

The transitional provision in section 6 of Bill C-35 also deals with this issue.

- Will members of CSIC in good standing automatically become members of the body chosen as the regulator? The new section 91(7) in Bill C-35 would appear to deal with this issue.
- Will there continue to be a Code of Conduct, liability insurance, a compensation fund and a complaints and disciplinary system during the transitional period? If there is who will pay for them? This is a particularly difficult issue which could arise if the current regulator is not the successful applicant. The negotiations with CSIC will have to try and resolve these issues. Legal Services will need to be consulted on this point.
- If the successful applicant is not the current regulator what will happen to cases in the complaints and disciplinary system? Again CIC will have to try and resolve this issue with CSIC and the successful applicant. Some sort of interim complaints and disciplinary system may need to be established.
- There may also be issues relating to the winding up of the current regulator during a transitional period. CIC needs to consult Legal Services on its authority to wind up the current regulator and its ability to preserve the liability insurance and the compensation fund currently in operation.

[54] Four submissions were considered in January 2011 by the Selection Committee, including proposals made by the applicant and the Institute of Chartered Canadian Immigration Practitioners (ICCIP). The bid of the ICCIP was actually prepared by the CAPIC (notably Phil Mooney, Lynn Gaudet, and Christopher Daw). The CAPIC had publicly announced that it was not interested in becoming the regulator itself, but would nevertheless lead a “Consortium of interested parties”. This strategic move – from the CAPIC, who is an activist interest group – is not surprising considering that in its final report of September 2010, the external consultant had already noted that “[t]he Regulator should be limited to a regulatory function and should not act as a representative organization for immigration consultants”.