

RISIA CODE OF ETHICS



icccrc
IMMIGRATION CONSULTANTS OF
CANADA REGULATORY COUNCIL
crcic
CONSEIL DE RÉGLEMENTATION DES
CONSULTANTS EN IMMIGRATION DU CANADA

Version: 2019-001

Approved Board of Directors: February 1, 2019

Table of Contents

ARTICLE 1. AUTHORITY	4
ARTICLE 2. PURPOSE OF CODE	4
2.1 PURPOSE.....	4
2.2 DISCIPLINE FOR NON-COMPLIANCE.....	4
ARTICLE 3. INTERPRETATION	4
ARTICLE 4. DUTY OF GOOD FAITH	5
4.1 DUTY OF GOOD FAITH.....	5
ARTICLE 5. DUTY TO ICCRC.....	5
5.1 COMPLIANCE AND REPORTING OBLIGATIONS	5
5.2 DUTY OF CIVILITY.....	5
ARTICLE 6. DUTY OF COMPETENCE.....	5
6.1 DUTY OF COMPETENCE.....	5
6.2 NATURE OF COMPETENCE.....	5
6.3 MAINTENANCE OF SKILLS AND KNOWLEDGE.....	5
ARTICLE 7. QUALITY OF SERVICE	6
7.1 MAINTENANCE OF QUALITY SERVICE	6
ARTICLE 8. ADVISING STUDENTS.....	6
8.1 HONESTY AND CANDOUR REQUIRED.....	6
8.2 RESPONSE TO PROPOSED ILLEGALITY.....	6
ARTICLE 9. DUTY TO MAINTAIN CONFIDENTIALITY	6
9.1 MAINTENANCE OF CONFIDENTIALITY	6
ARTICLE 10. DISCRIMINATION	6
10.1 NO DISCRIMINATION.....	6
ARTICLE 11. DISCIPLINARY AUTHORITY	7
11.1 DISCIPLINE BY THE COUNCIL	7

ARTICLE 1. AUTHORITY

- 1.1 This Code (Regulation) is enacted pursuant to sections 3.1 and 25 of the *By-law* of the Council.
- 1.2 In the event of any conflict between the English version and the French version of this Regulation, or between this Regulation and the Council's *By-law*, the English version of the *By-law* shall govern.
- 1.3 For convenience this Regulation may be cited as *RISIA Code of Ethics*.

ARTICLE 2. PURPOSE OF CODE

- 2.1 Purpose
 - 2.1.1 The purpose of this Code is to supplement any conduct requirements of the RISIA's employer, for the better protection of Students from unethical or incompetent practice by RISIAs. It is not the purpose of this Code to dispense with or reduce any of the requirements of the RISIA's employer. If there is any difference between the employer's conduct requirements and those of ICCRC, the RISIA shall be required to comply with whichever standard is higher.
- 2.2 Discipline for Non-compliance
 - 2.2.1 This Code is binding on all RISIAs. RISIAs who fail to comply with this Code will be subject to disciplinary proceedings.

ARTICLE 3. INTERPRETATION

- 3.1 In this Code, capitalized terms, unless otherwise defined herein, have the same meaning as they do in the *By-law*.
- 3.2 In this Code:
 - 3.2.1 **"Education sector"** means school boards, language schools and post-secondary institutions which are members of one of the member organizations of the Canadian Consortium for International Education (CCIE) and/or are designated learning institutions (DLIs) as defined by Citizenship and Immigration Canada (CIC) and as listed on the CIC website: <http://www.cic.gc.ca/english/study/study-institutions-list.asp>.
 - 3.2.2 **"Professional development"** means education activities that enhance the knowledge of immigration-related work and other matters relevant to the work of RISIAs.
 - 3.2.3 **"Regulated International Student Immigration Advisor" or "RISIA"** means a person employed in the Education Sector whose job includes providing immigration advice to Students, and who is registered by the Council as a RISIA in accordance with the *By-law*.

- 3.2.4 “Student” means an international student seeking immigration advice from employees employed in the Education Sector.

ARTICLE 4. DUTY OF GOOD FAITH

4.1 Duty of Good Faith

- 4.1.1 Every RISIA shall discharge all responsibilities to Students, colleagues, and any others affected in the course of the RISIA’s practice in good faith.

ARTICLE 5. DUTY TO ICCRC

5.1 Compliance and Reporting Obligations

- 5.1.1 Under section 27.1 of the *By-law*, a RISIA shall be familiar with, comply with and report breaches of the By-laws, Regulations, or *RISIA Code of Ethics*, and the rules and standards established or adopted by the Board from time to time. Wherever possible, and appropriate, the RISIA shall first request an explanation or more information from the individual whose conduct, status or capacity is in question, if that will help the RISIA decide whether there is any obligation to report.

5.2 Duty of Civility

- 5.2.1 A RISIA shall be courteous and civil in all professional dealings with Students, government officials, and ICCRC itself.

ARTICLE 6. DUTY OF COMPETENCE

6.1 Duty of Competence

- 6.1.1 A RISIA shall be competent to perform any services the RISIA undertakes for a Student, and shall not undertake any task or service that the RISIA is not fully competent to handle. A RISIA shall perform all services on behalf a Student competently.

6.2 Nature of Competence

- 6.2.1 To be competent includes understanding, and being able to interpret and apply the statutes, government regulations, and CIC policies and practices applicable at the time to the matter undertaken on behalf of a Student.

6.3 Maintenance of Skills and Knowledge

- 6.3.1 RISIAs shall continually remain up to date with changing federal and provincial laws and policies affecting immigration services, as well as the regulatory requirements applicable to them.

ARTICLE 7. QUALITY OF SERVICE**7.1 Maintenance of Quality Service**

- 7.1.1 A RISIA must at all times use best efforts to:
- (i) meet all applicable deadlines;
 - (ii) communicate with the Students at all stages of a matter in a timely and effective way;
 - (iii) pursue appropriate professional development opportunities to maintain and enhance knowledge and skills; and
 - (iv) remain informed of changing laws, requirements and standards relating to immigration and Students.

ARTICLE 8. ADVISING STUDENTS**8.1 Honesty and Candour Required**

- 8.1.1 A RISIA must be honest and candid when advising Students.

8.2 Response to Proposed Illegality

- 8.2.1 If a RISIA is asked to do anything they know or ought to know is dishonest, fraudulent or otherwise illegal, the RISIA shall:
- (i) advise the person that the proposed conduct would be dishonest, fraudulent or illegal, and should be stopped; and
 - (ii) record in writing that the advice referred to in Article 8.2.1(i) was given to the Student.

ARTICLE 9. DUTY TO MAINTAIN CONFIDENTIALITY**9.1 Maintenance of Confidentiality**

- 9.1.1 A RISIA shall hold in strict confidence, at all times, all information concerning the affairs of a Student, and shall not disclose such information unless expressly or impliedly authorized by the Student or required or permitted by law or this Code.

ARTICLE 10. DISCRIMINATION**10.1 No Discrimination**

- 10.1.1 A RISIA shall not discriminate against any person in the course of their practice on any grounds prohibited by the applicable provincial Human Rights Code.

ARTICLE 11. DISCIPLINARY AUTHORITY11.1 Discipline by the Council

11.1.1 The Council may discipline a RISIA for offences under this Code according to the *Regulated International Student Immigration Advisors Complaints and Disciplinary Proceedings Regulation* whether or not his/her employer takes any disciplinary action.