

Language Proficiency Testing Policy

October 2024

Legislated Requirement

The Fair Registration Practices in Regulated Professions Act (act) was amended in May 2023, introducing a duty in the Fair Registration Practices Code, section 10.1, that Manitoba regulated professions comply with language proficiency regulation made under the law. Specifically:

Language proficiency testing

- 10.1 A regulated profession must ensure that it complies with any regulations made under this act respecting testing requirements for English or French language proficiency.

Language Proficiency Testing Regulation, M.R. 91/2024

The purpose of Manitoba's **language proficiency testing regulation** is to ensure applicants are not subject to unnecessary testing and retesting. The regulation outlines requirements Manitoba professions must follow. The regulation restricts the circumstances in which language testing can be required as proof of language proficiency but does not prevent the implementation of a reasonable language proficiency standard.

Testing and Retesting

Mandatory accepted tests

- 2(1) A regulated profession must accept the following tests from an applicant in order to satisfy the regulated profession's testing requirement for English language proficiency:
 - (a) the Canadian English Language Proficiency Index Program (CELPIP) General Test;
 - (b) the International English Language Testing System (IELTS) General Test.

- 2(2) A regulated profession must accept the following tests from an applicant in order to satisfy the regulated profession's testing requirement for French language proficiency:
 - (a) the Test de connaissance du français (TCF Canada);
 - (b) the Test d'évaluation de français (TEF Canada).

- 2(3) Nothing in subsections (1) and (2) limits the regulated profession's ability to
 - (a) approve additional accepted language tests;
 - (b) determine the result on any accepted language test that an applicant must achieve in order to qualify for registration; or
 - (c) permit an applicant to demonstrate language proficiency at a level satisfactory to the regulated profession through means other than a language test.

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The mandatory accepted test provision is intended to ensure applicants who have demonstrated the required level of proficiency on one of the named language tests (often completed for immigration purposes) are not required to undergo retesting.

Mandatory acceptance applies only to the tests named in this regulation but does not preclude acceptance of language tests that are not named. Manitoba professions are encouraged to accept several different language tests.

Professions with English language proficiency requirements only are not required to accept French language proficiency test scores.

Immigration, Refugees and Citizenship Canada provides [language test equivalency charts](#) as a resource to compare CELPIP G and IELTS-G to Canadian Language Benchmark (CLB) levels.

Combined test results must be accepted

3(1) For the purpose of determining whether an applicant satisfies a regulated profession's testing requirement for English or French language proficiency, the regulated profession must accept a combined test result from the applicant if

- (a) the organization or institution that developed the accepted language test has a policy that permits combined test results; and
- (b) the combined test result was achieved in accordance with the requirements of the policy.

3(2) The regulated profession must treat the combined test result no less favourably than as provided for in the policy referred to in subsection (1).

Several prominent language testing agencies now offer a combined scoring option for test-takers. Policy differs by testing agency regarding timing and number of re-writes allowed. Manitoba professions must accept combined test results from language testing agencies that provide this option, in accordance with the parameters set by that language testing agency. However, nothing precludes Manitoba professions from combining test results from multiple exam sittings where this option is not offered by a testing agency.

Results from past two years must be accepted

4(1) For the purpose of determining whether an applicant satisfies a regulated profession's testing requirement for English or French language proficiency,

- (a) the regulated profession must accept results from an accepted language test, including component scores, that were achieved within two years before the date the results are submitted to the regulated profession; and
- (b) the results referred to in clause (a) remain valid until the applicant receives a final registration decision from the regulated profession in respect of the application.

4(2) Nothing in subsection (1) limits the regulated profession's ability to accept test results achieved more than two years before the date they are submitted.

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Manitoba professions must accept test scores obtained within two years of the date of their submission. These scores must be considered acceptable throughout the duration of the application, assessment, and registration process. The date of submission may precede the date all documents have been received to complete an application.

In the case of a repeat application from an applicant, regulators do not have to accept the applicant's original test results if they are expired at the time of the second application. However, the Fair Registration Practices Office encourages Manitoba professions to consider accepting expired test results from applicants where it is reasonable to assume that language proficiency has not deteriorated or where the applicant may be able to supply additional evidence of continued proficiency.

Waiver based on professional education

5(1) A regulated profession must waive its testing requirement for English language proficiency if an applicant has graduated from a professional education program that meets the following criteria:

- (a) all components of the program were instructed and evaluated in English;
- (b) the program is approved, recognized, accredited or otherwise accepted by the regulated profession as qualifying the applicant to proceed with the regulated profession's registration process.

5(2) A regulated profession must waive its testing requirement for French language proficiency if an applicant has graduated from a professional education program that meets the following criteria:

- (a) all components of the program were instructed and evaluated in French;
- (b) the program is approved, recognized, accredited or otherwise accepted by the regulated profession as qualifying the applicant to proceed with the regulated profession's registration process.

This section applies to applicants who are graduates of international and domestic professional education programs.

For an applicant to qualify for a waiver, all components of their program including clinical placements and practicums, must occur in English (or French, where accepted). The education program must be a professional program recognized by the Manitoba regulated profession as qualifying the applicant to proceed with the assessment process.

Regulated professions are entitled to set reasonable documentation requirements for this testing waiver. Credential assessment agencies may be able to verify the language of instruction of academic programs, including the practical training component of programs. Letters of attestation from the applicant's academic program may also be an effective documentation strategy. Like other qualification requirements, the onus is on the applicant to provide evidence their academic training qualifies them for a language testing waiver.

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Exception – evidence that applicant lacks sufficient proficiency

- 6 Despite section 5, a regulated profession may require an applicant to satisfy its testing requirement for English or French language proficiency if
- (a) the regulated profession has reasonable grounds to believe that the applicant lacks sufficient language proficiency to safely and competently practice the profession in that language; and
 - (b) the reasonable grounds referred to in clause (a) are based on direct interactions, whether written or oral, between the applicant and staff of the regulated profession.

Applicants who have been granted a language testing waiver based on the language of instruction of their academic training may need to provide valid test results in circumstances where the regulated profession has reasonable grounds to believe testing is warranted. Reasonable grounds must be based on some form of direct evidence or communicative engagement with the individual, as opposed to generalized assumptions about the applicant's education program or country of education.

A reasonable grounds determination does not require a sophisticated language assessment of the applicant. Regulatory staff have discretion to apply a common, lay person's understanding of poor language proficiency to trigger a requirement that the applicant supply language test results. In these circumstances, applicants are not assessed as lacking the requisite proficiency, rather their communication with the regulator is determined by staff to be insufficient, suggesting the possibility of an issue and the need to confirm proficiency with a language test.

Third Party Assessors

Some Manitoba professions have national, third-party assessment bodies responsible for language proficiency requirements and testing policies. In accordance with section 8.3 of The Fair Registration Practices in Regulated Professions Act, Manitoba regulators must take reasonable measure ensuring that any third-party assessment practice they use is fair.

In the circumstance that the language proficiency testing policies of a national body are not compliant with the Language Proficiency Testing Regulation, the Manitoba regulator must communicate with the body, explain their obligation under the regulation and seek a change in policy or an accommodation for Manitoba applicants.

Coming into Force

Application

- 7 This regulation applies only to applications for registration that are received by a regulated profession on or after the date this regulation comes into force.

Coming into force

- 8 This regulation comes into force 180 days after the day it is registered under The Statutes and Regulations Act.

Manitoba's Language Proficiency Testing Regulation was registered on September 27, 2024, and comes into force 180 days after registration (March 26, 2025).