continues to push for more autonomy over immigration, including devolving settlement services from the federal government to the province. More responsive and coordinated settlement services will increase the likelihood of immigrants staying in the province for the long term.

There will be no noticeable impact to newcomers looking to immigrate to Saskatchewan. Employers and recruiters who are using the immigration system fairly and honestly will be minimally impacted, as the new legislation focuses on those who are exploiting the system.

The Immigration Services Act is supported by community stakeholders of which I would like to read a few of their quotes into the record. Neelu Sachdev, exec director, Regina Immigrant Women Centre, had this to say:

At Regina Immigrant Women Centre we assist newcomer and immigrant women and their families in their settlement and integration into the community. I look forward to the enhancements and support offered to newcomers with this new legislation. The settlement services we provide currently will get a boost from this Act as it will now include pre-arrival support, longer term retention assistance, and other protections for foreign workers. I look forward to integration processes for labour market entry becoming easier, which will really affect retention of newcomers in Saskatchewan.

And from Ashraf Mirmontahai, director, employment services unit at the Saskatoon Open Door Society:

The new immigration services Act significantly advances our mission and values at the Saskatoon Open Door Society. Its focus on improving settlement services resonates deeply with our dedication to offering comprehensive support to newcomers throughout their journey in Canada. By enhancing our ability to provide pre-arrival assistance and retention we support, we can more effectively address the varied needs of immigrants and refugees as they adjust to

life in a new country.

Moreover, the Act acknowledges the crucial role of safeguarding the rights and well-being of foreign workers. We advocate for fair and transparent recruitment practices, ensuring that everyone navigating immigration processes is treated with dignity and protection. This legislation underscores our unwavering commitment to fostering a welcoming and inclusive environment for all immigrants and refugees in Saskatchewan.

And lastly, Victoria Flores, manager, communications and marketing at the Regina Open Door Society:

The Regina Open Door Society is encouraged by the introduction of the new immigration services Act which strengthens the framework of support for newcomers in Saskatchewan. By enhancing regulatory oversight and legal protections, this Act helps better serve and safeguard the interests of those arriving in our province. Our commitment to facilitating a welcoming environment is bolstered by such comprehensive measures.

We've also heard directly from newcomers themselves. Rupinderjit Grewal arrived in Saskatchewan in January of 2013 as an international student and became a permanent resident in 2015. Since starting his life in Saskatchewan, he's gone on to get married, start a family, and build his own business. He shared his full support for the new Act with us, not only because it protects newcomers but it gives the province the authority we need to hold anyone to account who tries to misuse the program. Rupinderjit said this will make the program better for newcomers and employers.

Saskatchewan is already an attractive destination for newcomers, and this Act will enable us to become the top destination for foreign workers and immigrants in Canada. The ministry is poised to have the most aggressive foreign worker recruitment and immigration legislation in the country as well as the most robust program integrity framework in Canada. The strengthened legislation will support and protect newcomers and employers and ensure Saskatchewan is able to attract and retain the labour force we need to support our growing economy and communities.

And with that, Madam Chair, I'm happy to answer questions from the committee. Thank you.

The Chair: — Thank you, Minister, for those opening comments on Bill 160. I'll open the floor to questions from members now, and I'll recognize Mr. Burki.

Mr. Burki: — Thank you, Madam Chair. Thank you, Minister for giving us an overview about this bill. Three things that I can take from that, that bulletproofing of our system to strengthen, to make sure that our system should be bulletproof on every system, that's a really great thing. Second, protection of our wonderful labourers, that they come in over here so in any way they are not at risk when they are being called over here. And the third thing is to retention people.

And thanks for keeping eyes on CBOs [community-based organization], Regina Open Door and Saskatoon Open Door Society, to getting their feedback because these are the

organizations that are the hub for immigrants on the first step.

I will go with questions now. My question is, why this legislation was introduced instead of just reviewing and revising the foreign workers recruitment and immigration Act?

Hon. Mr. J. Harrison: — Yeah. No, I appreciate it. I'll maybe give a very brief answer on that, and then Richelle will maybe speak in slightly more detail.

But really, you know, when we introduced the foreign worker Act, now about 12 or 13 years ago I think, it really was at that point leading Canada as far as being the most assertive framework for the protection of foreign workers and newcomers to Canada.

You know, the Act was appropriate at the time, but we really felt that we needed to have some additional strengthening of provisions within the statute, particularly considering the very, very large growth in the program. And that was why we decided to bring a brand new statute. It really encompasses a lot of the provisions of the existing Act. So it's not that the existing Act is completely gone, it's just that the provisions that already existed are incorporated into a more comprehensive Act.

But, Richelle, maybe you want to speak a little bit to it as well.

Ms. Bourgoin: — Certainly. So this was just an opportunity, to the minister's point, for us to take something that at its time really led the nation in terms of the approach to protect foreign workers and to enhance it. And knowing that Saskatchewan's ambitious immigration targets will continue to grow in the coming years, this gives us the ability to start that support pre-arrival in Canada to be able to reach directly to newcomers and to carry through the work experience to the permanent residency and subsequently the settlement in the province.

Mr. Burki: — Was there any consultation conducted in developing this legislation? If yes, what did the ministry hear from stakeholders that brought these changes forward?

Hon. Mr. J. Harrison: — Yeah, and I would say that, you know, the nature of it being a budget statute provides a degree of limitation on very specific provisions. What I would say though is that we have been working, particular with settlement agencies. And also the ministry has gained a great deal of experience in this space over the last, you know, two decades about what really would be an ideal series of changes to the statute.

So you know, the fact that we have — I read into the record some of the thoughts from our settlement agencies — really speaks to the fact that, you know, we have been working very closely with those organizations and listening very closely to those organizations about what needed to happen. And really that's been reflected in the statute.

Ms. Bourgoin: — And I would just add that the partners that were involved in developing the legislation included Immigration, Refugees and Citizenship Canada, as well as the Canadian border services agency and our partners in law enforcement both nationally and provincially.

Mr. Burki: — Okay. So was this bill developed based on an idea that originated within the ministry or was there any stakeholders we talked about that brought up those proposals to the government?

Hon. Mr. J. Harrison: — I would say that it was very much collaborative in that, you know, we wanted to update the foreign worker protection Act. And we've been receiving feedback for a period of time with our partners in that space, so really quite a collaborative effort.

[16:30]

Mr. Burki: — How do those changes that are proposed in this legislation compare to other jurisdictions in the country, other provinces?

Hon. Mr. J. Harrison: — Yeah, I would say, you know, as kind of laid out in my opening remarks, in a lot of very substantive and significant ways we're going to be setting the new standard across the country for newcomer settlement, for protection of newcomers. All of the elements that go along with that, we're going to be leading the way on all of this.

And you know, we talked about it with our colleagues at the ministers of Immigration table a number of months ago and went through some of the items we were looking at. And across the country, I think it would be fair to say that across the country you're going to see jurisdictions that are going to be following suit on this and, you know, not in a partisan sense. Governments right across the country of every stripe will be moving in a similar direction as we are on this. It's not a particularly partisan issue, I don't think.

So the fact that we're able to kind of set the direction though speaks to the fact that, as we have been through a lot of this process, Saskatchewan really has set the tone. But Richelle, if you want to add, feel free.

Ms. Bourgoin: — Nothing to add, thank you.

Mr. Burki: — Well I was just afraid it might be . . . you know, when we put a lot of restriction on something, people divert. I normally come not on Broad Street in the morning time because it's 40 speed for three or four blocks. I prefer Albert Street. So if there is any construction going on, people want to delay. So if you put a lot of restriction, if it's delaying or causing anything, then people will be turning out to other places where we have a really good time to attract people to our province.

So I'll move to the next question. Are there any changes to the regulation or new regulations that government is planning on bringing forward to go with this bill?

Hon. Mr. J. Harrison: — Yeah. No, it's a very good question. And of course with new statutory elements there will be consideration given to a new regulatory package that will go along with that. So we'll be consulting with stakeholders as we develop that new regulatory package as well. So that's a very good question though.

Mr. Burki: — When does the minister plan to bring this bill into force?

Hon. Mr. J. Harrison: — Yeah, we're hoping and planning on having the bill in force by July the 1st. So there'll be a bit of . . . there might be a bit of movement on that. We're going to work on some elements of the regulations in our consultation on that, but our objective is to have the Act in force by early summer, mid-summer.

Mr. Burki: — Okay. So as far as I'm new to this area for critic as well, my question is, just for my knowledge, why was that oversight to the legislation to move from Labour to Immigration?

Hon. Mr. J. Harrison: — Yeah, I mean we felt that it made sense administratively to have the enforcement provisions located together with the rest of the immigration services branch, so it was really an administrative choice as much as anything. But I defer to Deputy Minister Bourgoin on that as well.

Ms. Bourgoin: — The opportunity that we have by co-locating the work that is being done under the broad, sweeping legislation allows us to actually be more responsive to both new Canadians and employers. So ultimately it decreases that time in queue, or processing time, and allows us to move quicker in response to complaints or concerns that might come up.

Mr. Burki: — So I think as we talk about the administration, I believe that most of the labour were coming from abroad, so that was immigration process. So instead of Labour, you asked for that money under the Immigration umbrella?

Ms. Bourgoin: — That's right.

Mr. Burki: — Okay, good. Okay, next one is, increased investigation and enforcement measures to protect immigrants is welcome. We always appreciate to make sure we strengthen our system. But I'm curious that, what brought these specific changes? Is the ministry seeing an increase in cases of abuse and exploitation by recruiters or employers?

Hon. Mr. J. Harrison: — Yeah, no, good question. And really, you know, we've had such growth in the program. That is a big part of it. And we've had basically the same enforcement mechanisms and resources in place for a significant period of time. And a much larger program, we just needed to have more resources to do it. And we've increased the budget, as the member well knows through our budget discussion we had a number of weeks ago. Significant additional resources have been added to the ministry's budget for this particular provision. But, Richelle, maybe if you want to just speak a bit to it.

Ms. Bourgoin: — Certainly. You know, I'll just maybe go back to a comment that you made earlier about putting in barriers that may make it less attractive for newcomers to select Saskatchewan. We believe in fact we are doing precisely the opposite, and so that this legislation will be a recruitment tool because what we will do is ensure that the program is being used for its intent.

What happens in our processing is a good application doesn't take very much effort to process at all. But when we are focusing our energy on the bad actor or that one application in the system that is not compliant, we spend so much of our time focusing on that. So this allows us to take that work outside of the regular application processing in the Saskatchewan immigrant nominee

program and have dedicated individuals with the skills to address that work, and allow us to go back to the core function of processing immigration applications.

Mr. Burki: — In terms of non-compliance implied, can you speak to what enforcement and exploitation exists now and how that will change in this legislation?

Hon. Mr. J. Harrison: — Yeah, I'll maybe just speak to, just briefly, and then I'll turn it to Richelle. But you know, one of the challenges, and it's always discussed at the Immigration ministers' table, is — and it's a good challenge to have but it nonetheless is a challenge — in that just how attractive a destination Canada is for newcomers from around the world. There are, you know, unfortunately folks who are seeking to take advantage of some of those opportunities.

And you know, it's not the applicant necessarily. It's often the intermediary where we have a challenge. And you know, the people who end up losing out the worst are those who are seeking to actually migrate to Canada because in some cases they end up losing money and they end up . . . So we want to identify the bad actors in all of this.

And you know, because we are such an attractive destination, there are people who try and defraud the system. Whether it's here, whether it's Alberta, whether it's Ontario, whether it's through federal streams, this happens. So we wanted to add resources to identify that, as Richelle well said.

And I think the actual outcome is going to be that for those who are in good faith making application to come through the process are going to actually see it being quicker because of the fact that we're going to be able to deal with their applications in a more timely fashion. But over to you, Richelle.

Ms. Bourgoïn: — So typically this kind of enforcement work has been managed by our partners at the Canadian border services agency. Their footprint in Saskatchewan is relatively small compared to the needs of the community. And so what I think is important is that this legislation gives the Ministry of Immigration and Career Training the ability to enforce our regulations.

And so I'll speak very specifically. The minister spoke about the opportunity to levy fines for offences between 750,000 for individuals up to 1.25 million for corporations. It also, though, allows us to designate enforcement officers within the ministry to conduct investigations and inspections, where we would have previously had to wait on some of our other law enforcement partners to be able to support us to do that.

And I think what's important is that we will have the ability to ensure that for individuals who choose to misuse this program, there are consequences for that behaviour. And we will also have the ability to exclude the participation of employers who do not comply with the program regulations.

Ms. Burki: — Can the minister tell the committee about the process of investigation of potential cases of abuse and exploitation? And I believe these investigations are conducted by the program integrity unit. Am I right?

Ms. Bourgoïn: — So as part of the change in this year's budget, we've actually created a new unit within the ministry. It's called the program compliance unit. It will take pieces of the former program integrity team, as well as *The Foreign Worker Recruitment and Immigration Services Act* team from the Labour Relations ministry, and then add those additional resources that the minister spoke of that were the new budget asks.

And so together that unit will be responsible for the enforcement of *The Immigration Services Act*, and as well the outreach to communities to ensure that individuals know their rights and their responsibilities in using any immigration program in Saskatchewan.

Mr. Burki: — How and who makes the referral for an investigation to be opened? What kind of criteria must be met before the case be referred to investigation?

Ms. Bourgoïn: — So there's any number of ways that that can happen currently. One of the pieces, once we have the new legislation in place, that we'll really focus on is that public outreach to ensure that all of our partners know not only the pathway to reach out, but what are your responsibilities both as a newcomer or as an employer or as a third-party agent, recruiter, consultant that's participating in the immigration process.

But currently we respond to every complaint that we receive. Those complaints come in a number of ways. They come through referrals through members of the Legislative Assembly. They come directly to our office. They come through our immigration services branch, through our program integrity unit, through the Ministry of Labour Relations and Workplace Safety, and oftentimes directly through some of our partner law enforcement agencies.

Mr. Burki: — Okay. Just about enforcement officers, they are working in the unit. They have some sort of training or they're past police officers or . . .

Ms. Bourgoïn: — It is a bit of both, and so we haven't actually . . . We don't at present have the enforcement ability that the Act will give us. So we have a number of former law enforcement professionals who have joined our team to help us establish those networks. We work very closely with Corrections and Policing to ensure that our team has the skills and expertise they need to be successful in delivering on their role. And the training is really part of the overall rollout when we have the Act.

Mr. Burki: — What investigative power did enforcement officers have before this legislation and how are those expanded through this legislation?

Ms. Bourgoïn: — There's very limited ability within the ministry to both investigate and enforce, so we relied on testimonials and experiential, anecdotal stories from our partners. We worked then directly by referring to law enforcement, whether it's municipal police or, in this case, CBSA [Canada Border Services Agency] as an example, to be able to assist us with that work. This piece of legislation now gives us the ability to do that and so we have a designation of specific enforcement officers to conduct both inspections and investigations.

What is also important is the increased ability for us to share

information with other law enforcement agencies across the country, and I think work a little bit more collectively as a team to ensure that where there is an individual who is attempting to misuse this program — and, very frankly, in many cases that individual would be attempting the same thing in multiple jurisdictions across the country — to share with our partners so that we can put a stop to that misuse.

Mr. Burki: — Can the minister provide some data on numbers of cases referred for investigation and the number of confirmed fraudulent cases they have investigated for each year in a span of five years? And can you speak to the trend that you have seen over the years?

Ms. Bourgoin: — In 2019 we conducted 194 investigations. In 2023 that's risen to almost 1,200. And so what we see is, I think, two things. One, the minister spoke about the growth in the program, but the real positive that we see in that is that individuals in the community trust our program and they trust our team to respond to those accusations or experiences that they have where immigration is being misused. And so the minister spoke to it a little earlier. But Canada is a fantastic place to live and immigration is often a target for fraud.

That certainly is no different in Saskatchewan than it is in any other jurisdiction. The difference is that we are doing something about it to ensure that there are consequences for those who choose to misuse the program, and we really think that's the recruitment opportunity that we have because newcomers that choose Saskatchewan will know that they are protected.

Mr. Burki: — Great. When I'm looking through the investigations — like what type of cases the ministry is investigating — can you provide some insight into various type of immigration fraud, whether this is wage theft or people being tricked or any other?

Ms. Bourgoin: — It's a very good question, and it really spans a number of violations of the existing foreign worker recruitment immigration services Act, but as well the *Immigration and Refugee Protection Act*, more broadly. And so when we look at what that misuse might be, it can be anything from submitting fraudulent documents. So for example creating false driver's licences or in many cases work experience, references, credentials, income tax documents from the countries of origin. We have seen an increase in the misrepresentation of education credentials to qualify for the program. Because it is an economic immigration program, that is a very specific requirement.

[16:45]

But more broadly, it's on unscrupulous employers and third-party agents that have looked for opportunities to exploit the program for profit. And so when we look . . . And that is certainly not across the board. It's very much a case of a bad apple spoiling a barrel.

The immigration program is often very complex, but the Ministry of Immigration and Career Training has really taken a proactive approach to try and provide that direct outreach to employers who wish to legitimately use the program and to applicants who are seeking the opportunity to come to Saskatchewan.

You'll know that we've been really aggressive in the last year in trying to get into markets where we know there are pools of applicants who have the skills that are aligned with our labour market gap in the province, to be able to speak to them directly to try and demystify the process, to try and ensure that they have a relationship directly with the immigration officers who are the ones making decisions on that file and see those types of themes.

And then you know, we refer some of the larger, more coordinated investigations to our partners currently in law enforcement.

Mr. Burki: — Thank you, Deputy Minister. The question I asked because in some areas especially like India, if I can take an example, up to \$250,000 under . . . Sorry 250,000 rupees, local rupees, if you're making money lower than that then you don't need to file a tax return. Whereas in some cases for the people that are applying for jobs over here, they are being asked and they can't provide, and that was one of the questions relating to that.

Ms. Bourgoin: — It's a very good question. And so we've actually started to develop relationships. Of course as you know Saskatchewan has a very strong relationship with India. We've started to work with some of our partners — for example, the National Skill Development Corporation in India which is a government agency under the ministry of skills training — to help identify opportunities for the Indian government to support those applicants who are seeking permanent residency through the provincial nominee program to provide an alternative assessment of that work experience and the credentials to be able to meet the criteria of the program.

Mr. Burki: — Great. Does the minister have any data on average time that cases in investigation, from the time it is referred to closing?

Ms. Bourgoin: — I'm not certain we do right at hand. We're certainly happy to follow up with you directly on that. But what I can say is that in making the move to separate the investigation and enforcement capacity out of the program processing, we've been able to dramatically reduce the processing time for both employer applicants — down to two weeks from, I think, it was almost at nine months previously — as well as the applicant processing.

And so the average in terms of integrity investigations would be very difficult because it depends on the nature of the infraction. And so somebody who may have provided a fraudulent driver's licence, for example, can be relatively quickly assessed and then excluded from that application, whereas individuals who are involved in multiple infractions can be more complicated, particularly where they're working across jurisdictions.

Mr. Burki: — Can the minister speak to what to do to stop unlicensed immigration consulting from practising? Any plan?

Ms. Bourgoin: — We can introduce this legislation. So we are very confident that this will give us some ability to not only work directly with applicants so that they know their rights and their responsibilities, but also to ensure that there are consequences when those ghost consultants or unlicensed consultants are participating in the immigration process.

Hon. Mr. J. Harrison: — Yeah, I would just add to that. You know, going through the text of the legislation, a big chunk — as you well know — a big chunk of this legislation is actually focused on those sort of scenarios so that we have the tools to make sure unlicensed consultants, those who are taking advantage of potential newcomers, that we have the tools to deal with them. And that is probably about, it's over a quarter of the actual statute that we're introducing.

Mr. Burki: — That's great. Because I consulted a lot of certified consultants and lawyers as well, so that question came from their side — that there's so many people that are working from their homes without any certifications, without any credentials, and on top of that, they're tricking people, which they put them in big trouble.

One of the examples was that the guy came from Azania with those consultants, unprofessional consultants when he came over here. So he was trying to apply for his family, and he looked into paper, and somebody said that he mentioned he was single, which is very, very, like frustrating for people that they're coming over here.

Hon. Mr. J. Harrison: — I'd just add we'd actually encourage . . . I mean in cases where there are unlicensed consultants who are deceiving people, we would really like to know about it. So we'd encourage folks, and anybody who knows of this sort of behaviour, let us know.

Mr. Burki: — In the decision on that one, is there any way to recruit foreign workers through only Saskatchewan-based licensed lawyers or immigration consultants?

Ms. Bourgoïn: — So there's a number of things that we're considering in the regulations that will require more active participation in the province from licensed consultants and recruiters. And it's something we're working on. We'd be happy to talk a little bit more about it because we are reaching out both through the regulator and through some of our partner organizations in the province to try and be very transparent in how we identify individuals who will be eligible to practise under this legislation.

Mr. Burki: — Can you forward some data on immigration consultants and recruiters, how many licensed and working currently in the province? And what is the requirement for their training for those licensed consultants and recruiters?

Ms. Bourgoïn: — I'll skip maybe quickly to the training requirement, and then I'm going to ask Anne to talk about how the Act contemplates the registration of those consultants and recruiters, which will be different than it's done today.

And so in order to become a licensed immigration consultant, you are required to attend post-secondary education to obtain a credential, and then you are licensed by a regulatory body that does that coast to coast.

What you will see is, despite their very best efforts, it becomes very difficult again to provide those enforcement mechanisms. And so this Act allows the province to step in to ensure that consultants who are not operating within the context of the guidelines of the immigration system will be punished for doing

so, which also provides an intrinsic benefit to those who are participating in good faith because we will be able to move quicker and respond more effectively to their cases.

But Anne, if you could just talk a little bit about how we contemplate the change for registration.

Ms. McRorie: — So with regards to the number, there's almost 400 licensees in Saskatchewan that are licensed to act as recruiters or immigration consultants, and under the new legislation there will be some changes. Many have been outlined already in terms of the registration. Currently the registration, all of their names are listed on our website for recruiters and consultants, that will continue to be a requirement.

As well, there are immigration consultants who are licensed nationally who do work for consultants who are licensed in Saskatchewan. That is something that . . . It's very clear in the legislation that individual licensees, all people operating in Saskatchewan will need licences. And then in terms of, I think that is probably the biggest change.

Mr. Burki: — Okay, 400. As far as I was digging into that to see that what is the certified regulatory authorities for lawyers, for lawyers I think they are being certified and regulated by the Law Society. And immigration consultants are being licensed and regulated by ICCRC [Immigration Consultants of Canada Regulatory Council]. I was just wondering about recruiters. Do they have any requirement or any regulation body that they're being authorized by that?

Ms. Bourgoïn: — They don't have a regulatory body that governs the practices of recruitment. However they are required to maintain a licence in Saskatchewan today, and they will be required to maintain that licence going forward under the new Act.

Mr. Burki: — So that licence is maintained under the provincial government?

Ms. Bourgoïn: — Yes, that's right.

Mr. Burki: — Okay. Good. So the last question. I think I said in previous one as well, and I've been getting this question a lot. Do we give priority in the immigration process to all graduated Saskatchewan universities' foreign students as compared to other provinces? I think other provinces, that they're giving some extra weightage for that.

Ms. McRorie: — In terms of our Saskatchewan graduates, we do have a different work experience requirement. So they have fewer months; they only have to work for six months in Saskatchewan before they apply to the SINP. For out-of-province graduates who've been recruited by Saskatchewan employers, we do have a longer work experience requirement. And part of that is around ensuring that they are settling in our communities and that we're retaining them. So it's better for retention.

Mr. Burki: — Okay. Great. Okay. I think I was asked by a member to ask question yes and no. So we can go early, so I think I'm done with my questions. Thank you.

The Chair: — All right. Seeing there are no more questions or

comments from committee members, we will proceed to vote on the clauses. Clause 1-1, short title, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

[Clause 1-1 agreed to.]

[Clauses 1-2 to 12-3 inclusive agreed to.]

[17:00]

The Chair: — His Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:
The Immigration Services Act.

I would now ask a member to move that we report Bill No. 160, *The Immigration Services Act* without amendment.

Mr. Dennis: — I so move.

The Chair: — Mr. Dennis so moves. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

Minister, closing remarks?

Hon. Mr. J. Harrison: — Very briefly, just thank our team here at Immigration and Career Training. This was a substantial undertaking and piece of work that is going to be significant and impactful. So I want to thank our team very much. And thanks for the questions, very good questions as well, and thanks to the committee for their time.

The Chair: — Awesome. Mr. Burki, if you have any comments?

Mr. Burki: — Thank you, Madam Chair. Thank you, Minister, Deputy Minister, and our pillars behind this show. Thank you very much for all the hard work, for your professionalism, and God bless you for everything you do for us. Thank you.

The Chair: — That concludes our business for the day, everyone. And I would ask a member to move a motion of adjournment.

Mr. Friesen: — I would so move.

The Chair: — Mr. Friesen so moves. Is all agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. This committee stands adjourned to the call of the Chair. Thank you, everyone.

[The committee adjourned at 17:01.]