

ETHICAL CONDUCT DISCLOSURE AND APPLICANT DECLARATION AND CONSENT FORM
All foreign nationals applying to the SINP must complete and sign all sections of this form.

SECTION A: ETHICAL CONDUCT DISCLOSURE

Foreign nationals must read and sign this Ethical Conduct Disclosure if they are:

- assisted by anyone with their immigration application; and/or
- recruited by a foreign worker recruiter for a Saskatchewan employer.
- anyone who is living in Canada and is not a Canadian citizen or a permanent resident is a foreign national.

This includes paid and unpaid assistance or recruitment unless it is provided by a family member or an organization or individual exempted under *The Foreign Worker Recruitment and Immigration Service Act*.

Foreign nationals coming to Saskatchewan through Immigration, Refugees and Citizenship Canada (IRCC), temporary resident classes or through the Saskatchewan Immigrant Nominee Program (SINP) are protected under *The Foreign Worker Recruitment and Immigration Services Act (Saskatchewan)* and *The Immigrant and Refugee Protection Act (Canada)*.

Protections under *The Foreign Worker Recruitment and Immigration Services Act*, its regulations and Codes include:

1. No person can, directly or indirectly, charge any person other than an employer, a fee or expense for recruitment services. This means you cannot be charged a fee by a foreign worker recruiter, immigration consultant, employer or anyone else for finding you a job with a Saskatchewan employer or helping you find a job.
2. You can be charged fees for immigration services that is, for assistance in preparing an immigration application, representing you with immigration authorities or providing you or your family with settlement services. These services must be provided under a written contract signed by you that identifies the services and their cost. You do not have to pay charges that are not clearly identified in a signed contract.
3. Your immigration consultant, foreign worker recruiter, or employer cannot:
 - (a) produce or distribute false or misleading information;
 - (b) take possession of or retain your passport or other official documents or property;
 - (c) misrepresent employment opportunities, including misrepresentations respecting position, duties, length of employment, wages and benefits or other terms of employment;
 - (d) threaten deportation or other action for which there is no lawful cause;
 - (e) contact you or your family or friends after being requested not to do so by you;
 - (f) take action against or threatening to take action against you or anyone else for participating in an investigation or proceeding by any government or law enforcement agency or for making a complaint to any government or law enforcement agency; or
 - (g) take unfair advantage of your trust or exploit a foreign national's fear or lack of experience or knowledge.
4. A foreign worker recruiter or paid immigration representative must:
 - a) provide assistance/services to you in a fair, honest, open, timely and competent manner and only with respect to matters that you are capable of handling;
 - b) forward to you all communications addressed to or for you from the SINP or IRCC or your potential employer without alteration or undue delay;
 - c) hold in strict confidence, all applicant information related to your immigration or job application or other personal information and not divulge such information unless authorized by you or required by law; and,
 - d) provide truthful, accurate and complete information in all communication to you, SINP and IRCC officials and your potential employer at all times.
5. Your foreign worker recruiter or paid immigration representative must not:
 - a) make any false or inaccurate statement, or present any falsified document, which may mislead provincial or federal immigration authorities about your identity, background, qualifications, experience, or any other relevant matter;

- b) encourage you to apply to a federal or provincial immigration program unless you have a reasonable chance of being eligible;
- c) engage in any unlawful activity in connection with your or any other immigration application to Canada and must not collaborate with anyone who is engaged in any unlawful activity;
- d) behave in an inappropriate manner towards immigration officials in an attempt to influence decisions regarding your application;
- e) knowingly submit or continue with your SINP application if they believe you do not intend to settle (live and work/be an entrepreneur) in Saskatchewan or to work for an employer in Saskatchewan as you have indicated in your application; and,
- f) provide advice or create false expectations which would lead you to divest assets, quit your job or relocate without certainty of legal residence and right to work in Canada.

Additionally, whether your immigration representative is paid or unpaid, you should understand that:

- a) your representative is an independent agent and is **not** a representative of the Government of Saskatchewan or Canada or their ministries and agencies;
- b) your representative does not receive additional or supplemental information on programs from the Government of Saskatchewan or Canada or their ministries and agencies which may expedite your application
- c) using the services of a representative will not result in any special consideration or priority processing of your application to the SINP or IRCC;
- d) the Governments of Saskatchewan and Canada do not require you to use the services of a representative in making an application;
- e) you may contact the SINP or IRCC directly, even if you have authorized a representative to assist you and act as your representative;
- f) SINP and IRCC immigration forms are available free of charge on the Government of Saskatchewan and Government of Canada website and you cannot be charged for those forms; and,
- g) Your representative is personally accountable to you and federal and provincial immigration authorities respecting all aspects of your application.

Conflict of Interest

Your foreign worker recruiter or immigration consultant must, by law, deal with potential conflicts between your best interest and their interests as follows:

1. If they are acting as your immigration consultant and providing recruitment services to your employer or potential employer, they must:
 - a) disclose to both you and the employer that he/she is acting for both parties and the nature of the services that they are providing to each party;
 - b) obtain the written consent of you and the employer to provide those services to both parties; and,
 - c) have signed, written contracts with you and the employer.
2. They must clearly disclose in writing to you if they receive any fee or compensation for referring you to another person.

Making a Complaint

If you believe your immigration representative, foreign worker recruiter or employer has contravened these rules and guidelines, you may:

- Cancel the appointment of your immigration representative at any time. If you do so, you should immediately advise the SINP and IRCC, as appropriate, of the cancellation.
- Make a complaint to the Program Integrity and Legislation Unit at (306) 798-1350 or fwrisa@gov.sk.ca. This is an agency of the Government of Saskatchewan that investigates complaints by foreign nationals coming to Saskatchewan.
- Submit a complaint with the Immigration Consultants of Canada Regulatory Council (ICCRC) at www.iccrc-crcic.ca/home.cfm, in the case of an issue with your paid immigration representative.
- Make a complaint to the IRCC office dealing with your application.

I have read and understand the protections for foreign nationals described above.

Foreign National's Signature

Date

SECTION B: SINP APPLICANT DECLARATION AND CONSENT

(to be completed by foreign nationals applying to the SINP)

A. I declare that:

- I intend to settle (live and work/be an entrepreneur) in Saskatchewan; or
- I intend to work for the employer indicated in my application (for applicants who require a Saskatchewan job offer in order to be eligible for nomination by Saskatchewan).

B. Please circle only one of the following three options:

1. I declare that I have appointed _____

(please provide name of individual or organization)

as my immigration representative to conduct business on my behalf with the SINP. I further declare that my representative has explained to me and I clearly understand the code of conduct expected of my representative.
2. I declare that I have not appointed a representative to conduct business on my behalf with the SINP; however, I received advice or assistance from the following individual/organization in completing this SINP application.

(please provide name of individual or organization)

If you choose options 1 or 2 above, please initial one of the following:

_____ I have paid/will pay the above-named individual for the service/assistance provided. Please be aware that it is forbidden by law for anyone to provide immigration services to a foreign national coming to Saskatchewan unless they are a Registered Canadian Immigration Consultant with the ICCRC and licensed by Saskatchewan or a member of a provincial law society.

OR

_____ I have not paid/will not pay the above-named individual for the service/assistance provided.

3. _____ (please initial) I declare that I have completed my SINP application on my own with no paid/unpaid assistance from anybody/organization and I have not appointed a representative to conduct business on my behalf with the SINP.

By appointing a representative, the applicant authorizes the representative to conduct business on their behalf with the SINP. The applicant also consents and authorizes the SINP to disclose personal information regarding their application to the representative.

The collection, use and disclosure of your personal information is done under the authority of section 29(1) of the Freedom of Information and Protection of Privacy Act, R.S.S. 1990-91, c. F-22.01 and is managed in accordance with that Act.

Please note that it is against the law to give false or misleading information to the Government of Saskatchewan or any of its officials. If you have a representative and do not disclose the name of your representative to the SINP, your application may be refused. A representative who advises an applicant to provide false or misleading information is also breaking the law.

Applicant's Signature

Date

Spouse's Signature

Date

SECTION C: SINP IMMIGRATION REPRESENTATIVE DECLARATION

(to be signed by the paid or unpaid representative of a foreign national applying to the SINP)

Before a representative can conduct business on behalf of an SINP applicant, the representative must complete this section. If you have not appointed a representative, please write "N/A" on this page and submit all 4 pages with your application.

- I am an UNPAID representative and a relative of the SINP applicant. I declare that I have not accepted any kind of fee, remuneration or reward directly or indirectly from the applicant in exchange for assisting the applicant in making this application, I will not at any future time accept any such fee, remuneration or reward in connection with this application and I therefore am exempt from the requirement to hold a licence under *The Foreign Worker Recruitment and Immigration Services Act*; OR
- I am a PAID representative, and I declare that I am a member in good standing of the Immigration Consultants of Canada Regulatory Council (ICCRC) or a Law Society in Canada or the *Chambre des notaires du Québec*. I have read and understand and agree to abide by the terms and conditions contained in this Ethical Disclosure and Consent Form. I agree that the SINP has the authority to refuse to process applications through, or communicate with me, should the SINP determine that I have breached the terms of *The Foreign Worker Recruitment and Immigration Services Act*, its Codes and regulations or this Ethical Disclosure and Consent Form.

Representative's Full Name:

Company Name:

Street Address:

City/Town:

Zip/Postal Code:

Province/State:

Country:

Telephone No:

Email:

Professional Association:

Representative's Signature

Date