

Application for a Licence to Engage in Foreign Worker Recruitment

The Worker Recruitment and Protection Act requires foreign worker recruiters operating in Manitoba to be licensed and strictly prohibits charging fees, directly or indirectly, to people seeking or finding work. For further information please refer to our website www.manitoba.ca/labour/standards.

Foreign Worker Recruitment means finding one or more foreign workers for employment in Manitoba or finding employment in Manitoba for one or more foreign workers, regardless of whether or not a fee is charged. This includes, but is not limited to, referring workers, reviewing resumes and conducting interviews.

Eligibility

Only a member in good standing of:

- The Law Society of Manitoba;
- A bar of another province or the Chambre des Notaire du Québec; or
- The Immigration Consultants of Canada Regulatory Council (ICCRC)

is eligible for licensing. If you are **not** a member in good standing of one of the abovementioned organizations **do not submit this application** as you are **ineligible** for the license.

Application Form

- Answer each question in full
- If a question does not apply mark N/A
- If there is insufficient space, complete the answer on a separate sheet and attach it to this form
- Keep a copy of the completed application and attachments for your records as it is required for renewal
- All information and statements are subject to verification

Fee

- The annual fee is \$100. This fee must be submitted with the application before it will be processed. Make cheques payable to *The Minister of Finance*.

Security

- If you are approved for a licence, you are required to provide an irrevocable letter of credit or cash in the amount of \$10,000 **before** you receive the licence. Do **not** submit this amount until requested by Employment Standards.

Expiry Date and Renewal

- Once approved, the licence is valid for **one** year.
- Employment Standards does **not** provide reminders of licence expiry. It is your responsibility to submit a licence renewal application before the licence expires.

Notice

- Providing incomplete, false, inaccurate or misleading information in furtherance of this application may result in the refusal, suspension, or revocation of the licence
- Information surrounding non-compliance with *The Worker Recruitment and Protection Act* may be reported to applicable regulatory bodies and is punishable by prosecution and fines of up to \$25,000.00 to \$50,000.00

Provide a description of your recruitment activities (classes of employees, country, employers, etc.):

☐ Yes, Specify _____

If you are not a member in good standing of one of the abovementioned organizations do not submit this application as you are ineligible for the license

Date _____

- A decision to refuse a licence may be appealed to the Court of Queen's Bench by filing an application with the court within 14 days after a copy of the decision is served
- The following are **not** required to hold a licence: a person who finds employees for their employer, finds employment for a family member without charging a fee or an agency of the government or a municipality
- Employment Standards may conduct any investigation into the character, financial history and competence of an applicant to evaluate eligibility to hold a licence
- Valid licence holders will be posted on the Employment Standards website

Required Documents

In relation to each company through which you will be providing recruitment services, provide copies of:

- The registration of business name
- Partnership agreement/partnership registration
- Any shareholder's agreement
- Articles/certificate of incorporation (corporations documents)

Note: certified copies of documents and/or other business documents may be requested at a later date.

Applicant's Name	Name of Company
Birthdate of Applicant (DD/MM/YYYY)	Applicant's Canada Revenue Agency Business Number

If your application is approved, when do you intend to begin engaging in foreign worker recruitment?

Date or Approximate Date

Do you intend to reside fulltime in Manitoba? If no, describe your plans in detail, including the frequency with which you intend to engage in foreign worker recruitment:

Questionnaire

Answer yes or no to all questions. For all questions answered “yes,” attach an additional page indicating the question number explaining the details (when, why, circumstance, current status)

	Yes	No
1. Have you ever been refused admission to, been suspended, disbarred, disqualified, had disciplinary action imposed on you, or been struck from membership in a law society, the Immigration Consultants of Canada Regulatory Council (ICCRC), the Canadian Society of Immigration Consultants (CSIC), or any other professional association?		
2. Are you aware of any complaint or charge pending against you in your professional capacity, which has not yet come to the attention of your law society, ICCRC, CSIC, or any other professional association?		
3. Have you ever reported or had a claim brought against you to your professional liability insurer?		
4. Have you or the business ever been charged, found guilty or convicted of a criminal offence (excluding traffic violations) under any criminal law or other law in force, in any jurisdiction, for which you have not been pardoned?		
5. Have you ever been convicted or found liable as a result of breach of trust, fraud, perjury, immorality, dishonorable conduct, misrepresentation, dishonesty, or undue influence in any civil, criminal or administrative proceeding?		
6. Have you at any time not obeyed any Order of any Court requiring you to do or abstain from doing any act?		
7. Have you ever been denied or had revoked or suspended a license to engage in foreign worker recruitment in Manitoba or any other jurisdiction?		
8. Have you ever been denied or had revoked any license, permit or registration that required proof of good character?		
9. Have you or any partners, directors or officers of the Partnership or Corporation been the subject of bankruptcy or receivership proceedings under any law in any jurisdiction in the last five years?		
10. Have you ever held a 5% or greater ownership interest in any proprietorship, partnership, corporation or other business entity of any kind in any jurisdiction? The business does not have to have been related to recruitment.		

List all bank accounts, foreign and domestic, maintained by you or any other person or entity on your behalf in which you have a current or anticipate a future benefit:

Name and Address of Bank	Persons' Names Appearing on Account	Account Number

List the countries from which you recruit. Include the names of the companies or individuals you deal with and receive a benefit from (directly or indirectly) in your recruiting/immigration work:

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List all people and/or businesses (foreign and domestic) associated with your recruiting/immigration work:

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Where are your business records for your recruiting work located?

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To what address should important notices be hand-delivered?

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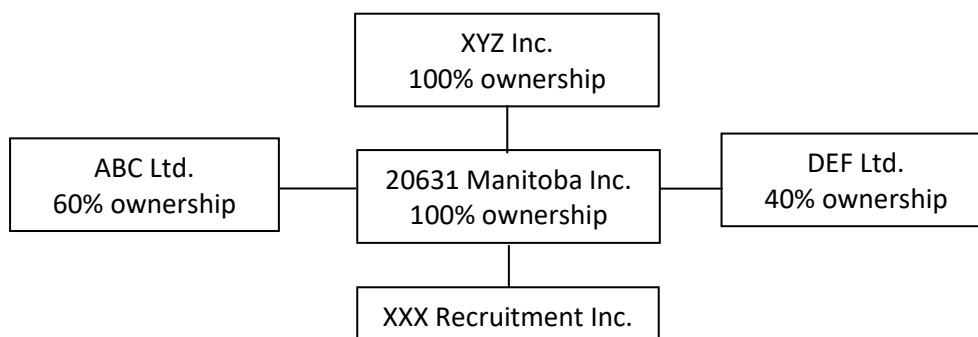
List all website and social media addresses associated with your recruiting/immigration work:

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List all the names and addresses under which you have conducted business for the past five years (including those businesses **not** involved in recruiting and immigration). Include any changes of given name or surname, formal/informal, or other names you have used:

Surname, Given Names	Company Name	Full Address

Create and attach an organizational chart listing all business holdings, demonstrating the relationship between all parent, controlling, subsidiary, affiliated or otherwise connected companies. For example:



I hereby consent that, upon the request, I will provide specific authorizations or releases for Employment Standards to obtain additional information required to process this license application.

Applicant's Signature

Date

Consent for Release of Information Disclaimer

This information is collected under *The Worker Recruitment and Protection Act* (WRAPA) in compliance with *The Freedom of Information and Protection of Privacy Act* (FIPPA). The personal information that you provide will be used only for the purpose(s) for which it is collected, and not in any other way without your consent.

1. In order to comply with the requirements set forth in *WRAPA*, to verify the information provided in this license application and to investigate the character, financial history and competence of an applicant, Employment Standards may be required to collect and/or receive additional information from:
 - Federal, provincial, municipal or state licensing bodies and police services
 - Other law enforcement agencies or sheriff's offices
 - The Registrar of Bankruptcy
 - Credit bureaus and financial institutions
 - Industry associations
 - Former and current employers
 - Government departments or agencies
 - Any person or agency that can provide information or material relevant to the inquiries or investigations
2. The information collected in the license application may be used and disclosed as follows:
 - To evaluate the applicant's financial, business and criminal history
 - Information on the applicant and on individuals and enterprises identified in connection with the applicant may be shared with Manitoba government officials who are assisting Employment Standards in the evaluation of the applicant for licensing
 - For the purpose of administering and enforcing *The Worker Recruitment and Protection Act*, Employment Standards may provide information collected or obtained, including personal information, to:
 - A department of the government, department or agency of the Government of Canada or of another province
 - A law enforcement agency
 - For applications to engage in foreign worker recruitment:
 - The Law Society of Manitoba,
 - The Chambre des notaires du Québec or the bar of another province
 - The Immigration Consultants of Canada Regulatory Council (ICCRC)
 - Any other person or body that governs or regulates the conduct of individuals who recruit or assist foreign workers entering Canada
3. The applicant consents to any person providing to Employment Standards information for the aforementioned purposes, and consents to Employment Standards releasing information contained in the license application and obtained through the application and investigation process to law enforcement agencies and other regulators for the aforementioned purposes.

Print Applicant's Full Legal Name

Applicant's Signature

Date

Statutory Declaration

I, _____ do solemnly declare that:

Print Applicant's Full Legal Name

- The statements contained in all parts of the application to engage in foreign worker recruitment, and in any added pages, are complete and true in every respect
- I have presented two pieces of identification to a Notary Public or Commissioner of oaths who has witnessed my signature and verified my identification
- I will comply with *The Worker Recruitment and Protection Act* and any other applicable acts and regulations in the Province of Manitoba
- I will not accept, hold, transfer or in any other manner solicit a benefit from a worker while acting in my capacity as a foreign worker recruiter
- I will notify the Director of Employment Standards promptly if I cease to be entitled to membership in either ICCRC or a provincial bar
- I will notify the Director of Employment Standards immediately if there is a material change to the information provided in any part of the application
- I have never been convicted or found liable as a result of breach of trust, fraud, perjury, immorality, dishonorable conduct, misrepresentation, dishonesty, or undue influence in any civil, criminal or administrative proceeding
- I have never been denied or had revoked any license, permit or registration that required proof of good character
- I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath

Declared before me at:

_____, this the _____ day of _____ in _____
City Province Country Date Month Year

Signature of Notary Public or Commissioner of Oaths

Applicant's Signature

Print Name of Applicant

Applicant's Mailing Address

Application Checklist

Checklist is not required to be submitted as a part of the application process

- ☐ All sections answered
- ☐ \$100 application fee
- ☐ A Copy of membership in ICCRC, a Provincial Law Society or La Chambre des Notaires du Québec?
- ☐ Registration documents for business names
- ☐ Copies of documents outlining partnership agreements or registrations
- ☐ Shareholders agreement
- ☐ Corporation Documents
- ☐ Explanations for any questions answered “Yes” on the questionnaire
- ☐ Organization chart of all business holdings and the relationship with other entities (parent, controlling, subsidiary, affiliated or otherwise connected companies)
- ☐ All forms signed and dated
- ☐ Statutory declaration signed and dated