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CIVIL LAW

A 2017 Alberta Guide to the Law

Immigration



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LEGAL WAYS TO BE IN CANADA

How you can legally be in Canada without being a Canadian citizen.



VISIT



You can visit Canada for up to 6 months.

TEMPORARY RESIDENT



To stay in Canada for longer than 6 months you will need either a work permit or a study permit. You will need to leave Canada when your permit expires.

PERMANENT RESIDENT



If you want to immigrate to Canada permanently, you will need to apply and be accepted as a permanent resident.



Canada requires you to have a visa if you are from certain countries. If you are from one of these countries you will need a visa to visit, work, study or transit through Canada. For more information, or to see if you need a visa visit www.cic.gc.ca



You may also need a medical exam or police certificate before you are allowed into Canada



TRAVEL CHECKLIST

- ✓ Passport or other valid travel document
- ✓ Visitor visa (if applicable)
- ✓ Enough money for your stay or employment lined up for when you are in Canada
- ✓ Letter of introduction from visa office (contains your permit reference number)
- ✓ Documents showing you have been accepted to study at a Canadian school (if applicable)
- ✓ Employment documents (if applicable)
- ✓ Confirmation or Permanent Residence (if applicable)

Pathway to Canadian Citizenship



Be a permanent Resident



Be 18 or older or apply with a parent

4+

Live in Canada for at least 4 of the last 6 years before applying



Write the citizenship exam



Be able to speak/write in English or French



Apply to become a citizen



If approved take oath of citizenship



Congratulations you are now a Canadian!!!

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Please note: immigration rules change often. The information in this pamphlet is correct as of August 2017. Please contact a lawyer for rules specific to your situation.

Temporary Residents

Temporary residents are persons visiting Canada for a limited time before they leave again for their home country. If visitors want to work in Canada they need a work permit. If visitors want to enroll in full-time studies they need a study permit. A temporary resident must leave Canada when their permit expires.

To visit Canada:

- You must be healthy,
- You must respect Canadian laws,
- You will need a valid passport, or other travel documents,
- You will need a Temporary Resident Visa if you are from certain countries (a list is available from Citizenship and Immigration Canada at <http://www.cic.gc.ca>),
- You must satisfy an immigration officer that you will leave at the end of your visit,
- You may need a letter of invitation from someone living in Canada.

You might not be admitted to Canada if you have a criminal record.

In some circumstances, it is possible to change the conditions of a visit. For example you can apply for permanent residency while you are in Canada with a work permit. This must be done before your temporary residency expires. Temporary residency expires when your study permit, or work permit expires.

Starting in late 2013, citizens of certain countries and territories have to give their biometrics (fingerprints and a photograph) when they apply as a temporary resident. Call or check the Citizenship and Immigration Canada website (www.cic.gc.ca/english/visit/biometrics.asp) for the list of countries and territories. After the visa office receives your application, they may ask for more information or documents. For example they may ask for medical information or security information (police certificates).

1. Study Permits



If you are not a citizen of Canada but want to study in Canada you usually have to obtain a study permit.

To be able to study in Canada:

- ✓ You must be accepted by a school, college, university or other educational institution in Canada,

- ✓ You must prove that you have enough money to pay for tuition fees, living expenses, and return transportation,
- ✓ You must be a law-abiding citizen with no criminal record and not be a risk to the security of Canada,
- ✓ You must be in good health and willing to complete a medical exam if needed, and
- ✓ An immigration officer must be sure that you will leave Canada at the end of your authorized stay.

Note: The requirements above do not apply if a foreign person wishes to study in a short-term course or program (6 months or less), is a foreign representative to Canada, or is a member of foreign armed forces.

If you are eligible to get a study permit, you must submit the following with your application:

- ✓ Proof that you are accepted at a Canadian school,
- ✓ Proof of identity. This requires a valid passport or travel document and two recent passport-size photos,
- ✓ Proof that you have the money to support yourself and any family members who accompany you while in Canada (e.g. bank statements, scholarship letters), and
- ✓ The application fee (\$150)

You can apply for a study permit by applying online or on paper. To apply **online**, you must:

- 1) Have access to a scanner or camera to create electronic copies of necessary documents for uploading, and



- 2) Have a valid credit card for payment.



To apply on **paper**, you must:



- 1) Download and fill out the application package from the Citizenship and Immigration Canada website (www.cic.gc.ca), and



- 2) Submit the application package to the Canadian visa office that serves the country or region where you live.

Study Permits and Visas

If you are applying for a study permit, and are from certain countries (listed on the Citizenship and Immigration Canada website at www.cic.gc.ca), you may also need a temporary resident visa. A temporary resident visa is an official document that is placed in your passport to demonstrate that you have met the requirements to enter Canada. If you require a temporary

resident visa, you do not have to apply for it separately or pay a separate fee. If your study permit is approved, the visa will be issued at the same time.

Working Students



As of June 1, 2014, if you are studying in an academic, professional or vocational training program, you are also allowed to work off-campus. You are allowed to work up to 20 hours a week during the academic session and full time during the regularly scheduled study breaks. If you are studying English or French as a second language (ESL/FSL), or participating in general interest or preparatory courses, you will need to apply for a work permit to work off campus.

You may work on-campus if you are attending a public educational institution or a qualified private educational institution, AND you have a valid study permit.

2. Work Permits



A work permit grants a person *temporary* residence in Canada. If you have a permit to work in Canada, you will have to leave Canada when the permit expires.

To obtain a temporary work permit, you must:

- ✓ Have a written job offer from an employer, and
- ✓ Have proof that you meet the requirements of that job (for example, proof of certain education or work experience).

**Note:* certain jobs have additional requirements.

Some jobs require a positive labour market impact assessment (LMIA) on your job offer from Human Resources and Skills Development Canada (HRSDC). An LMIA will assess whether there is a need for a foreign worker to fill the job you were offered and whether there are Canadian workers available to do the job instead of you.

If you are applying for a work permit for a job that requires an LMIA, you must include the valid LMIA with your application. You do not apply for the LMO, your employer does and provides it to you to include in your application package.

Some jobs do not require a LMIA. Visit <http://www.cic.gc.ca/english/work/apply-who-permit.asp> for more information.

If you are eligible for a work permit, you can apply online or on paper.

To apply **online** you must:

- 1) Have access to a scanner or camera to create electronic copies of necessary documents for uploading, and
- 2) Have a valid credit



card for payment.

To apply on paper you must:



- 1) Download and fill out the application package from the Citizenship and Immigration Canada website (www.cic.gc.ca), and



- 2) Submit the application package to the Canadian visa office that serves the country or region where you live.

Starting in late 2013, citizens of certain countries and territories have to give their biometrics (fingerprints and photograph) when they apply as a temporary resident. Call or check the Citizenship and Immigration Canada website (<http://www.cic.gc.ca/english/visit/biometrics.asp>) for the list of countries and territories. After the visa office receives your application, the visa office might ask for more information or documents. For example they may ask for medical information or security information (police certificates).

Canada requires you to have a temporary resident visa if you are applying for a work permit and are from certain countries. A **temporary resident visa** is an official document that is placed in your passport to demonstrate that you have met the requirements for admission to Canada. If you require a temporary resident visa, you do not have to apply for it separately or pay a separate fee. If your work permit is approved, the visa will be issued at the same time.

Note: People who perform certain types of work do not require a work permit. Examples include news reporters, clergy, or performing artists. For a complete list of the occupations that do not require a work permit, visit: <http://www.cic.gc.ca/english/work/apply-who-nopermit.asp>.



Post-Graduation Work Permit

The Post-Graduation Work Permit Program (PGWP) lets students who have graduated from a participating Canadian post-secondary institution stay in Canada and gain Canadian work experience. Skilled Canadian work experience gained through the PGWP program helps graduates qualify for permanent residence in Canada through the Canadian Experience Class (CEC). For more information about becoming a permanent resident through the CEC, see the “Permanent Residents” section below.

A work permit under the PGWP program can only last as long as the length of the study program the student just complete. The permit can last for maximum of three years, no matter how long the previous study period was. Additionally, the study program must be a minimum of eight months in length to qualify.

For example, if you graduate from an eight-month certificate program, you may be eligible for a work permit that will allow you to work in Canada for eight months. If you graduate from a four-year degree program, you may be eligible for a work permit that will let you work for 3 years in Canada.

For more information about the eligibility and application process for the post-graduation work permit, check out <http://www.cic.gc.ca/english/study/work-postgrad.asp> or call Citizenship and Immigration Canada at 1-888-242-2100.

Permanent Residents



A permanent resident is a person who the Canadian government has given permission to establish residence in Canada. A permanent resident is NOT a Canadian citizen. An immigrant must become a permanent resident before becoming a Canadian citizen.

A person in Canada temporarily, such as an international student, or a temporary foreign worker, is **not** a permanent resident.

There are many programs that allow you to immigrate to Canada permanently after becoming a permanent resident. These include:

1. The express entry for skilled immigrants program for:
 - a. Federal skilled workers
 - b. Canadian experience class workers
 - c. Federal skilled trades program workers
2. The provincial nominees program (in some cases this program can be accessed through the express entry program)
3. The start-up visa program
4. The self-employed persons program
5. The caregivers program
6. The family sponsorship program
7. The Atlantic immigration pilot
8. The Quebec-selected skilled workers program (**Note:** *this program is not discussed in this pamphlet*)



For every program, ALL applicants and their dependants must pass a medical examination. The exam must demonstrate you and your family are not a danger to

public health or safety, and that you would not be an excessive demand on health or social services in Canada. Only doctors on Canada's list of Designated Medical Practitioners can do the examination, and it is only valid for 12 months/ 1 year after the medical exam is done.



You may have to provide police certificates when you submit your application. Police certificates provide information about your criminal record, or lack of criminal record. You will likely need a certificate from any country in which you have lived for at least six (6) months in a row.

There are fees related to medical examinations, police certificates, and language testing. You will have to pay these fees in addition to the application fee.

As of January 1, 2015, before you can apply for permanent residence under the Federal Skilled Worker (FSW), Federal Skilled Trade (FST) and Canadian Experience Class (CEC) programs, you must first create an Express Entry profile **online** and then be invited to apply. For all other applications you must select the visa office that serves your country of nationality or the country where you have been legally admitted for at least one year. A list of offices is available at the Citizenship and Immigration Canada website at www.cic.gc.ca.

Citizenship and Immigration Canada does not require you to have representation (for example, a lawyer) to apply for permanent residency. However, if you do choose to use the services of a representative, they must be authorized by Citizenship and Immigration Canada. Only you or your authorized representative are allowed to:

- Speak for you during an immigration or citizenship proceeding,
- Chose the immigration program that is best for you, or
- Fill out immigration or citizenship forms for you.

For more information on who can act as your representative, visit:

<http://www.cic.gc.ca/english/information/representative/rep-who.asp>.

Citizenship and Immigration Canada can only provide information on an applicant's file to Canadian citizens, permanent residents, or people physically present in Canada. This means that someone who lives outside of Canada, and who is not a Canadian citizen or permanent resident should not act as your representative.

Note: Some people will **not** be allowed to enter or stay in Canada after making an application. Canada has the right to refuse anyone. If you have a criminal record or human rights violations you may not be let in. You can also be denied entry to Canada for security reasons, health reasons, financial reasons, or other reasons.

1. The Express Entry Program



The express entry program is an electronic management system. To use this program you create a free **online** profile (see if you are eligible at www.cic.gc.ca/ctc-vac/ee-start.asp). Your profile is active for 12 months. You are placed in a pool of other applicants and compared to them. Citizenship and Immigration Canada will invite top applicants to apply for immigration. If you are selected to apply you have 90 days to submit your application. After Citizenship and Immigration Canada receives your application, a decision will likely be made within six (6) months.

If you are married or live with a common-law partner who is also a citizen of a nation other than Canada, you can decide which one of you will be the principal applicant. A common-law partner is someone who has lived with you in a conjugal/sexual relationship for at least 1 year. Couples may be either opposite-sex or same-sex. It is best to choose the partner who is most likely to earn the most points as the principal applicant. The point system is explained on page 8.

a. **Federal Skilled Worker Class**



This class is for people with professional work experience. Skilled workers are chosen as permanent residents based on their ability to do well in Canada.

To qualify for the skilled worker class you must meet ALL of the following minimum work experience requirements:

1. You must have at least one year of full-time, continuous, and paid work experience in a single occupation within the last 10 years,
2. You must have work experience of Skill Type 0 (management, for example, you are a manager), OR Skill Level A (professional occupation, for example, you are a doctor, lawyer, dentist, architect) OR Skill Level B (technical occupations and skilled trades, for example, you are a chef, electrician, plumber),

Note: Many occupations are included in this list such as teachers, nurses, firefighters, cooks, drycleaners, and most trades people. A complete list is available from Citizenship and Immigration Canada at www.cic.gc.ca.

3. You must meet minimum language levels in English or French. You must include the results of a language test from an agency approved by Citizenship and Immigration Canada in your application, and
4. You must have a Canadian diploma, certificate, OR degree, AND/OR an Education Credential Assessment (ECA) report from an agency approved by Citizenship and Immigration Canada. An ECA report shows that your diploma, certificate or degree

completed outside of Canada is equal to a completed Canadian secondary or post-secondary educational credential.

Applicants to the skilled worker class must show that they have enough money to support themselves and their dependants once they arrive in Canada. An applicant cannot borrow this money from another person. The Government of Canada does not provide financial support to new skilled worker immigrants. The amount of money required is based on family size. Current breakdowns are available from Citizenship and Immigration Canada (www.cic.gc.ca). However, if an applicant has arranged employment in Canada, or is currently working or authorized to work in Canada (i.e. has a work permit), they no longer have to demonstrate that they have sufficient funds.

Selection Factors:

If you meet all the conditions above, Citizenship and Immigration Canada will assess your application based on six factors. You will be awarded points for each factor. For more information on the selection factors see Citizenship and Immigration Canada website (www.cic.gc.ca). You must receive 67 or more points from among the six selection factors.

1. Education (maximum of 25 points)
2. English and/or French skills (maximum of 28 points)
3. Employment Experience (maximum of 15 points)
4. Age (maximum of 12 points)
5. Arranged Employment in Canada (maximum of 10 points)
6. Adaptability (maximum of 10 points)



b. ***Canadian Experience Class***

If you are a temporary foreign worker or a foreign student, and have skilled work experience in Canada, you may be able to move from temporary to permanent residence under the Canadian Experience Class.

You need to meet all of the following requirements to apply under the Canadian Experience Class:

1. You must plan to live outside the province of Quebec.
2. You must have at least 12 months of full-time, or an equal amount in part-time, skilled work experience in Canada in the 3 years before you apply (for example, 2 years working part time for 20 hours a week)
 - Skilled work experience means experience in a managerial job, professional job, or technical job.
 - Full-time work means at least 30 hours of paid work per week - 1,560 hours total required
3. You must have gained your experience in Canada while legally able to work in Canada.

4. You must meet the required language levels in English or French needed for your job (speaking, reading, writing, and listening). You must arrange for testing by an approved agency and pay the costs.

If you have a Canadian post-secondary diploma, certificate, degree or an Educational Credential Assessment (ECA) report produced by an approved agency, you will get more points under the express entry program, however there is no formal education requirement for this program.

c. **Federal Skilled Trades Program**



The Federal Skilled Trades program is for people with experience in skilled manual labour. To qualify for this program you must meet all of the following requirements:

1. You must plan on living outside of Quebec,
2. You must meet the required language levels in English or French needed for your job (speaking, reading, writing, and listening). You must arrange for testing by an approved agency and pay the costs,
3. You must have 2 years full-time employment (or part-time equivalent) in an eligible skilled trade in the last 5 years,
4. You must meet the job requirements for that skilled trade, and
5. You must have a job offer for fulltime employment that will last at least one year, or a certificate of qualification for that trade issued by a province or territory.

If you have a Canadian post-secondary diploma, certificate, degree or an Educational Credential Assessment (ECA) report produced by an approved agency, you will get more points under the express entry program, however there is no formal education requirement for this program.

2. **Provincial Nomination Program**

Most provinces and territories in Canada have an agreement with the Government of Canada that allows them to nominate immigrants who wish to settle in that province or territory. There are 2 steps for applying to immigrate to Canada in this program.

1. Apply to the province or territory where you wish to live and complete its provincial nomination process. The province/territory will consider your application based on the province's immigration needs and your genuine intention to settle there.

2. After a province nominates you, you must apply to Citizenship and Immigration Canada for permanent residency. Citizenship and Immigration Canada makes final decisions on all provincial nominee permanent resident applications. (**Note:** some provinces use the express entry program. See Citizenship and Immigration Canada at www.cic.gc.ca for more information)

In Alberta, the eligibility criteria and process for applying to the Alberta immigrant nominee program varies depending on the category you apply to. There may be periods of time where applications are not being accepted. Check the following website to see if applications are currently being accepted: <http://albertacanada.com/opportunity/immigrating/ainp-news.aspx>.

The current categories are:

- Strategic Recruitment Stream - Compulsory and Optional Trades Category
- Strategic Recruitment Stream - Engineering Occupations Category
- Strategic Recruitment Stream - Post-Graduate Worker Category
- Employer-Driven Stream - Skilled Worker Category
- Employer-Driven Stream - International Graduate Category
- Employer-Driven Stream, Semi-Skilled Worker Category
- Self-Employed Farmer Stream

An up-to-date list of the programs accepting applicants is available on the Immigrating to Alberta website (<http://www.albertacanada.com/opportunity/immigrating/ainp.aspx>). Many of the categories require that you at least have work experience in Alberta, an Albertan education, or a job offer in Alberta.

You will also have to meet the required language levels in English or French needed for your job (speaking, reading, writing, and listening). You must arrange for testing by an approved agency and pay the costs.

3. Start-Up Visa Program



Canada's new start-up visa program links immigrant business persons with experienced private sector organizations that have expertise in working with start-ups.

To be eligible to receive a start-up visa for a business venture, you must do all of the following:

1. You must prove your business idea is supported by a designated investor organization,
2. You must meet the language requirements,
3. Your business must meet the ownership requirements, and
4. You must have enough money to settle in Canada.

4. Self-Employed Persons Program



The self-employed persons program seeks to attract applicants who intend, and are able to, become self-employed in Canada. To be eligible as a self-employed person, you must meet the following requirements:

1. You must meet the selection criteria that assesses your experience, education, age, language abilities and adaptability for self-employed persons,
2. You must meet the medical, security, and financial requirements,
3. You must have the intention and the ability to become self-employed in Canada,
4. You must have relevant experience. This means:
 - You have participated in cultural activities or athletics at a world-class level,
 - You have been self-employed in cultural activities or athletics, or
 - You have farm management experience.

5. Caregiver Program

There are 3 ways to apply for permanent residency under the caregiver program.

- a. Caring for children pathway,
- b. Caring for people with high medical needs pathway, and
- c. Live-in caregiver program.



a. Caring for Children Pathway

To qualify for this program, you need to have all of the following requirements:

- 1) You must have 24 months of full-time work experience, or equivalent, as a home child-care provider in the last 4 years. This work must meet the definitions under the national occupation classification (NOC) and you must have performed all the essential duties, and most of the main duties listed. Any work done while being a full-time student cannot be used for your fulltime equivalent.
- 2) You must have cared for children under the age of 18.
- 3) You must meet the minimum language requirements in English or French.

- 4) You must have completed a post-secondary credential of at least 1 year or a foreign equivalent with an Educational Credential Assessment (ECA) report produced by an agency approved by Citizenship and Immigration Canada. A CEA report shows that your education is equal to a completed Canadian credential of at least 1 year.

b. Caring for People with High Medical Needs Pathway



To qualify for this program you need to meet all of the following requirements:

- 1) You must have 24 months fulltime paid employment in the last 4 years in 1 of the following jobs:
 - Registered Nurse or Registered Psychiatric Nurse,
 - Licenced practical nurse,
 - Nurse's aide, orderly, or patient service associate, or
 - Home support worker or related occupation (housekeepers are not eligible)
- 2) You must show that you performed all the essential duties, and most of the main duties, listed in the NOC job description,
- 3) If you worked in Canada as a registered nurse, registered psychiatric nurse, or licenced practical nurse you must:
 - prove that you are licenced to practice in Canada, and
 - provide proof that you are registered with the regulatory body of your province/territory at the time you apply.
- 4) Proof that you meet the requirements of the job that you are claiming work experience including:
 - Education,
 - Training, or
 - Other qualifications set out in the NOC job description,
- 5) You must meet minimum language requirements in English or French,
- 6) You must have completed a post-secondary program of at least 1 year or a foreign equivalent with an Educational Credential Assessment (ECA) report produced by an agency approved by Citizenship and Immigration Canada.

c. Live-In Caregiver Program

To apply for permanent residency under the caregiver program, you need to first obtain a work permit and work in Canada full-time for 24 months in the 4 years prior to your application for permanent residency, AND your employer must have applied for a Labour Market Impact Assessment.

6. Family Class Immigration Program



If you are a Canadian citizen or a permanent resident of Canada, you can sponsor your family members to become permanent residents under the family class program. There are two different processes for sponsoring your family. One process is used to sponsor your:

- Spouse,
- Conjugal/sexual or common-law partner, and/or
- Dependent children.

Another process is used to sponsor other eligible relatives, for example a parent or grandparent.

Sponsor your Spouse, Partner, or Dependent Children

To sponsor a spouse, a common-law or conjugal/sexual partner, or dependent children (under 19 years of age) you need to apply as the sponsor.

To be the sponsor of a spouse, a common-law or conjugal/sexual partner, or dependent children you must meet the following requirements:

- 1) You must be a permanent resident or a citizen of Canada (though you do not have to currently be living in Canada, as long as you are planning to return to Canada for the period of time that the sponsored individual will be arriving),
- 2) You and the sponsored relative must sign a sponsorship agreement that commits you to provide financial support for your relative, if necessary. This agreement also says that the person becoming a permanent resident will make every effort to support herself or himself without your help.
- 3) You must provide financial support for a spouse, or common-law or conjugal/sexual partner for three years from the date they become a permanent resident,

- 4) You must provide financial support for a dependent child for 10 years, or until the child turns 22, whichever comes first.

As of December 22, 2014, eligible spouses or common-law partners can work in Canada while they wait for their application for permanent residence to be processed. Citizenship and Immigration Canada will issue open work permits to certain spouses or common-law partners who are applying for permanent residence from inside Canada before their application is approved.

Note: If a person was sponsored to come to Canada by a spouse or partner, and their sponsorship application was received on or after March 2, 2012, then they cannot sponsor a new spouse or partner within five years of becoming a permanent resident, even if they acquired citizenship within that period.

Sponsoring Your Parents and Grandparents

Note: There is a limit of 10,000 applications per year, which fills up quickly. In 2017, the limit was reached in February.

To be eligible to sponsor a parent or grandparent you must meet the following requirements:

1. You must be over 18-years-old,
2. You must be a citizen or permanent resident of Canada,
3. You must be living in Canada,
4. You and the sponsored relative must sign a sponsorship agreement that commits you to provide financial support for them if necessary. This agreement also states that the person becoming a permanent resident will make every effort to financially support themselves,
5. You must promise to provide financial support/money for the relative and any other eligible relatives accompanying them for a period of 3-10 years, depending on their age and relationship to you. This time period begins on the date they become a permanent resident, and
6. Your parent or grandparent must pass medical and criminal checks.

Note: sponsorship applications for parents and grandparents can take a long time to process. Parents and grandparents of Canadian citizens and permanent residents can visit Canada by applying for the “parent and grandparent super visa” which is valid for up to 10 years. This visa allows the parent or grandparent to be in Canada for up to 2 years at a time.



Sponsoring Other Eligible Relatives

Other relatives can be sponsored if they are eligible and if they meet the requirements for permanent residency listed above. Relatives that you may be able to sponsor are:

- Brothers, sisters, nephews, nieces, grandchildren if they are orphaned, under 18 years of age, and not married or in a common-law relationship
- Another relative of any age or relationship (different from above) **but only under specific conditions** (see note below)
- Accompanying relatives of the above (for example, spouse, partner and dependent children of your brother).

Note: You can sponsor one relative regardless of age or relationship **only** if you do not have a qualifying living relative who could be sponsored as a member of the family class (spouse/common-law partner, conjugal/sexual partner, child, parent, grandparent, sibling, uncle, aunt, niece or nephew), and you do not have **any** relative who is a Canadian citizen or a permanent resident or registered as an Indian under the *Indian Act*.

Other relatives, such as brothers and sisters over 18, or adult independent children cannot be sponsored. However, if they apply to immigrate under the Skilled Worker Class, they may get extra points for adaptability for having a relative in Canada.

To be a sponsor of eligible relatives other than your spouse, common-law or conjugal partner, or your dependent children you must do all of the following:

- 1) You must be over the age of 18,
- 2) You must be a citizen or permanent resident of Canada,
- 3) You must be living in Canada,
- 4) You and the sponsored relative must sign a sponsorship agreement that commits you to provide financial support for your relative if necessary. This agreement also states that the person becoming a permanent resident will make every effort to support themselves. Dependent children under age 19 do not have to sign this agreement.
- 5) You must promise to provide financial support for the relative and any other eligible relatives accompanying them for a period of up to 20 years, depending on their age and relationship to you. This time period begins on the date they become a permanent resident.

International Adoption

Canadian citizens and permanent residents can adopt children from other countries and bring their adopted children to live with them in Canada. This process can be complicated, with long waiting periods that are used to ensure that all of these children's rights are protected.

For all inter-country adoptions, you must complete two separate processes:

1. The adoption process
2. The immigration or citizenship process

Contact Citizenship and Immigration Canada for more information on inter-country adoption or view their webpage at <http://www.cic.gc.ca/english/immigrate/adoption/index.asp>

7. Atlantic Immigration Pilot Programs

Canada's new Atlantic Immigration Pilot programs allow skilled workers and international student graduates who want to live in New Brunswick, Newfoundland and Labrador, Nova Scotia, or Prince Edward Island, and who have a job offer and endorsement letter from a designated Atlantic employer, to apply for permanent residence. You must work with the designated employer to submit your application for endorsement to an Atlantic province. There are three different programs under the Atlantic Immigration Pilot, ensure you apply for the correct one or your application will be refused. For all programs you must meet the minimum language requirements and must provide proof that you will be able to financially support yourself and your family after you immigrate. Employers for this program do not need to complete a Labour Market Impact Assessment.

The Government of Canada uses the National Occupational Classification (NOC) system to categorize jobs based on skill level. Check www.cic.gc.ca/english/immigrate/skilled/noc.asp#find for job level descriptions and to search your job title, code and skill level or type.

a. Atlantic Intermediate-Skilled Program:

To be eligible you must have:

- 1) At least one year (1,560 hours) of work experience at a level C job (intermediate) in the last three years (jobs of this skill level typically require a high school diploma and/or job-specific training)

2) A full-time (>30 hours/week) permanent job placement of skill level 0, A, B, or C, in a position related to your work experience, with a designated employer in an Atlantic province.

3) A Canadian secondary (high school) or post-secondary certificate, diploma, or degree or a foreign equivalent with an Educational Credential Assessment (ECA) report produced by an agency approved by Citizenship and Immigration Canada.

b. Atlantic High-Skilled Program

To be eligible you must have:

1) At least one year (1,560 hours) of work experience at a level 0, A, or B job (management, professional, or technical jobs and skilled trades) in the last three years (jobs of these skill levels typically require a college diploma or a university degree or a higher level of training or apprenticeship)

2) A full time (>30 hours/week) job placement of skill level 0, A, or B in a position related to your work experience, with a designated employer in an Atlantic province. This placement must last for at least one year from the date permanent residence is granted.

3) A Canadian secondary (high school) or post- secondary certificate, diploma, or degree or a foreign equivalent with an Educational Credential Assessment (ECA) report produced by an agency approved by Citizenship and Immigration Canada.

c. Atlantic International Graduate Program

To be eligible you must have:

1) A full time (>30 hours/week) job placement of skill level 0, A, B, or C with a designated employer in an Atlantic province. This placement must last for at least one year from the date permanent residence is granted.

2) A minimum 2-year degree, diploma, certificate, or trade or apprenticeship credential from a recognized publicly-funded institution in an Atlantic province.

3) Been a full-time student in Canada for at least two years, and have graduated in the last 12 months at the time of application. You must have had the visa or permit needed to work, study, or train in Canada.

4) Lived in one of the Atlantic provinces for at least 16 months in the last 2 years before you graduated.

If more than half of your study/training program is made up of English or French second language courses, or more than half was completed by distance learning, it will not qualify for this program. You also cannot apply for the program if you have a scholarship or fellowship that requires you to return to your home country after you graduate.

Living in Canada as a Permanent Resident

If you have been granted permanent resident status through any of the above programs, you are limited in what you are allowed to do.

Permanent residents are **NOT ALLOWED TO:**

- Vote
- Run in elections
- Apply for a Canadian Passport
- Enter and leave Canada freely
- Be eligible for additional pension benefits.

Permanent residents do enjoy many personal rights and freedoms, as well as children's rights, women's rights, and seniors' rights.

For example, permanent residents **HAVE THE RIGHT TO:**

- Health care coverage
- Live, work or study anywhere in Canada
- Apply for Canadian citizenship
- Protection under Canadian law and the *Canadian Charter of Rights and Freedoms*.

Permanent residents may obtain a permanent resident card that acts as a proof of status document for re-entry into Canada. Permanent residents may also obtain a limited use travel document for re-entry into Canada if they do not have their permanent resident card while travelling outside the country.

Permanent residents **MUST:**

- Comply with certain residency obligations
- Pay taxes and respect all Canadian laws at the federal, provincial and municipal levels
- Accumulate two years of physical presence in Canada in every five-year period.

Being outside of Canada for certain reasons can count as Canadian residency, such as when a resident is employed by a Canadian business or is a child accompanying a Canadian-citizen parent.

Permanent residents who do not comply with these obligations may lose their permanent resident status. It is up to the resident to provide all evidence that showed they obeyed these obligations.

If your permanent resident card expires it does not mean that you have lost permanent resident status.



Convention refugees are people who have a well-founded fear of persecution (harassment/oppression/discrimination) in their country of residence for reasons of:

- Race,
- Religion,
- Political opinion,
- Nationality, or
- Membership in a particular social group.

Canada offers a safe haven for such people. Canada also offers help to persons in need of protection because they face the possibility of torture, risk to life, or risk of cruel and unusual treatment or punishment in their country of residence. Both Convention refugees and persons in need of protection are referred to as **protected persons**.

Note: Refugees who are resettled from overseas arrive in Canada as permanent residents through the Government-Assisted Refugee Program or the Private Sponsorship of Refugees Program. However, people who make refugee claims in Canada (either at a port of entry or a Citizenship and Immigration Canada office) are not permanent residents. In order to become one, these people must receive a positive decision on their refugee claim from the Immigration and Refugee Board. Then, they must apply for and be granted permanent resident status.

Refugee Protection from Inside Canada

Canada offers refugee protection to some people in Canada who fear persecution or who would be in danger if they had to leave. Some dangers they may face include the following:

- Torture,

- A risk to their life, or
- A risk of cruel and unusual treatment or punishment.

If you feel you could face one of these risks if you go back to your home country or the country where you normally live, you may be able to seek protection in Canada as a refugee.

Officers receiving your refugee claim will decide whether it is eligible for referral to the Immigration and Refugee Board of Canada (IRB) which is an independent administrative tribunal that makes decisions on immigration and refugee matters. The IRB decides who is a Convention refugee or a person in need of protection.

Some people are not eligible to claim refugee protection in Canada. Your refugee claim may not be eligible for referral to the IRB if:

- You have been recognized as a Convention refugee by another country to which you can return,
- You have already been granted protected person status in Canada,
- You are not admissible to Canada on security grounds, or because of your previous criminal activity or human rights violations,
- You made a previous refugee claim that was found to be ineligible for referral to the IRB,
- You made a previous refugee claim that was rejected by the IRB,
- You abandoned or withdrew a previous refugee claim,
- You are subject to a removal Order, or
- You arrived via the Canada-United States border*

*Canada has an agreement with the United States where people who want to make a refugee claim must do so in the first safe country they arrive in. This means that if you enter Canada at a land border from the United States, you cannot make a refugee claim in Canada. In some cases this rule does not apply (for example, if you have family in Canada).

Resettlement from Outside Canada

It is possible for people outside of Canada to come to Canada to be resettled in Canada if they meet certain requirements. Citizenship and Immigration Canada relies on the United Nations High Commissioner for Refugees (UNHCR), other referral organizations, and private sponsorship groups to find and refer refugees to be resettled in Canada. People who can be resettled from outside Canada fall into two classes: Convention Refugee Abroad Class and Country of Asylum Class.

Convention Refugee Abroad Class

You may be in this class if you:

- Are outside your home country, and

- Cannot return there due to a serious possibility of persecution based on:
 - Race,
 - Religion,
 - Political opinion,
 - Nationality, or
 - Membership in a particular social group, such as women or people with a particular sexual orientation.

You must also be:

- Outside Canada, and want to come to Canada,
- Referred by the United Nations High Commissioner for Refugees (UNHCR) or another referral organization, or be sponsored by a private sponsorship group, and
- Selected as a government-assisted or privately sponsored refugee, or have the funds needed to support yourself and any dependants after you arrive in Canada.

Country of Asylum Class

You may be in this class if you:

- Are outside your home country or the country where you normally live, **AND**
- Have been, and continue to be, seriously and personally affected by civil war or armed conflict, **OR**
- Have suffered massive violations of human rights.

You must also be:

- Outside Canada
- Referred by the United Nations High Commissioner for Refugees (UNHCR) or another referral organization or be sponsored by a private sponsorship group, and
- Privately sponsored, OR have the funds needed to support yourself and any dependants after you arrive in Canada,
- Pass a medical exam and security and criminal checks.

You are NOT eligible to resettle in Canada as a refugee from outside Canada if:

- You have another secure offer for protection, such as an offer to be resettled in another country,
- You become a citizen of another country and have the protection of that country,
- You choose to return to live in the country you had left, or
- The reasons for your fear of persecution no longer exist.

Financial Assistance



The Canadian government has programs to help refugees start a life in their new home.

Resettlement Assistance Program

Resettlement assistance is provided by the Government of Canada to Convention Refugees Abroad and, in some instances, to members of the Country of Asylum Class. Refugees who have been identified as refugees with special needs and who have been admitted to Canada as government-assisted refugees may qualify for this program. Refugees who claimed refugee protection from inside Canada are not eligible for this program. These funds are used to help pay for:

- Meeting the refugee at the airport or port of entry,
- Temporary accommodation,
- Help in finding permanent accommodation,
- Basic household items, and
- General orientation to life in Canada.

This money is also used to give the refugee income support for up to one year or until that person becomes self-sufficient, whichever comes first.

Immigration Loans Program

The Immigration Loans Program (ILP) helps government-assisted and privately sponsored members of the Convention Refugees Abroad and Country of Asylum classes cover:

- The costs of medical examinations abroad,
- Travel documents, and
- Transportation to Canada.

Loans are approved according to the applicant's needs and ability to repay. Assistance loans are also available to newcomers to cover expenses such as housing rental, telephone deposits and work tools. Interest is charged on ILP loans. The interest rate is set each January by the Department of Finance.

Sponsoring a Refugee



The Private Sponsorship of Refugees Program helps thousands of refugees every year. You or your group can sponsor refugees from abroad who qualify to come to Canada.

As a sponsor, you provide financial and emotional support for the refugees for the duration of the sponsorship. This includes help for housing, clothing and food. Most sponsorships last for one year, but some refugees may be eligible for assistance from their sponsors for up to three years. For more information on how to sponsor a refugee visit the Citizenship and Immigration

Canada website (cic.gc.ca).

Refugees must qualify for entry under Canada's laws and must pass medical and security checks before they can come to Canada.

Appeals

If you have been denied refugee status or your immigration application has been denied, you can appeal the decision. The Immigration Appeal Division of the Immigration and Refugee Board of Canada hears appeals on refugee and immigration matters concerning:

- Sponsorship,
- Removal orders, and
- Residency obligations

If an appeal is successful, depending on the situation, Citizenship and Immigration Canada will:

- Keep processing the sponsorship application,
- A removal order will be removed, or
- A permanent resident will be allowed to remain in Canada.

If an appeal is unsuccessful, a person may ask to apply for judicial review by the Federal Court of Canada.

Settling in Canada

Language Training

Free English and French language training is available in Canada for adult permanent residents. This program is called Language Instruction for Newcomers to Canada (LINC). Individuals who wish to participate in a course must first contact the nearest LINC assessment centre or immigrant services organization for an assessment of their language training needs and a referral to LINC course providers in their community. Some centres offer free childcare during classes.



Citizenship

People born in Canada are citizens of Canada.

A permanent resident may apply to become a Canadian citizen. To do so, you must meet the following requirements:

- You must be 18 years of age or older,

- You must be a permanent resident of Canada, have no unfulfilled conditions related to that status, and your permanent residency status must not be in question.
 - You must have been physically present in Canada for at least four years, (1,460 days) in the six (6) years before applying,
 - You must have met your personal income tax filing obligations in four taxation years that are fully or partially within the six years immediately before the date you apply.
 - You must indicate your intention to:
 - live in Canada,
 - work outside Canada as a Crown servant, or
 - live abroad with certain family members who are Crown servants.
 - You must be able to communicate in either English or French,
 - You must pass the citizenship test, and
 - Know about the rights and responsibilities of citizenship
 - Take the oath of citizenship at a citizenship ceremony.
- *Note: If you have committed a crime in or outside Canada you may not be eligible to become a Canadian citizen for a period of time.

A permanent resident under the age of 18 may become a Canadian citizen if an adult who is already a citizen applies on their behalf or if a family is applying for citizenship together. Children do not need to have lived in Canada for four years before applying, nor do they need to write the citizenship test if they are less than 14 years old.

Applicants between the ages of 14 and 64 do have to write and pass the citizenship test. The citizenship test covers various topics about Canada, including its history, geography, and political and justice systems, as well as the rights and responsibilities of a Canadian citizen.

Barriers to Citizenship

Certain people cannot become Canadian citizens. This includes people who:

- Are under a removal order,
- Are currently charged with an indictable (serious) criminal offence,
- Have been convicted of an indictable (serious) criminal offence in the past four years,
- Are now in prison, on parole, or on probation,
- Are being investigated for or have been convicted of war crimes, or
- Have had their citizenship revoked in the last five years.

In some instances, the barrier to citizenship might be temporary, for example you might qualify for citizenship after you are released from prison.

Other Topics

Dual Citizenship

When a person is recognized as a citizen in more than one country, they have what is called dual citizenship. Canada has allowed Canadian citizens to take on additional citizenship since February 14, 1977. A Canadian citizen who became a citizen of a foreign country before that date should contact Citizenship and Immigration Canada. Permanent residents applying for Canadian citizenship should check the rules of their country of origin concerning dual citizenship. Some countries do not allow you to keep citizenship there when you obtain Canadian citizenship.

Having Your Citizenship Taken Away

There are reasons that your citizenship can be taken away. For example, if the citizenship was obtained by fraud, hiding information, or if you are convicted of terrorism.

Citizenship Certificate

A citizenship certificate acts as proof of citizenship. New Canadians are automatically granted a certificate and any other citizen can apply for one from Citizenship Services. This office can also search for records of citizenship.

WHO CAN I CALL FOR MORE HELP OR INFORMATION?

Government Agencies

Citizenship and Immigration Canada	Ph: 1-888-242-2100 Website: www.cic.gc.ca
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Apply to visit, study, work or immigrate to Canada, apply for citizenship, a permanent resident card or refugee protection, check the status of your application or find a form.

Alberta's Provincial Nomination Program	Ph: 780-427-6419 Website: http://www.albertacanada.com/opportunity/immigrating.aspx
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Information on applying to immigrate to Canada through Alberta's nomination program.

Government of Alberta Temporary Foreign Worker Helpline	Ph: 780-644-2584 Website: www.cic.gc.ca
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Contact for information on temporary foreign worker rights and to report suspected abuses.

Immigration and Refugee Board of Canada (Edmonton office)	Ph: 1-866-787-7472 OR 604-666-5946 Website: www.irb-cisr.gc.ca
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Information on refugee claims and appeals.

Immigration Appeal Division	Ph: 780-427-6419 Website: http://www.irb-cisr.gc.ca/Eng/ImmApp/Pages/ImmApp.aspx
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Information on sponsorship, removal order and residency obligation appeals.

International Adoption

Alberta's Children's Services, Adoption Services 9940 106 Street, Edmonton, AB	Ph: 780-422-5641 Website: www.child.alberta.ca/home/606.cfm
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Information on adopting a child from a foreign country and bringing the child back to Alberta.

Immigrant-Serving Organizations in Edmonton

Catholic Social Services 8212 118 Avenue, Edmonton, AB	Ph: 780-424-3545 Website: www.catholicsocialservices.ab.ca
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Find programs and supports for immigrants offered by the Catholic Church.

Changing Together – A Center for Immigrant Women 9538 107 Avenue, Edmonton, AB	Ph: 780-421-0175 Website: www.changingtogether.com
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FREE Services for Immigrant Women

ASSIST Community Services Centre 9649 105A Avenue, Edmonton, AB 810 Saddleback Road, Edmonton, AB	Website: www.assistcsc.org Downtown Ph: 780-429-3111 Southwest Ph: 780-429-3119
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Provide practical & useful resources to help new immigrants to better cope with everyday living.

Edmonton Immigrant Services Association 10720 113 Street, Edmonton, AB	Ph: 780-474-8445 Website: www.eisa-edmonton.org
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Provide services to new immigrants, refugees, and first generation Canadians.

Edmonton Mennonite Centre for Newcomers 11713 82 Street, Edmonton, AB	Ph: 780-424-7709 Website: www.emcn.ab.ca
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Immigrant settlement agency whose focus is the successful and integrative settlement of newcomers to Edmonton

Millwoods Welcome Centre for Immigrants 7609 38 Avenue, Edmonton, AB	Ph: 780-462-6924 Website: http://wciedmonton.ca/
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Language Classes in Edmonton

Centre for Canadian Language Benchmarks	Ph: 613-230-7729 Website: www.language.ca
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Centre of expertise in support of the national standards in English and French for describing, measuring and recognizing second language proficiency of adult immigrants and prospective immigrants for living and working in Canada.

Language Assessment Referral and Counselling Centre (LARCC) 8212 118 Avenue, Edmonton, AB	Ph: 780-424-3545 Website: https://larcc.cssalberta.ca
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Helps adult immigrants and refugees determine their current level of English language proficiency, presents options for ESL training, and assists newcomers to explore their educational and career goals/opportunities.

Changing Together – A Centre for Immigrant Women – English as a Second Language (ESL) 9538 107 Avenue, Edmonton, AB	Ph: 780-421-0175 Website: http://www.changingtogether.com/
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Helps immigrant women and their families participate fully in Canadian society. Offers English as a Second Language (ESL) classes and prevention of family violence workshops.

Norquest College, CLBA/LA 11140 131 Street, Edmonton, AB	Ph: 780-422-9061 Website: www.norquest.ca
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Provides English as a second language classes

University of Alberta – Faculty of Extension	Ph: 780-492-3116 Website: https://www.ualberta.ca/extension
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Provides English as a second language classes

Family Violence Resources

Changing Together – A Centre for Immigrant Women – Family Violence Prevention Workshops	Ph: 780-421-0175 Website: www.changingtogether.ca
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Helps immigrant women and their families participate fully in Canadian society. Offers English as a Second Language Classes (ESL) and family violence workshops.

Government of Alberta Family Violence Information Line	Ph: 780-310-1818 Website: http://www.humanservices.alberta.ca/abuse-bullying/15666.html
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Talk to trained staff over the phone 24 hours a day, seven days a week, in more than 170 languages. Chat anonymously online with staff from noon to 8:00pm daily.

Islamic Family and Social Services Association 4003 98 Street, Edmonton, AB	Ph: 780-430-9220 Website: http://www.ifssa.ca
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Non-profit registered charity dedicated to providing services in response to the social needs of the Edmonton community within an Islamic context.

Multicultural Women and Seniors Services Association (MWSSA) 329 Woodvale Road, Edmonton, AB	Ph: 780-465-2992 Website: www.mwssa.org
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One on one support, outreach services, help victims to navigate the system.

WillowNet: Law and Abused Immigrant Women	Ph: 780-492-3116 Website: www.willownet.ca/rose
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Legal information that may help you if you are an immigrant woman experiencing abuse in an intimate relationship.

The TODAY Family Violence Help Centre	Ph: 780-455-6880 Website: www.thetodaycentre.ca
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Non-profit organization that offers a safe place for individuals victimized by family violence to access free, confidential, emotional, and practical support.

Legal Resources

Edmonton Community Legal Centre #200 10115 100A Street, Edmonton, AB	Ph: 780-702-1725 Website: www.eclc.ca
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Free legal information, free presentations on family law topics every Thursday evening at the Stanley Milner Library from 6:30-8:30, possibility to consult with a family lawyer for approximately 30min if you have attended a lecture.

Legal Aid Society of Alberta 10320 102 Ave NW, Edmonton, AB	Ph: 1-866-845-3425 Website: www.legalaid.ab.ca
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Free legal information lawyers who may represent you for a reduced rate.

Lawyer Referral Service	Ph: 1-800-661-1095
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Referrals to up to 3 lawyers that may be able to help you.

Student Legal Services of Edmonton 11036 88 Ave NW, Edmonton, AB	Ph: 780-492-2226 Website: www.slsedmonton.com
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Law students able to provide free legal information and assistance with child support applications in the Provincial Court of Alberta.

Dial-A-Law (Legal Information on Tape)	Ph: 1-800-332-1091
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Alberta Law Line	Ph: 780-644-7777
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Legal Aid Alberta telephone-based program providing free legal information, referrals, and advice province-wide.

A-Link (Law Central Alberta)	Ph: 780-451-8764 Website: www.lawcentralalberta.ca
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Online directory and is designed to provide quick and easy access to information on law-related programs and services in Alberta.