

Summary of changes: Immigration and Refugee Law Tariff reform



Phase 1

Current tariff	Change / reform	Action required
<i>Increased base tariff for Basis of Claim preparation (non-expedited) allocated for the initial authorization</i>		
Increased tariff of nine hours (increased from seven) is already in place as part of COVID measures for non-expedited claims (i.e.: not selected for the file review process).	Permanently maintain the increase to the tariff for Basis of Claim preparation to nine hours. An additional two hours have been allotted to cover the new requirement that roster members review the refugee portal application prior to submission.	No action required from roster member.
<i>Increased base tariff for Basis of Claim preparation (expedited) allocated for the initial authorization</i>		
Increased tariff of 12 hours (increased from 10) is already in place as part of COVID-19 measures for expedited claims (i.e.: selected for the file review process).	Permanently maintain the increase to the tariff for Basis of Claim preparation and submitting client disclosure to 12 hours. An additional two hours have been allotted to cover the new requirement that roster members review the refugee portal application prior to submission.	No action required from roster member.

Current tariff	Change / reform	Action required
<i>Additional authorizations for multiple family members</i>		
<p>The seven-hour Basis of Claim authorization covers the preparation of refugee claim documents for both single claimants and large families.</p>	<p>Allow one three-hour authorization to prepare claims with multiple immediate family members (e.g.: spouses, children, common-law partners, etc.) where a member of the household requires a separate narrative because they have one or more of the following criteria:</p> <ul style="list-style-type: none"> • have a different country of citizenship from the principal claimant • have a separate risk profile from the principal claimant • have the same risk profile as the principal claimant but have independent experiences which needed to be recounted in a separate narrative 	<p>Submit a request for authorization through Legal Aid Online.</p>
<i>Designated representative authorization</i>		
<p>No current tariff allotment.</p>	<p>Create a three-hour tariff authorization in matters where designated representatives are appointed, to account for additional preparation time required.</p> <p>A designated representative will be appointed:</p> <ul style="list-style-type: none"> • when the claimant has serious mental health issues and cannot appreciate the nature of the proceedings; or • for unaccompanied minors (who arrive without parents or guardians) 	<p>Submit a request for authorization through Legal Aid Online.</p>

Current tariff	Change / reform	Action required
<i>Applications on humanitarian and compassionate grounds</i>		
Currently, 16 hours.	Allow an additional ten hours for representation after first-stage approval.	Submit a request for authorization through Legal Aid Online.
<i>“Ministerial intervention/exclusion” authorization</i>		
No current tariff allotment.	Allow a three-hour authorization for additional preparation time where the Minister has intervened, or exclusion issues have been raised.	Submit a request for authorization through the Legal Aid Online.
<i>Danger Opinions</i>		
Currently ten hours for application/submissions.	Allow 20 hours for application/submissions. Initial authorization will be for 20 hours instead of 10 hours.	No action required from roster member.
<i>Increased tariff to prepare for Immigration Refugee Board hearings (Refugee Protection Division, Refugee Appeal Division, Immigration Appeal Division, Immigration Division)</i>		
An authorization for two hours of preparation available for additional sittings in Refugee Protection Division hearings only.	Allow two hours of preparation for additional sittings in all Immigration Refugee Board hearings. Where a hearing was not conducted, and the matter is adjourned, two-hour preparation is not allowed.	Submit a request for authorization through Legal Aid Online.
<i>Policy interpretation change to issue separate refugee claim certificates to each household</i>		
One certificate is normally issued where family members have same/similar immigration narratives, including extended families from different households.	Increased availability for separate Basis of Claim certificates for extended families (e.g.: adult siblings, each with their own spouse and children), even where claims will ultimately be heard together.	Submit a request for authorization through Legal Aid Online.