

Immigration exodus after Trump win easier said than done

Written by Special to the Filipino Reporter
Saturday, 04 February 2017 15:42

**IMMIGRATION
NEWSWEEK**



By: Atty. Henry Moyal

Q. I live in California and I did not vote Trump for president.

While many have threatened to leave the USA and live in Canada, I do not know how many actually did.

My family and I are serious in doing so.

We are in our 70s and we have visited Canada many times.

We will be purchasing a home in Vancouver and we want to settle in Canada with our children and grandchildren.

We are not celebrities who can simply pick up and leave.

Immigration exodus after Trump win easier said than done

Written by Special to the Filipino Reporter
Saturday, 04 February 2017 15:42

We need time to sell our assets in USA and a working strategy to make this a reality as the next four years will be a precarious time for us in USA.

A. Your passion and interest in immigrating to Canada is commendable.

Your voice can be heard all over the U.S. states even before last week's official Trump inauguration.

We have received many inquiries from every age and background on how to settle in Canada.

The cold reality is that there is no special "escape from Trump immigration program."

In other words, an applicant who wishes to immigrate to Canada (whether it is pre Trump, during Trump or after Trump) must qualify under the regular immigration system just like any other national of any country regardless of their citizenship.

While the desire to immigrate may be immediate, applicants must understand that it can take months to actually obtain an immigrant visa.

Further, in your particular scenario, there is no "retirement visa."

That type of program was cancelled decades ago as Canada felt that "old people" who simply retire in Canada do not significantly contribute to the economy and use our free health care system too much.

While that may be true or not, the reality is that Canada is looking for younger and educated

Immigration exodus after Trump win easier said than done

Written by Special to the Filipino Reporter
Saturday, 04 February 2017 15:42

immigrants to fill its 260,000 immigrant visa budget in 2017.

Canada's goal is to issue immigrant visas to those who can fill job shortages and those who will most benefit the economy in the short and long term.

The ideal candidate is one who is in their 30s, has work experience, has obtained a bachelor degree and has strong English language skills.

Having a relative in Canada is a bonus too.

It does not matter if a person lost their status in USA which is now an important discuss on the agenda in the Trump Administration.

The USA is on the verge of revamping its policy on illegal immigrants and will now sanction sanctuary cities.

It is also important to remember that illegal status is not a criminal offence and Canada does not regard one's illegal status as a bar to immigration.

So for now, you are free to continue to visit Canada.

You are free to buy that home in Vancouver but I would not sell your USA property just yet.

Finally, you may want to discuss this with your younger children.

An interesting strategy for you would be to have your children apply and then they would

Immigration exodus after Trump win easier said than done

Written by Special to the Filipino Reporter
Saturday, 04 February 2017 15:42

sponsor you (parent sponsorship) after they become immigrants of Canada.

Q. I am working in Canada on a NAFTA work permit.

It will expire next year.

If the NAFTA agreement is changed will it affect my job and work permit?

A. I doubt it.

There are two issues here.

Will the immigration category stay intact under the proposals to be made to NAFTA?

I believe yes.

If there are changes to NAFTA will your work permit be void retroactively?

I do not see that happening as it would be administrative nightmare for border officials, workers and employers on both sides of the border who benefit from NAFTA.

Q. I'm a Canadian born citizen living in Nevada.

I have not filed Canadian taxes for the last five years.

Immigration exodus after Trump win easier said than done

Written by Special to the Filipino Reporter
Saturday, 04 February 2017 15:42

I have a child born to an illegal woman who entered the USA using a fake passport.

I want to return to live in Canada with my family.

How can I do it?

A. It can definitely be done but each issue must be dealt with separately.

Firstly, your child is a Canadian Citizen so you should apply for his Canadian passport.

Second, your wife should stop using any fake names and then thirdly, you need to apply to sponsor her to Canada.

The processing of the application may not necessarily be in the USA but if the relationship is genuine it definitely has merit.

Atty. Henry Moyal is a certified and licensed immigration lawyer in Toronto, Ontario.

The above article is general advice only and is not intended to act as a legal document.

Send questions to him by e-mail: canada@moyal.com or call toll-free: 1-888-847-2078.