

The Immigration Services Act

Foreign Worker Recruiter and Immigration Consultant Licensee Terms and Conditions

Authority

The licence is used under the authority of *The Immigration Services Act (Act)* and *The Immigration Services Regulations (Regulations)*.

Term of the Licence

The licence will expire on the last day of the 24th month after it is issued or renewed.

Duty to produce Licence

Every licensee must produce a licence for inspection by the Ministry of Immigration and Career Training (Ministry) or provide details about the licence that allows the Ministry to determine whether a person has been issued a licence when requested to do so.

Agents, Affiliates, Contractors, and Partners

The licensee shall submit to the Ministry the personal and business name, business address, phone number and email address (where applicable) of any person, whether in Saskatchewan or a jurisdiction outside Saskatchewan, that the licensee intends to authorize to act as the licensee's agent, affiliate, contractor or partner during the term of the licence. A licensee shall not authorize any person to act as the licensee's agent, affiliate, contractor or partner unless such agent, affiliate, contractor or partner is licensed as required by the Act, and the person's information has been submitted to the ministry.

Licensees are required to take reasonable measures to ensure that partners, affiliates and agents understand their obligations under the Act and regulations including:

- Providing them with access to the Act and regulations;
- Informing them in writing of their obligations under the Act with respect to the service they provide; and
- Monitoring the services provided by their partners, affiliates and agents.

Reasonable Measures for Language

When dealing with a foreign national whose first language is not English, licensees are required to take reasonable measures to ensure the foreign national understands the contents of the contract:

- i. Where the foreign national indicates, or the licensee believes, that they do not have the ability to fully understand the contents of the contract, the licensee must:
 1. Provide the foreign national with sufficient time to obtain a translation, which may include family, friends or a professional translator;
 2. Translate the contract verbally into the foreign national's first language (when applicable);
 3. Refer to the foreign national to a third-party translator; or
 4. Write the contract in plain English language at a language level easily understood by someone whose first language is not English.

- ii. Where the licensee provides translation services, the licensee:
 1. Must engage the services of an accredited translator to accurately translate the contract into a language acceptable to the foreign national and who is accountable for the errors associated with inaccurate translations; and
 2. May charge the foreign national for the costs of the translating of the contract.

- iii. Where the licensee refers the foreign national to a specific translator, the licensee:
 1. Must ensure the translator is accredited to translate the contract into a language acceptable to the foreign national; and
 2. May be held responsible for the inaccurate translations resulting in financial loss to the foreign national if it is determined the translator was unqualified.

- iv. Where the foreign national uses their own translator, the licensee will:
 1. Allow the foreign national sufficient time to find a translator and translate the contract away from the licensee's place of business;
 2. Allow a foreign national to bring a translator to the licensee's place of business to provide any translation services the foreign national may require; and
 3. Not be held responsible for inaccurate translations.

The licensee is responsible for explaining contracts that contain technical or complex content in plain language, which may require engaging a technical expert in the field. Where a technical expert is requested by the foreign national to explain aspects of the contract, costs for engaging the technical expert may be charged to the foreign national

Use of OASIS

The Saskatchewan Immigrant Nominee Program Online Application System (OASIS) shall only be accessed or used for the purpose for which it was intended.

Operating Names

The licensee will use the name set out in the licence to carry out its business and shall inform the Ministry of any change in the business name.

Record Keeping

The licensee must prepare and keep records as required by the Act at the licensee's principal place of business in Saskatchewan or, if the principal place of business is out of province, be sent to the Ministry upon request.

Accountability

A change in the licensee's place of business or employer does not relieve the licensee from liability under the Act.

Death of Licence

If a licensee dies during the term of the licence, the licence is revoked.

Licence not an Endorsement

A licensee shall not represent, expressly or by implication, that their licence is an endorsement or approval of the licensee by the Government of Saskatchewan.