

## SUMMARY TABLE OF CONTENTS

Immigration and Refugee Protection Act . . . . .	1
Immigration and Refugee Protection Regulations . . . . .	661
Regulations Designating a Body for the Purposes of Paragraph 91(2)(c) of the Immigration and Refugee Protection Act . . . . .	1173
Refugee Protection Division Rules . . . . .	1175
Refugee Appeal Division Rules . . . . .	1232
Immigration Division Rules . . . . .	1271
Immigration Appeal Division Rules . . . . .	1290
Oath or Solemn Affirmation of Office Rules (Immigration and Refugee Board) . . . . .	1317
Federal Courts Act . . . . .	1319
Federal Courts Citizenship, Immigration and Refugee Protection Rules . . . . .	1455
Appendix I — Guidelines Issued by the Chairperson . . . . .	1503
Appendix II — Québec Immigration Act . . . . .	1617
Appendix III — Chapter 16 of the Canada-US-Mexico Agreement . . . . .	1641
Appendix IV — Chapter K of the Canada-Chile Free Trade Agreement . . . . .	1655
Appendix V — Chapter X of the Canada-Costa Rica Free Trade Agreement . . . . .	1669
Appendix VI — Chapter 12 of the Canada-Peru Free Trade Agreement . . . . .	1671
Appendix VII — Chapter 12 of the Canada-Colombia Free Trade Agreement . . . . .	1683
Appendix VIII — Chapter 12 of the Canada-Korea Free Trade Agreement . . . . .	1693
Appendix IX — Chapter 10 of the Comprehensive Economic And Trade Agreement . . . . .	1705
Appendix X — Canada-UK Trade Continuity Agreement . . . . .	1739
Appendix XI — Canadian Charter of Rights and Freedoms (Constitution Act, 1982) . . . . .	1741
Index — Act, Regulations and Rules . . . . .	1749



# TABLE OF CONTENTS

## IMMIGRATION AND REFUGEE PROTECTION ACT

	<b>SHORT TITLE</b>	
1	Short title . . . . .	1
	<b>INTERPRETATION</b>	
2	Definitions . . . . .	2
	<b>OBJECTIVES AND APPLICATION</b>	
3	Objectives — immigration . . . . .	2
	<b>ENABLING AUTHORITY</b>	
4	Minister of Citizenship and Immigration . . . . .	13
5	Regulations . . . . .	14
6	Designation of officers . . . . .	15
	<b>AGREEMENTS</b>	
7	International agreements . . . . .	17
8	Federal-provincial agreements . . . . .	17
9	Sole provincial responsibility — permanent residents . . . . .	18
10	Consultations with the provinces . . . . .	19
	<b>PART 1 — IMMIGRATION TO CANADA (SS. 10.01–94)</b>	
	<b>DIVISION 0.01 — BIOMETRIC INFORMATION</b>	
10.01	Biometric information . . . . .	19
10.02	Regulations . . . . .	19
	<b>DIVISION 0.1 — INVITATION TO MAKE AN APPLICATION</b>	
10.1	Application for permanent residence — invitation to apply . . . . .	20
10.2	Expression of interest — processing . . . . .	22
10.3	Instructions . . . . .	22
10.4	Disclosure of information . . . . .	25
10.5	Consultation process . . . . .	25
	<b>DIVISION 1 — REQUIREMENTS AND SELECTION</b>	
	<b><i>Requirements</i></b>	
11	Application before entering Canada . . . . .	26
11.1	[Repealed 2015, c. 36, s. 170.] . . . . .	32
11.2	Visa or other document not to be issued . . . . .	32
	<b><i>Selection of Permanent Residents</i></b>	
12	Family reunification . . . . .	34
	<b><i>Sponsorship of Foreign Nationals</i></b>	
13	Sponsorship of foreign nationals . . . . .	34
	<b><i>Undertakings</i></b>	
13.1	Undertaking binding . . . . .	35
13.2	Undertaking required . . . . .	35

Table of Contents

	<b>Regulations</b>	
14	Regulations . . . . .	35
	<b>Minister's Instructions</b>	
14.1	Economic immigration . . . . .	37
	<b>DIVISION 2 — EXAMINATION</b>	
15	Examination by officer . . . . .	38
16	Obligation — answer truthfully . . . . .	42
17	Regulations . . . . .	48
	<b>DIVISION 3 — ENTERING AND REMAINING IN CANADA</b>	
	<b>Entering and Remaining</b>	
18	Examination by officer . . . . .	48
19	Right of entry of citizens and Indians . . . . .	50
20	Obligation on entry . . . . .	50
20.1	Designation — human smuggling or other irregular arrival . . . . .	54
20.2	Application for permanent residence — restriction . . . . .	55
	<b>Status and Authorization to Enter</b>	
21	Permanent resident . . . . .	56
22	Temporary resident . . . . .	58
22.1	Declaration . . . . .	63
23	Entry to complete examination or hearing . . . . .	64
24	Temporary resident permit . . . . .	64
25	Humanitarian and compassionate considerations — request of foreign national . . . . .	77
25.1	Humanitarian and compassionate considerations — Minister's own initiative . . . . .	120
25.2	Public policy considerations . . . . .	121
26	Regulations . . . . .	123
	<b>Rights and Obligations of Permanent and Temporary Residents</b>	
27	Right of permanent residents . . . . .	123
28	Residency obligation . . . . .	124
29	Right of temporary residents . . . . .	144
30	Work and study in Canada . . . . .	146
30.1	[Proposed] Publication of employer names and addresses . . . . .	148
	<b>Status Document</b>	
31	Status document . . . . .	149
	<b>Refugee Travel Document</b>	
31.1	Designated foreign national . . . . .	150
	<b>Regulations</b>	
32	Regulations . . . . .	150
	<b>DIVISION 4 — INADMISSIBILITY</b>	
33	Rules of interpretation . . . . .	151
34	Security . . . . .	152
35	Human or international rights violations . . . . .	161
36	Serious criminality . . . . .	168
37	Organized criminality . . . . .	188
38	Health grounds . . . . .	194
39	Financial reasons . . . . .	209

Table of Contents

40	Misrepresentation . . . . .	210
40.1	Cessation of refugee protection — foreign national . . . . .	254
41	Non-compliance with Act . . . . .	254
41.1	[Proposed] Polygamy . . . . .	260
42	Inadmissible family member . . . . .	260
42.1	Exception — application to Minister . . . . .	260
43	Regulations . . . . .	263
	<b>DIVISION 5 — LOSS OF STATUS AND REMOVAL</b>	
	<b><i>Report on Inadmissibility</i></b>	
44	Preparation of report . . . . .	264
	<b><i>Admissibility Hearing by the Immigration Division</i></b>	
45	Decision . . . . .	281
	<b><i>Loss of Status</i></b>	
46	Permanent resident . . . . .	283
47	Temporary resident . . . . .	284
	<b><i>Enforcement of Removal Orders</i></b>	
48	Enforceable removal order . . . . .	285
49	In force . . . . .	295
50	Stay . . . . .	295
51	Void — permanent residence . . . . .	301
52	No return without prescribed authorization . . . . .	301
	<b><i>Regulations</i></b>	
53	Regulations . . . . .	306
	<b>DIVISION 6 — DETENTION AND RELEASE</b>	
54	Immigration Division . . . . .	307
55	Arrest and detention with warrant . . . . .	307
56	Release — officer . . . . .	308
57	Review of detention . . . . .	308
57.1	Initial review — designated foreign national . . . . .	311
58	Release — Immigration Division . . . . .	312
58.1	Release — on request . . . . .	322
59	Incarcerated foreign nationals . . . . .	322
60	Minor children . . . . .	322
61	Regulations . . . . .	322
	<b>DIVISION 7 — RIGHT OF APPEAL</b>	
62	Competent jurisdiction . . . . .	323
63	Right to appeal — visa refusal of family class . . . . .	323
64	No appeal for inadmissibility . . . . .	333
65	Humanitarian and compassionate considerations . . . . .	346
66	Disposition . . . . .	348
67	Appeal allowed . . . . .	349
68	Removal order stayed . . . . .	363
69	Dismissal . . . . .	371
70	Decision binding . . . . .	371
71	Reopening appeal . . . . .	371
	<b>DIVISION 8 — JUDICIAL REVIEW</b>	
72	Application for judicial review . . . . .	373
73	Right of Minister . . . . .	383

Table of Contents

74	Judicial review . . . . .	384
75	Rules . . . . .	386
<b>DIVISION 9 — CERTIFICATES AND PROTECTION OF INFORMATION</b>		
<b><i>Interpretation</i></b>		
76	Definitions . . . . .	395
<b><i>Certificate</i></b>		
77	Referral of certificate . . . . .	395
77.1	Conditions — inadmissibility on grounds of security . . . . .	399
78	Determination . . . . .	400
79	Appeal . . . . .	400
79.1	Appeal by Minister . . . . .	400
80	Effect of certificate . . . . .	400
<b><i>Detention and Release</i></b>		
81	Ministers' warrant . . . . .	400
82	Initial review of detention . . . . .	401
82.1	Variation of orders . . . . .	403
82.2	Arrest and detention — breach of conditions . . . . .	404
82.3	Appeal . . . . .	405
82.3.1	Appeal by Minister . . . . .	406
82.4	Minister's order to release . . . . .	406
<b><i>Protection of Information</i></b>		
83	Protection of information . . . . .	406
84	Protection of information on appeal . . . . .	412
<b><i>Special Advocate</i></b>		
85	List of persons who may act as special advocates . . . . .	412
85.1	Special advocate's role . . . . .	414
85.2	Powers . . . . .	415
85.3	Immunity . . . . .	416
85.4	Obligation to provide information . . . . .	416
85.5	Disclosure and communication prohibited . . . . .	418
85.6	Rules . . . . .	418
<b><i>Other Proceedings</i></b>		
86	Application for non-disclosure . . . . .	419
86.1	Judicial review . . . . .	419
87	Application for non-disclosure — judicial review and appeal . . . . .	419
87.01	Appeal by Minister . . . . .	420
87.1	Special advocate . . . . .	421
<b><i>Regulations</i></b>		
87.2	Regulations . . . . .	422
<b>DIVISION 10 — GENERAL PROVISIONS</b>		
<b><i>Instructions on Processing Applications and Requests</i></b>		
87.3	Application . . . . .	422
<b><i>Applications for Temporary Resident Visas, Work Permits and Study Permits</i></b>		
87.3.1	Order in council . . . . .	426
<b><i>Federal Skilled Workers</i></b>		
87.4	Application made before February 27, 2008 . . . . .	427

Table of Contents

	<b>Federal Investor and Entrepreneur Classes</b>	
87.5	Pending applications . . . . .	428
	<b>Loans</b>	
88	Loans . . . . .	430
	<b>Fees</b>	
89	Regulations . . . . .	430
89.01	[Proposed] Fees for rights and privileges — assessments . . . . .	431
89.1	Fees for rights and privileges . . . . .	431
89.11	Service Fees Act . . . . .	431
89.2	Fees — compliance regime . . . . .	431
	<b>Social Insurance Numbers</b>	
90	Minister directs special numbers to be issued . . . . .	432
	<b>Representation or Advice</b>	
91	Representation or advice for consideration . . . . .	432
91.1	Regulations . . . . .	443
	<b>Material Incorporated in Regulations</b>	
92	Incorporated material . . . . .	444
93	Statutory Instruments Act . . . . .	444
	<b>Report to Parliament</b>	
94	Annual report to Parliament . . . . .	445
	<b>PART 2 — REFUGEE PROTECTION (SS. 95–116)</b>	
	<b>DIVISION 1 — REFUGEE PROTECTION, CONVENTION REFUGEES AND PERSONS IN NEED OF PROTECTION</b>	
95	Conferral of refugee protection . . . . .	446
96	Convention refugee . . . . .	449
97	Person in need of protection . . . . .	488
98	Exclusion — Refugee Convention . . . . .	494
98.1	Requirement to report . . . . .	499
98.2	Regulations . . . . .	499
	<b>DIVISION 2 — CONVENTION REFUGEES AND PERSONS IN NEED OF PROTECTION</b>	
	<b>Claim for Refugee Protection</b>	
99	Claim . . . . .	499
	<b>Examination of Eligibility to Refer Claim</b>	
100	Referral to Refugee Protection Division . . . . .	500
101	Ineligibility . . . . .	500
102	Regulations . . . . .	507
	<b>Suspension or Termination of Consideration of Claim</b>	
103	Suspension . . . . .	508
104	Notice of ineligible claim . . . . .	509
	<b>Extradition Procedure</b>	
105	Suspension if proceeding under <i>Extradition Act</i> . . . . .	511
	<b>Claimant Without Identification</b>	
106	Credibility . . . . .	511
	<b>Decision on Claim for Refugee Protection</b>	
107	Decision . . . . .	512
107.1	Manifestly unfounded . . . . .	513

Table of Contents

	<b><i>Cessation of Refugee Protection</i></b>	
108	Rejection . . . . .	513
	<b><i>Applications to Vacate</i></b>	
109	Vacation of refugee protection . . . . .	522
	<b><i>Designated Countries of Origin</i></b>	
109.1	Designation of countries of origin . . . . .	524
	<b><i>Appeal to Refugee Appeal Division</i></b>	
110	Appeal . . . . .	525
111	Decision . . . . .	531
	<b><i>Regulations</i></b>	
111.1	Regulations . . . . .	532
	<b>DIVISION 3 — PRE-REMOVAL RISK ASSESSMENT</b>	
	<b><i>Protection</i></b>	
112	Application for protection . . . . .	533
113	Consideration of application . . . . .	547
113.01	Mandatory hearing . . . . .	553
113.1	[Proposed] Regulations . . . . .	553
114	Effect of decision . . . . .	553
	<b><i>Principle of Non-refoulement</i></b>	
115	Protection . . . . .	553
116	Regulations . . . . .	560
	<b>PART 3 — ENFORCEMENT (SS. 117–150.1)</b>	
	<b><i>Human Smuggling and Trafficking</i></b>	
117	Organizing entry into Canada . . . . .	560
118	Offence — trafficking in persons . . . . .	567
119	Disembarking persons at sea . . . . .	568
120	Penalties . . . . .	568
121	Aggravating factors . . . . .	568
121.1	Definition of “criminal organization” . . . . .	568
	<b><i>Offences Related to Documents</i></b>	
122	Documents . . . . .	569
123	Penalty . . . . .	570
	<b><i>General Offences</i></b>	
124	Contravention of Act . . . . .	572
125	Penalties . . . . .	574
126	Counselling misrepresentation . . . . .	575
127	Misrepresentation . . . . .	577
128	Penalties . . . . .	582
129	Offences relating to officers . . . . .	583
130	[Repealed 2001, c. 32, s. 81(3)(a).] . . . . .	584
131	Counselling offence . . . . .	584
132	[Repealed 2001, c. 32, s. 81(3)(c).] . . . . .	584
	<b><i>Prosecution of Offences</i></b>	
133	Deferral . . . . .	584
133.1	Limitation period for summary conviction offences . . . . .	585
134	Defence — incorporation by reference . . . . .	585



Table of Contents

135	Offences outside Canada . . . . .	585
136	Venue . . . . .	585
	<b>Forfeiture</b>	
137	Forfeiture . . . . .	585
	<b>Officers Authorized to Enforce Act</b>	
138	Powers of peace officer . . . . .	586
139	Search . . . . .	587
140	Seizure . . . . .	587
141	Oaths and evidence . . . . .	588
	<b>Peace Officers</b>	
142	Duties of peace officers to execute orders . . . . .	588
143	Authority to execute warrants and orders . . . . .	588
	<b>Ticketable Offences</b>	
144	Prosecution of designated offences . . . . .	588
	<b>Debt Due to Her Majesty</b>	
145	Debts due . . . . .	589
	<b>Collection of Debts Due to Her Majesty</b>	
146	Certificates . . . . .	590
147	Garnishment . . . . .	591
	<b>Transportation Companies</b>	
148	Obligation of operators of vehicles and facilities . . . . .	591
149	Use of information . . . . .	592
150	Regulations . . . . .	592
	<b>Sharing of Information</b>	
150.1	Regulations . . . . .	593
	<b>PART 4 — IMMIGRATION AND REFUGEE BOARD (SS. 151–186)</b>	
	<b>Composition of Board</b>	
151	Immigration and Refugee Board . . . . .	594
152	Composition . . . . .	594
152.1	Oath or affirmation of office . . . . .	594
153	Chairperson and other members . . . . .	594
154	Disposition after member ceases to hold office . . . . .	595
155	Disposition if member unable to take part . . . . .	595
156	Immunity and no summons . . . . .	595
	<b>Head Office and Staff</b>	
157	Head office . . . . .	596
158	Personnel . . . . .	596
	<b>Duties of Chairperson</b>	
159	Chairperson . . . . .	596
160	Absence, incapacity or vacancy . . . . .	599
	<b>Functioning of Board</b>	
161	Rules . . . . .	599
	<b>Provisions that Apply to All Divisions</b>	
162	Sole and exclusive jurisdiction . . . . .	600
163	Composition of panels . . . . .	602
164	Presence of parties . . . . .	602

Table of Contents

165	Powers of a commissioner . . . . .	602
166	Proceedings — all Divisions . . . . .	603
167	Right to counsel . . . . .	604
168	Abandonment of proceeding . . . . .	610
169	Decisions and reasons . . . . .	612
	<b><i>Refugee Protection Division</i></b>	
169.1	Composition . . . . .	616
170	Proceedings . . . . .	616
170.2	No reopening of claim or application . . . . .	621
	<b><i>Refugee Appeal Division</i></b>	
171	Proceedings . . . . .	622
171.1	No reopening of appeal . . . . .	623
	<b><i>Immigration Division</i></b>	
172	Composition . . . . .	623
173	Proceedings . . . . .	623
	<b><i>Immigration Appeal Division</i></b>	
174	Court of record . . . . .	625
175	Proceedings . . . . .	625
	<b><i>Remedial and Disciplinary Measures</i></b>	
176	Request . . . . .	628
177	Measures . . . . .	629
178	Appointment of inquirer . . . . .	629
179	Powers . . . . .	629
180	Staff . . . . .	629
181	Exceptions to public hearing . . . . .	629
182	Rules of evidence . . . . .	630
183	Right to be heard . . . . .	630
184	Report to Minister . . . . .	630
185	Transmission of report to Governor in Council . . . . .	631
186	Rights not affected . . . . .	631
	<b>PART 4.1 — ELECTRONIC ADMINISTRATION (SS. 186.1–186.4)</b>	
186.1	Powers . . . . .	631
186.2	Conditions for electronic version . . . . .	631
186.3	Regulations . . . . .	632
186.4	Clarification . . . . .	632
	<b>PART 5 — TRANSITIONAL PROVISIONS, CONSEQUENTIAL AND RELATED AMENDMENTS, COORDINATING AMENDMENTS, REPEALS AND COMING INTO FORCE (SS. 187–275)</b>	
	<b><i>Transitional Provisions</i></b>	
187	Definition of “former Act” . . . . .	633
188	Continuation . . . . .	633
189	Powers . . . . .	633
190	Application of this Act . . . . .	633
191	Convention Refugee Determination Division . . . . .	635
192	Immigration Appeal Division . . . . .	636
193	Continuation by Immigration Division . . . . .	636
194	Refugee Protection Division . . . . .	636

Table of Contents

195	Convention Refugee Determination Division . . . . .	636
196	Appeals . . . . .	636
197	Stays . . . . .	638
198	Refugee Protection Division . . . . .	640
199	Redetermination . . . . .	640
200	Exclusion . . . . .	640
201	Regulations . . . . .	640
	<b>Repeals</b>	
274	Repeals . . . . .	640
	<b>Coming Into Force</b>	
275	Order in council . . . . .	641

**SCHEDULE — SECTIONS E AND F OF ARTICLE 1 OF THE UNITED NATIONS  
CONVENTION RELATING TO THE STATUS OF REFUGEES**

**2002-227 — IMMIGRATION AND REFUGEE PROTECTION REGULATIONS**

**PART 1 — INTERPRETATION AND APPLICATION**

**DIVISION 1 — INTERPRETATION**

1	Definitions . . . . .	662
1.1	Definition of “agent” — section 148 of the Act . . . . .	665
2	Interpretation . . . . .	665
3	Interpretation — member of a crew . . . . .	678

**DIVISION 2 — FAMILY RELATIONSHIPS**

4	Bad faith . . . . .	680
4.1	New relationship . . . . .	695
5	Excluded relationships . . . . .	697

**PART 2 — GENERAL REQUIREMENTS**

**DIVISION 1 — DOCUMENTS REQUIRED BEFORE ENTRY**

6	Permanent resident . . . . .	697
7	Temporary resident . . . . .	697
7.01	Nationals of certain countries . . . . .	697
7.1	Electronic travel authorization . . . . .	698
8	Work permit . . . . .	699
9	Study permit . . . . .	700

**DIVISION 1.1 — USE OF ELECTRONIC MEANS**

9.1	Electronic means . . . . .	700
9.2	Application by electronic means . . . . .	700
9.3	Deemed receipt by the Minister . . . . .	700
9.4	Exception — use of other means . . . . .	701
9.5	Disability . . . . .	701
9.6	Payment of fees . . . . .	701

**DIVISION 2 — APPLICATIONS**

10	Form and content of application . . . . .	702
11	Application — other means . . . . .	707
12	Return of application . . . . .	708
12.001	Request or application at port of entry . . . . .	710

Table of Contents

12.01	Invitation — application for permanent residence . . . . .	710
12.02	[Repealed SOR/2019-174, s. 4.] . . . .	712
12.03	[Repealed SOR/2019-174, s. 4.] . . . .	712
12.04	Electronic travel authorization — application by electronic means . . . . .	712
12.05	Period of validity . . . . .	713
12.06	Ineligibility . . . . .	713
12.07	Cancellation . . . . .	715
<b>DIVISION 2.1 — COLLECTION AND VERIFICATION OF BIOMETRIC INFORMATION</b>		
12.1	Collection — claims, applications, and requests . . . . .	716
12.2	Non-application — persons . . . . .	716
12.3	Procedure for collection of biometric information . . . . .	718
12.4	Processing of biometric information . . . . .	718
12.5	Verification of biometric information — procedure . . . . .	718
12.6	Exemption — multiple applications or requests . . . . .	718
12.7	Exemption — biometric information previously provided . . . . .	719
12.8	Exemption — collection of biometric information impossible or not feasible . . . . .	719
12.9	Exception . . . . .	719
12.91	Clarification . . . . .	719
<b>DIVISION 3 — DOCUMENTS AND CERTIFIED COPIES</b>		
13	Production of documents . . . . .	720
<b>DIVISION 4 — DISCLOSURE OF INFORMATION</b>		
13.1	Authorized disclosure . . . . .	720
<b>DIVISION 4.1 — USE AND DISCLOSURE OF BIOMETRIC INFORMATION AND RELATED PERSONAL INFORMATION</b>		
13.11	Disclosure of information . . . . .	720
<b>DIVISION 5 — DESIGNATED BODY — INFORMATION REQUIREMENTS</b>		
13.2	General requirement . . . . .	721
<b>PART 3 — INADMISSIBILITY</b>		
<b>DIVISION 1 — DETERMINATION OF INADMISSIBILITY</b>		
14	Application of par. 34(1)(c) of the Act . . . . .	723
15	Application of par. 35(1)(a) of the Act . . . . .	723
16	Application of paragraph 35(1)(b) of the Act . . . . .	724
17	Prescribed period . . . . .	725
18	Rehabilitation . . . . .	725
18.1	Prescribed class . . . . .	728
19	Transborder crime . . . . .	728
20	Inadmissibility on health grounds . . . . .	728
21	Financial reasons . . . . .	729
22	Misrepresentation . . . . .	729
22.1	Application of paragraph 41(a) of the Act . . . . .	729
23	Prescribed circumstances — family members . . . . .	729
24	Exception . . . . .	733
<b>DIVISION 2 — APPLICATION FOR DECLARATION OF RELIEF UNDER SUBSECTION 42.1(1) OF THE ACT</b>		
24.1	Application . . . . .	733
24.2	Required information . . . . .	734

Table of Contents

24.3	Return of application . . . . .	734
24.4	Closing of file . . . . .	735
24.5	Change in information . . . . .	735
	<b>PART 4 — PROCEDURES</b>	
	<b>DIVISION 0.1 — EXPIRY DATE</b>	
24.6	Limitation . . . . .	735
	<b>DIVISION 1 — VISA ISSUANCE</b>	
25	When unenforced removal order . . . . .	735
25.1	General rule — one-step process . . . . .	735
	<b>DIVISION 1.1 — ISSUANCE OF ELECTRONIC TRAVEL AUTHORIZATION</b>	
25.2	Electronic travel authorization not to be issued . . . . .	737
	<b>DIVISION 2 — AUTHORIZATION TO ENTER CANADA</b>	
26	Designation of ports of entry . . . . .	737
26.1	Services at port of entry . . . . .	738
27	Obligation on entry . . . . .	738
	<b>DIVISION 3 — CONDUCT OF EXAMINATION</b>	
	<b>General</b>	
28	Examination . . . . .	739
29	Medical examination . . . . .	739
30	Exemptions from medical examination requirement . . . . .	739
31	Public health . . . . .	741
32	Conditions . . . . .	741
33	Public safety . . . . .	742
34	Excessive demand . . . . .	742
35	Transit . . . . .	743
36	Actions not constituting a complete examination . . . . .	744
37	End of examination . . . . .	744
	<b>Alternative Means of Examination</b>	
38	Means . . . . .	744
	<b>Permitted Entry</b>	
39	Entry permitted . . . . .	745
	<b>Conduct of Examination Measures</b>	
40	Direction to leave . . . . .	746
41	Direct back . . . . .	746
42	Withdrawing application . . . . .	746
	<b>Application of Section 23 of the Act</b>	
43	Conditions . . . . .	747
	<b>Obligation to Appear at an Admissibility Hearing</b>	
44	Class . . . . .	747
	<b>Deposits or Guarantees</b>	
45	Deposit or guarantee required on entry . . . . .	747
46	Application . . . . .	748
47	General requirements . . . . .	748
48	Conditions if guarantee posted . . . . .	749
49	Acknowledgment of consequences of failure to comply with conditions . . . . .	749

Table of Contents

	<b>Documents Required</b>	
50	Documents — permanent residents . . . . .	751
50.1	Designation of unreliable travel documents . . . . .	753
51	Examination — permanent residents . . . . .	753
52	Documents — temporary residents . . . . .	754
	<b>PART 5 — PERMANENT RESIDENTS</b>	
	<b>DIVISION 1 — PERMANENT RESIDENT CARDS</b>	
53	Document indicating status . . . . .	756
54	Period of validity . . . . .	757
55	Delivery . . . . .	758
56	. . . . .	758
57	Applicants . . . . .	759
58	Providing address within 180 days . . . . .	760
59	Issuance of new permanent resident card . . . . .	760
60	Revocation . . . . .	763
	<b>DIVISION 1.1 — COLLECTION AND DISCLOSURE OF INFORMATION</b>	
60.1	Collection of social insurance number . . . . .	763
	<b>DIVISION 2 — RESIDENCY OBLIGATION</b>	
61	Canadian business . . . . .	763
62	Calculation — residency obligation . . . . .	768
	<b>DIVISION 3 — PERMIT HOLDERS</b>	
63	Period of permit's validity . . . . .	769
	<b>DIVISION 4 — PERMIT HOLDER CLASS</b>	
64	Permit holder class . . . . .	769
65	Member of class . . . . .	769
65.1	Becoming a permanent resident . . . . .	770
	<b>DIVISION 5 — HUMANITARIAN AND COMPASSIONATE CONSIDERATIONS</b>	
66	Request . . . . .	771
67	Applicant outside Canada . . . . .	771
68	Applicant in Canada . . . . .	771
69	Accompanying family member outside Canada . . . . .	772
69.1	Requirements — family member . . . . .	772
	<b>DIVISION 6 — PERMANENT RESIDENT VISA</b>	
70	Issuance . . . . .	773
71	Issuance — particular Quebec selection cases . . . . .	774
	<b>DIVISION 7 — BECOMING A PERMANENT RESIDENT</b>	
71.1	Foreign nationals outside Canada . . . . .	774
72	Obtaining status . . . . .	774
	<b>DIVISION 8</b>	
72.1	[Repealed SOR/2017-56, s. 1.] . . . . .	775
72.2	[Repealed SOR/2017-56, s. 1.] . . . . .	776
72.3	[Repealed SOR/2017-56, s. 1.] . . . . .	776
72.4	[Repealed SOR/2017-56, s. 1.] . . . . .	776
	<b>DIVISION 9 — APPLICATION TO RENOUNCE PERMANENT RESIDENT STATUS</b>	
72.5	Separate application . . . . .	776
72.6	Application — conditions . . . . .	776
72.7	Sponsorship application suspended . . . . .	776

Table of Contents

	<b>PART 6 — ECONOMIC CLASSES</b>	
	<b>DIVISION 0.1 — GENERAL</b>	
72.8	Requirements — family member .....	776
	<b>DIVISION 1 — SKILLED WORKERS</b>	
	<b><i>Interpretation</i></b>	
73	Definitions .....	777
	<b><i>General</i></b>	
74	Criteria .....	778
	<b><i>Federal Skilled Workers</i></b>	
	<b>Federal Skilled Worker Class</b>	
75	Class .....	779
76	Selection criteria .....	790
77	Conformity — applicable times .....	798
	<b>Selection Grid</b>	
78	Education (25 points) .....	798
79	Official languages .....	802
80	Experience (15 points) .....	804
81	Age (12 points) .....	809
82	Definition of “arranged employment” .....	810
83	Adaptability (10 points) .....	817
	<b>Requirements</b>	
84	[Repealed SOR/2008-202, s. 1.] .....	820
85	Permanent resident status .....	820
	<b><i>Transitional Federal Skilled Workers</i></b>	
	<b>Transitional Federal Skilled Worker Class</b>	
85.1	[Repealed SOR/2019-174, s. 8.] .....	820
85.2	[Repealed SOR/2019-174, s. 8.] .....	820
85.3	[Repealed SOR/2019-174, s. 8.] .....	820
85.4	[Repealed SOR/2008-253, s. 8.] .....	820
85.5	[Repealed SOR/2008-202, s. 2.] .....	820
85.6	[Repealed SOR/2019-174, s. 8.] .....	820
	<b><i>Quebec Skilled Worker Class</i></b>	
86	Class .....	821
	<b><i>Provincial Nominee Class</i></b>	
87	Class .....	822
	<b><i>Canadian Experience Class</i></b>	
87.1	Class .....	832
	<b><i>Federal Skilled Trades Class</i></b>	
87.2	Definition of “skilled trade occupation” .....	837
	<b><i>Atlantic Immigration Class</i></b>	
87.3	Class .....	841
	<b>DIVISION 2 — BUSINESS IMMIGRANTS</b>	
	<b><i>Interpretation</i></b>	
88	Definitions .....	844

Table of Contents

	<b>General</b>	
89	Artificial transactions . . . . .	849
89.1	Permanent resident status . . . . .	849
	<b>Quebec Investor Class</b>	
90	Class . . . . .	850
91	[Repealed SOR/2016-316, s. 5.] . . . .	852
92	[Repealed SOR/2016-316, s. 5.] . . . .	852
93	[Repealed SOR/2016-316, s. 5.] . . . .	852
94	[Repealed SOR/2016-316, s. 5.] . . . .	852
95	[Repealed SOR/2016-316, s. 5.] . . . .	852
96	[Repealed SOR/2016-316, s. 5.] . . . .	852
	<b>Quebec Entrepreneur Class</b>	
97	Class . . . . .	853
98	[Repealed SOR/2016-316, s. 6.] . . . .	853
	<b>Start-up Business Class</b>	
98.01	Class . . . . .	853
98.02	Agreements with organizations . . . . .	856
98.03	Designation . . . . .	856
98.04	Form of commitment . . . . .	857
98.05	Minimum investment . . . . .	858
98.06	Qualifying business . . . . .	858
98.07	Documentation . . . . .	860
98.08	Assessment of commitment . . . . .	860
98.09	Peer review . . . . .	860
98.10	Substituted evaluation . . . . .	861
98.11	Inspections — organization . . . . .	861
98.12	Answering questions and providing documents . . . . .	862
98.13	Entry to verify compliance . . . . .	862
99	[Repealed SOR/2016-316, s. 6.] . . . .	864
	<b>Self-employed Persons</b>	
	<b>Self-employed Persons Class</b>	
100	Members of the class . . . . .	864
	<b>Quebec Self-employed Persons Class</b>	
101	Class . . . . .	865
	<b>Selection Criteria</b>	
	<b>General</b>	
102	Criteria . . . . .	865
102.1	Age (10 points) . . . . .	866
102.2	Definitions . . . . .	866
102.3	Official languages . . . . .	867
	<b>Experience</b>	
103	. . . . .	869
	<b>Adaptability</b>	
104	[Repealed SOR/2016-316, s. 10.] . . . .	870
105	Self-employed person . . . . .	870



Table of Contents

	<b>Requirements</b>	
106	[Repealed SOR/2008-202, s. 6.] . . . . .	871
107	[Repealed SOR/2018-72, s. 5.] . . . . .	871
	<b>Selection</b>	
108	Application for visa . . . . .	871
109	Substitution of evaluation . . . . .	872
109.1	[Repealed SOR/2016-316, s. 13.] . . . . .	873
109.2	[Repealed SOR/2016-316, s. 13.] . . . . .	873
109.3	[Repealed SOR/2016-316, s. 13.] . . . . .	873
109.4	[Repealed SOR/2008-202, s. 7.] . . . . .	873
109.5	[Repealed SOR/2016-316, s. 13.] . . . . .	873
	<b>DIVISION 3</b>	
	[Heading repealed SOR/2017-78, s. 6.]	
110	[Repealed SOR/2017-78, s. 6.] . . . . .	873
111	[Repealed SOR/2017-78, s. 6.] . . . . .	873
112	[Repealed SOR/2017-78, s. 6.] . . . . .	873
113	[Repealed SOR/2017-78, s. 6.] . . . . .	873
114	[Repealed SOR/2017-78, s. 6.] . . . . .	873
114.1	[Repealed SOR/2017-78, s. 6.] . . . . .	873
115	[Repealed SOR/2017-78, s. 6.] . . . . .	873
	<b>PART 7 — FAMILY CLASSES</b>	
	<b>DIVISION 1 — FAMILY CLASS</b>	
116	Family class . . . . .	873
117	Member . . . . .	874
118	Medical condition . . . . .	886
119	Withdrawal of sponsorship application . . . . .	886
120	Approved sponsorship application . . . . .	886
121	Requirements . . . . .	886
122	Requirements for accompanying family members . . . . .	886
	<b>DIVISION 2 — SPOUSE OR COMMON-LAW PARTNER IN CANADA CLASS</b>	
123	Class . . . . .	887
124	Member . . . . .	887
125	Excluded relationships . . . . .	888
126	Withdrawal of sponsorship application . . . . .	890
127	Approved sponsorship application . . . . .	890
128	Requirements — family member . . . . .	890
129	Requirements for accompanying family members . . . . .	890
	<b>DIVISION 3 — SPONSORS</b>	
130	Sponsor . . . . .	890
131	Sponsorship undertaking . . . . .	892
132	Undertaking — duration . . . . .	892
133	Requirements for sponsor . . . . .	895
134	Income calculation rules . . . . .	900
135	Default . . . . .	904
136	Suspension during proceedings against sponsor or co-signer . . . . .	905
137	Undertaking — Province of Quebec . . . . .	906

Table of Contents

	<b>DIVISION 3.1 — COLLECTION AND DISCLOSURE OF INFORMATION</b>	
137.1	Collection of social insurance number . . . . .	906
	<b>PART 8 — REFUGEE CLASSES</b>	
	<b>DIVISION 1 — CONVENTION REFUGEES ABROAD, HUMANITARIAN-PROTECTED PERSONS ABROAD AND PROTECTED TEMPORARY RESIDENTS</b>	
	<i>Interpretation</i>	
138	Definitions . . . . .	906
	<i>General</i>	
139	General requirements . . . . .	908
140	Class of family members . . . . .	909
140.1	Application . . . . .	909
140.2	Sponsorship of foreign national — requirement to attach applications . . . . .	909
140.3	Referral requirement . . . . .	910
140.4	Return of documents . . . . .	910
141	Non-accompanying family member . . . . .	911
142	Requirements — family members . . . . .	911
143	Memorandum of understanding . . . . .	911
	<i>Convention Refugees Abroad</i>	
144	Convention refugees abroad class . . . . .	912
145	Member of Convention refugees abroad class . . . . .	912
	<i>Humanitarian-protected Persons Abroad</i>	
146	Person in similar circumstances to those of a Convention refugee . . . . .	912
147	Member of country of asylum class . . . . .	912
148	[Repealed SOR/2011-222, s. 6.] . . . . .	913
149	[Repealed SOR/2011-222, s. 6.] . . . . .	913
150	[Repealed SOR/2012-225, s. 8.] . . . . .	913
151	Travel document . . . . .	913
	<i>Protected Temporary Residents</i>	
151.1	Protected temporary residents class . . . . .	913
	<b>DIVISION 2 — SPONSORSHIP</b>	
152	Sponsorship agreements . . . . .	914
153	Sponsorship requirements . . . . .	914
154	Approval of application . . . . .	915
155	Revoking approval . . . . .	917
156	Ineligibility to be a party to a sponsorship . . . . .	917
157	Joint assistance sponsorship . . . . .	917
158	Settlement in the Province of Quebec . . . . .	917
	<b>DIVISION 3 — DETERMINATION OF ELIGIBILITY OF CLAIM</b>	
159	Working day . . . . .	918
159.1	Definitions . . . . .	918
159.2	Non-application — former habitual residence . . . . .	920
159.3	Designation — United States . . . . .	920
159.4	Non-application — ports of entry other than land ports of entry . . . . .	920
159.5	Non-application — claimants at land ports of entry . . . . .	921

Table of Contents

159.6	Non-application — claimants at land ports of entry and in transit . . . .	922
159.7	Temporal operation . . . . .	923
<b>DIVISION 3.1 — CLAIM FOR REFUGEE PROTECTION — TIME LIMITS</b>		
<b><i>Documents and Information</i></b>		
159.8	Time limit — provision of documents and information to officer . . . . .	924
<b><i>Hearing Before Refugee Protection Division</i></b>		
159.9	Time limits for hearing . . . . .	924
<b><i>Appeal to Refugee Appeal Division</i></b>		
159.91	Time limit for appeal . . . . .	925
159.92	Time limit for decision . . . . .	925
<b>DIVISION 4 — PRE-REMOVAL RISK ASSESSMENT</b>		
160	Application for protection . . . . .	925
160.1	Criterion — exemption from application of paragraphs 112(2)(b.1) or (c) of the Act . . . . .	928
161	Submissions . . . . .	928
162	Application within 15-day period . . . . .	928
163	Applications after the 15-day period . . . . .	928
164	Application that must be received within 15-day period — certificate . . . . .	929
165	Subsequent application . . . . .	929
166	Application at port of entry . . . . .	929
167	Hearing — prescribed factors . . . . .	929
168	Hearing procedure . . . . .	930
169	Abandonment . . . . .	930
170	Withdrawal . . . . .	930
171	Effect of abandonment and withdrawal . . . . .	930
172	Applicant described in s. 112(3) of the Act . . . . .	930
173	Re-examination of stay — procedure . . . . .	932
174	Reasons for decision . . . . .	933
<b>DIVISION 4.1 — DESIGNATED FOREIGN NATIONAL — REQUIREMENT TO REPORT TO AN OFFICER</b>		
174.1	Regular reporting intervals . . . . .	933
<b>DIVISION 5 — PROTECTED PERSONS — PERMANENT RESIDENCE</b>		
175	Judicial review . . . . .	934
176	Family members . . . . .	934
177	Prescribed classes . . . . .	935
178	Identity documents . . . . .	935
<b>PART 9 — TEMPORARY RESIDENTS</b>		
<b>DIVISION 1 — TEMPORARY RESIDENT VISA</b>		
179	Issuance . . . . .	936
<b><i>Holders of Temporary Resident Visas</i></b>		
180	Authorization . . . . .	950
<b><i>Applications for Extension of Authorization to Remain in Canada as a Temporary Resident</i></b>		
181	Circumstances . . . . .	950

Table of Contents

	<b><i>Restoration of Temporary Resident Status</i></b>	
182	Restoration . . . . .	953
	<b>DIVISION 1.1 — DECLARATION UNDER SUBSECTION 22.1(1) OF THE ACT</b>	
182.1	Notice . . . . .	958
182.2	Written submissions . . . . .	958
	<b>DIVISION 2 — CONDITIONS ON TEMPORARY RESIDENTS</b>	
183	General conditions . . . . .	958
184	Condition imposed on members of a crew . . . . .	964
185	Specific conditions . . . . .	964
	<b>DIVISION 3 — WORK WITHOUT A PERMIT</b>	
186	No permit required . . . . .	965
187	Business visitors . . . . .	970
	<b>DIVISION 4 — STUDY WITHOUT A PERMIT</b>	
188	No permit required . . . . .	970
189	Expired study permits . . . . .	971
	<b>DIVISION 5 — TEMPORARY RESIDENT VISA EXEMPTIONS</b>	
190	Visa exemption — nationality . . . . .	971
	<b>PART 10 — VISITORS</b>	
191	Class . . . . .	974
192	Visitor . . . . .	974
193	Conditions . . . . .	974
	<b>PART 10.1</b>	
193.1	[Repealed SOR/2014-185, s. 2.] . . . . .	974
193.2	[Repealed SOR/2014-185, s. 2.] . . . . .	974
193.3	[Repealed SOR/2014-185, s. 2.] . . . . .	975
193.4	[Repealed SOR/2014-185, s. 2.] . . . . .	975
193.5	[Repealed SOR/2008-309, s. 2.] . . . . .	975
	<b>PART 11 — WORKERS</b>	
	<b>DIVISION 1 — GENERAL RULES</b>	
194	Class . . . . .	975
195	Worker . . . . .	975
196	Work permit required . . . . .	975
196.1	Restrictions . . . . .	976
196.2	Abuse . . . . .	976
	<b>DIVISION 2 — APPLICATION FOR WORK PERMIT</b>	
197	Application before entry . . . . .	976
198	Application on entry . . . . .	977
199	Application after entry . . . . .	978
	<b>DIVISION 3 — ISSUANCE OF WORK PERMITS</b>	
200	Work permits . . . . .	978
201	Application for renewal . . . . .	1001
202	Temporary resident status . . . . .	1001
203	Assessment of employment offered . . . . .	1001
204	International agreements or arrangements . . . . .	1013
205	Canadian interests . . . . .	1014
206	No other means of support . . . . .	1021

Table of Contents

207	Applicants in Canada . . . . .	1021
207.1	Vulnerable workers . . . . .	1021
208	Humanitarian reasons . . . . .	1021
209	Invalidity . . . . .	1022
	<b>DIVISION 4 — CONDITIONS IMPOSED ON EMPLOYERS</b>	
209.1	Definition of “document” . . . . .	1022
209.11	Foreign national — subparagraph 200(1)(c)(ii.1) . . . . .	1022
209.2	Foreign national referred to in subparagraph 200(1)(c)(ii.1) . . . . .	1023
209.3	Foreign national referred to in subparagraph 200(1)(c)(iii) . . . . .	1025
209.4	Conditions imposed on all employers . . . . .	1031
209.5	Circumstances for exercise of powers — sections 209.6 to 209.9 . . . . .	1031
209.6	Answering questions and providing documents . . . . .	1032
209.7	Examination of documents . . . . .	1032
209.8	Entry to verify compliance with section 209.2 . . . . .	1033
209.9	Entry to verify compliance with section 209.3 . . . . .	1034
209.91	Exemption from certain conditions . . . . .	1035
	<b>DIVISION 5 — COLLECTION AND DISCLOSURE OF INFORMATION</b>	
209.911	Collection of information . . . . .	1035
209.92	Disclosure of information . . . . .	1035
	<b>DIVISION 6 — ADMINISTRATIVE MONETARY PENALTIES AND OTHER CONSEQUENCES FOR FAILURE TO COMPLY WITH CONDITIONS IMPOSED ON EMPLOYERS</b>	
	<i>Interpretation</i>	
209.93	Definitions . . . . .	1036
	<i>Purpose</i>	
209.94	Purpose of Division . . . . .	1036
	<i>Violations</i>	
209.95	Violations . . . . .	1036
	<i>Rules Applicable to Violations</i>	
209.96	Separate violation — multiple foreign nationals . . . . .	1037
	<i>Classification</i>	
209.97	Provisions . . . . .	1037
	<i>Administrative Monetary Penalty Amount</i>	
209.98	Administrative monetary penalty amount . . . . .	1038
	<i>Period of Ineligibility</i>	
209.99	Period of ineligibility . . . . .	1038
	<i>Total Number of Points</i>	
209.991	Calculation . . . . .	1038
	<i>Multiple Violations</i>	
209.992	Cumulative amounts . . . . .	1039
	<i>Notice of Preliminary Finding</i>	
209.993	Notice — issuance by officer . . . . .	1040
209.994	Submissions by employer period . . . . .	1040
209.995	Correction or cancellation of notice . . . . .	1041
	<i>Notice of Final Determination</i>	
209.996	Notice — issuance by officer . . . . .	1041

Table of Contents

	<b><i>List of Employers</i></b>	
209.997	Publication of employer's information . . . . .	1043
	<b>PART 12 — STUDENTS</b>	
	<b>DIVISION 1 — GENERAL RULES</b>	
210	Class . . . . .	1043
211	Student . . . . .	1043
211.1	Definition of "designated learning institution" . . . . .	1043
211.2	List of provinces . . . . .	1044
212	Authorization . . . . .	1044
	<b>DIVISION 2 — APPLICATION FOR STUDY PERMIT</b>	
213	Application before entry . . . . .	1044
214	Application on entry . . . . .	1045
215	Application after entry . . . . .	1045
	<b>DIVISION 3 — ISSUANCE OF STUDY PERMITS</b>	
216	Study permits . . . . .	1046
217	Application for renewal . . . . .	1063
218	Temporary resident status . . . . .	1064
	<b>DIVISION 4 — RESTRICTIONS ON STUDYING IN CANADA</b>	
219	Acceptance letter . . . . .	1064
220	Financial resources . . . . .	1064
220.1	Conditions — study permit holder . . . . .	1065
221	Failure to comply with conditions . . . . .	1066
	<b>DIVISION 5 — VALIDITY AND EXPIRY OF STUDY PERMITS</b>	
222	Invalidity . . . . .	1067
	<b>PART 13 — REMOVAL</b>	
	<b>DIVISION 1 — REMOVAL ORDERS</b>	
223	Types of removal order . . . . .	1067
224	Departure order . . . . .	1067
225	Exclusion order . . . . .	1067
226	Deportation order . . . . .	1068
227	Report — family members . . . . .	1069
	<b>DIVISION 2 — SPECIFIED REMOVAL ORDER</b>	
228	Subsection 44(2) of the Act — foreign nationals . . . . .	1069
229	Paragraph 45(d) of the Act — applicable removal order . . . . .	1073
	<b>DIVISION 3 — STAY OF REMOVAL ORDERS</b>	
230	Considerations . . . . .	1075
231	Stay of removal — judicial review . . . . .	1077
232	Stay of removal — pre-removal risk assessment . . . . .	1077
233	Stay of removal — humanitarian and compassionate or public policy considerations . . . . .	1078
234	Application of par. 50(a) of the Act . . . . .	1079
	<b>DIVISION 4 — ENFORCEMENT OF REMOVAL ORDERS</b>	
235	Not void . . . . .	1079
236	Providing copies . . . . .	1080
237	Modality of enforcement . . . . .	1080
238	Voluntary compliance . . . . .	1080
239	Removal by Minister . . . . .	1081

Table of Contents

240	When removal order is enforced . . . . .	1081
241	Country of removal . . . . .	1084
242	Mutual Legal Assistance in Criminal Matters Act . . . . .	1084
243	Payment of removal costs . . . . .	1084
	<b>PART 14 — DETENTION AND RELEASE</b>	
244	Factors to be considered . . . . .	1084
245	Flight risk . . . . .	1085
246	Danger to the public . . . . .	1086
247	Identity not established . . . . .	1089
248	Other factors . . . . .	1089
248.1	Best interests of the child . . . . .	1095
249	Special considerations for minor children . . . . .	1096
250	Applications for travel documents . . . . .	1096
	<b>PART 15 — PRESCRIBED CONDITIONS</b>	
250.1	Inadmissibility on grounds of security — conditions . . . . .	1096
251	Immigration Appeal Division — conditions . . . . .	1097
	<b>PART 16 — SEIZURE</b>	
252	Custody of seized thing . . . . .	1098
253	Notice of seizure — person from whom seized . . . . .	1098
254	Application for return — person from whom seized . . . . .	1098
255	Application for return — lawful owner . . . . .	1099
256	Concurrent applications . . . . .	1100
257	Notice of decision . . . . .	1100
257.1	Automatic return . . . . .	1100
257.2	Conditional return . . . . .	1100
258	Sale or destruction of seized thing . . . . .	1100
	<b>PART 17 — TRANSPORTATION</b>	
258.1	Prescribed persons . . . . .	1101
259	Prescribed documents . . . . .	1101
260	Holding prescribed documentation . . . . .	1101
261	Obligation to hold a person . . . . .	1101
262	Stowaway notification . . . . .	1102
263	Medical examination and treatment . . . . .	1102
264	Prescribed information . . . . .	1102
265	Crew list . . . . .	1102
266	Assembly . . . . .	1103
267	Canadian registered vessels . . . . .	1103
268	Reporting obligation . . . . .	1103
269	Prescribed information . . . . .	1103
270	Notice by Canada Border Services Agency . . . . .	1106
271	Facilities for holding and examination . . . . .	1106
272	Examination on vessels . . . . .	1107
273	Obligation to carry from Canada . . . . .	1107
274	Members of a crew . . . . .	1107
275	Notification . . . . .	1107
276	Notifying commercial transporter . . . . .	1107
277	Relief from obligations . . . . .	1108
278	Removal costs . . . . .	1109

Table of Contents

279	Assessment of administration fee . . . . .	1109
280	Administration fee . . . . .	1110
281	Notice of assessment . . . . .	1111
282	Submissions concerning assessment . . . . .	1111
283	Security . . . . .	1112
284	Application of s. 148(2) of the Act . . . . .	1112
285	Object detained or seized . . . . .	1112
286	Notice of seizure . . . . .	1112
287	Sale of a seized object . . . . .	1113
<b>PART 18 — LOANS</b>		
288	Definition of “beneficiary” . . . . .	1113
289	Types of loans . . . . .	1114
290	Maximum amount . . . . .	1114
291	Repayment . . . . .	1115
292	Deferred repayment . . . . .	1115
293	No interest on loan . . . . .	1115
<b>PART 19 — FEES</b>		
<b>DIVISION 1 — GENERAL</b>		
294	Interpretation . . . . .	1116
<b>DIVISION 2 — FEES FOR APPLICATIONS FOR AUTHORIZATIONS, VISAS AND PERMITS</b>		
<i><b>Electronic Travel Authorizations</b></i>		
294.1	Fee — \$7 . . . . .	1116
<i><b>Permanent Resident Visas</b></i>		
295	Permanent resident visa . . . . .	1117
<i><b>Temporary Resident Visas</b></i>		
296	Single or multiple entry — \$100 . . . . .	1119
297	[Repealed SOR/2014-19, s. 3.] . . . . .	1120
<i><b>Temporary Resident Permits</b></i>		
298	Fee — \$200 . . . . .	1120
<i><b>Work Permits</b></i>		
299	Fee — \$155 . . . . .	1121
<i><b>Study Permits</b></i>		
300	Fee — \$150 . . . . .	1122
<b>DIVISION 3 — FEES FOR APPLICATIONS TO REMAIN IN CANADA AS A PERMANENT RESIDENT</b>		
301	Fee . . . . .	1123
302	Fee — \$325 . . . . .	1124
<b>DIVISION 4 — RIGHT OF PERMANENT RESIDENCE</b>		
303	Fee — \$500 . . . . .	1124
<b>DIVISION 4.1 — OTHER FEES IN RESPECT OF WORK PERMITS</b>		
<i><b>Compliance Regime — Employer Fee</b></i>		
303.1	Fee — \$230 . . . . .	1125
<i><b>Rights and Privileges</b></i>		
303.2	Fee — \$100 . . . . .	1126



Table of Contents

	<b>DIVISION 5 — FEES FOR OTHER APPLICATIONS AND SERVICES</b>	
	<b><i>Sponsorship Application for Family Classes</i></b>	
304	Fee — \$75 . . . . .	1127
	<b><i>Extension of Authorization to Remain in Canada as a Temporary Resident</i></b>	
305	Fee — \$100 . . . . .	1127
	<b><i>Restoration of Temporary Resident Status</i></b>	
306	Fee — \$200 . . . . .	1128
	<b><i>Fees for a Request under Section 25 of the Act or an Examination of Circumstances under Section 25.2 of the Act</i></b>	
307	Fees . . . . .	1128
	<b><i>Permanent Resident Cards</i></b>	
308	Fee — \$50 . . . . .	1129
	<b><i>Determination of Rehabilitation</i></b>	
309	Fees . . . . .	1129
	<b><i>Authorization to Return to Canada</i></b>	
310	Fee — \$400 . . . . .	1129
	<b><i>Certification and Replacement of Immigration Document</i></b>	
311	Certification — \$30 . . . . .	1129
	<b><i>After-hours Examination</i></b>	
312	Fee — \$100 . . . . .	1130
	<b><i>Alternative Means of Examination</i></b>	
313	Fee — \$30 . . . . .	1130
	<b><i>Immigration Statistical Data</i></b>	
314	Fee for statistical data . . . . .	1130
315	Travel document . . . . .	1130
	<b><i>Services in Relation to Collection of Biometric Information</i></b>	
315.1	Fee — \$85 . . . . .	1131
	<b><i>Services in Relation to an Assessment from the Department of Employment and Social Development</i></b>	
	[Heading added SOR/2013-149, s. 1. Amended 2013, c. 40, s. 237(3)(a); SOR/2015-147, s. 1(f).]	
315.2	Fee — \$1,000 . . . . .	1133
	<b>PART 19.1 — INFORMATION SHARING BETWEEN COUNTRIES</b>	
	<b>DIVISION 1 — AGREEMENT BETWEEN THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA FOR THE SHARING OF VISA AND IMMIGRATION INFORMATION</b>	
315.21	Interpretation . . . . .	1135
315.22	Purpose . . . . .	1135
315.23	Authority to disclose information . . . . .	1135
315.24	Necessary, relevant and proportionate information . . . . .	1136
315.25	Information categories . . . . .	1136
315.26	Destruction of information . . . . .	1137
315.27	Correction of previously disclosed information . . . . .	1137

Table of Contents

<b>DIVISION 2 — ANNEX REGARDING THE SHARING OF INFORMATION ON ASYLUM AND REFUGEE STATUS CLAIMS TO THE STATEMENT OF MUTUAL UNDERSTANDING ON INFORMATION SHARING</b>		
315.28	Interpretation . . . . .	1137
315.29	Purpose . . . . .	1138
315.3	Authority to disclose information . . . . .	1138
315.31	Necessary, relevant and proportionate information . . . . .	1138
315.32	Method of disclosure . . . . .	1138
315.33	Data elements to be disclosed . . . . .	1138
315.34	Destruction of information . . . . .	1139
315.35	Correction of previously disclosed information . . . . .	1139
<b>DIVISION 3 — INFORMATION SHARING BETWEEN THE GOVERNMENT OF CANADA AND THE GOVERNMENTS OF AUSTRALIA, NEW ZEALAND AND THE UNITED KINGDOM</b>		
315.36	Interpretation . . . . .	1139
315.37	Purpose . . . . .	1140
315.38	Making of query . . . . .	1140
315.39	Disclosure of information — query or response . . . . .	1140
315.4	Making of query — permitted purposes . . . . .	1140
315.41	Disclosure of information — permitted purposes . . . . .	1141
315.42	Correction of previously disclosed information . . . . .	1141
315.43	Retention and disposal of information . . . . .	1141
<b>PART 20 — TRANSITIONAL PROVISIONS</b>		
<b>DIVISION 1 — INTERPRETATION</b>		
316	Definitions . . . . .	1142
<b>DIVISION 2 — GENERAL PROVISIONS</b>		
317	Decisions and orders made under former Act . . . . .	1142
<b>DIVISION 3 — ENFORCEMENT</b>		
318	Terms and conditions . . . . .	1143
319	Removal order . . . . .	1143
320	Inadmissibility — security grounds . . . . .	1144
321	Reports . . . . .	1145
322	Detention . . . . .	1147
323	Order issued by Deputy Minister . . . . .	1147
324	Release . . . . .	1147
325	Warrants . . . . .	1147
326	Danger to the public . . . . .	1147
327	Certificates . . . . .	1148
328	Permanent residents . . . . .	1148
329	Visitors and permit holders . . . . .	1149
330	Examination . . . . .	1149
331	Performance bonds and security deposits . . . . .	1149
332	Seizures . . . . .	1149
333	Debts . . . . .	1149
<b>DIVISION 4 — REFUGEE AND HUMANITARIAN RESETTLEMENT PROGRAM</b>		
334	Applications for protection abroad . . . . .	1150
335	Family member . . . . .	1150
336	Sponsorship agreements . . . . .	1150
337	Sponsors . . . . .	1150

Table of Contents

	<b>DIVISION 5 — REFUGEE PROTECTION</b>	
338	Refugee protection . . . . .	1150
339	Rejection of a claim for refugee protection . . . . .	1151
340	Ineligibility . . . . .	1151
341	Withdrawal and abandonment . . . . .	1151
342	Eligibility . . . . .	1151
343	Redetermination of eligibility . . . . .	1151
344	Cessation of refugee protection . . . . .	1151
345	Vacation . . . . .	1151
346	Post-determination refugee claimants in Canada class . . . . .	1152
347	Application for landing — Convention refugees . . . . .	1152
	<b>DIVISION 6 — COURT PROCEEDINGS</b>	
348	Judicial review . . . . .	1153
349	Other court proceedings . . . . .	1154
350	Decisions referred back . . . . .	1154
	<b>DIVISION 7 — UNDERTAKINGS</b>	
351	Application of the Act to existing undertakings . . . . .	1155
	<b>DIVISION 8 — NON-ACCOMPANYING FAMILY MEMBERS</b>	
352	Not required to be included . . . . .	1156
353	Requirements not applicable . . . . .	1157
354	Requirements not applicable . . . . .	1157
355	Family members not excluded from family class . . . . .	1157
	<b>DIVISION 9 — FIANCÉS</b>	
356	Pending applications . . . . .	1158
	<b>DIVISION 10 — FEES</b>	
357	Remission — right of landing fee . . . . .	1158
358	Fees to be reapplied . . . . .	1158
359	Remission — returning resident permit fee . . . . .	1159
360	Remission — fee for review of family business employment offer . . . . .	1159
	<b>DIVISION 11 — ECONOMIC CLASSES</b>	
361	Equivalent assessment . . . . .	1159
362	Investors . . . . .	1163
363	Entrepreneurs . . . . .	1164
	<b>PART 21 — REPEALS AND COMING INTO FORCE</b>	
	<i>Repeals</i>	
364	Regulations repealed . . . . .	1164

Table of Contents

	<b><i>Coming Into Force</i></b>	
365	Coming into force .....	1164
	<b>SCHEDULE 1</b> [Repealed SOR/2020-55, s. 7.]	
	<b>SCHEDULE 1.01</b> [Repealed SOR/2018-128, s. 10(2).]	
	<b>SCHEDULE 1.1 — COUNTRY</b>	
	<b>SCHEDULE 2 — VIOLATIONS</b>	
	<b>SCHEDULE 3 — [PROPOSED] INFORMATION ABOUT PERSONS IN A RESERVATION SYSTEM</b>	
	 <b>2011-142 — REGULATIONS DESIGNATING A BODY FOR THE PURPOSES OF PARAGRAPH 91(2)(C) OF THE IMMIGRATION AND REFUGEE PROTECTION ACT</b>	
	<b>INTERPRETATION</b>	
1	.....	1173
	<b>DESIGNATION</b>	
2	.....	1173
	<b>TRANSITIONAL MEASURES</b>	
3	.....	1174
	<b>COMING INTO FORCE</b>	
4	.....	1174
	 <b>2012-256 — REFUGEE PROTECTION DIVISION RULES</b>	
	<b>INTERPRETATION</b>	
1	Definitions .....	1175
	<b>COMMUNICATING WITH THE DIVISION</b>	
2	Communicating with Division .....	1176
	<b>INFORMATION AND DOCUMENTS TO BE PROVIDED</b>	
	<b><i>Claims for Refugee Protection</i></b>	
3	Fixing date, time and location of hearing .....	1176
4	Claimant’s contact information .....	1177
5	Declaration — counsel not representing or advising for consideration .....	1178
	<b><i>Basis of Claim Form</i></b>	
6	Claimant’s declarations .....	1178
7	Providing Basis of Claim Form — inland claim .....	1178
8	Application for extension of time .....	1179
9	Changes or additions to Basis of Claim Form .....	1180
	<b><i>Conduct of a Hearing</i></b>	
10	Standard order of questioning .....	1180
	<b><i>Documents Establishing Identity and Other Elements of the Claim</i></b>	
11	Documents .....	1181

Table of Contents

	<b><i>Application to Vacate or to Cease Refugee Protection</i></b>	
12	Contact information . . . . .	1181
13	Declaration — counsel not representing or advising for consideration . . . . .	1181
	<b>COUNSEL OF RECORD</b>	
14	Becoming counsel of record . . . . .	1181
15	Request to be removed as counsel of record . . . . .	1182
16	Removing counsel of record . . . . .	1182
	<b>LANGUAGE OF PROCEEDINGS</b>	
17	Choice of language — claim for refugee protection . . . . .	1182
18	Choice of language — application to vacate or cease refugee protection . . . . .	1183
	<b>INTERPRETERS</b>	
19	Need for interpreter — claimant . . . . .	1183
	<b>DESIGNATED REPRESENTATIVES</b>	
20	Duty of counsel or officer to notify . . . . .	1184
	<b>DISCLOSURE OF PERSONAL INFORMATION</b>	
21	Disclosure of information from another claim . . . . .	1186
	<b>SPECIALIZED KNOWLEDGE</b>	
22	Notice to parties . . . . .	1187
	<b>ALLOWING A CLAIM WITHOUT A HEARING</b>	
23	Claim allowed without hearing . . . . .	1188
	<b>CONFERENCES</b>	
24	Requirement to participate at conference . . . . .	1188
	<b>NOTICE TO APPEAR</b>	
25	Notice to appear . . . . .	1188
	<b>EXCLUSION, INTEGRITY ISSUES, INADMISSIBILITY AND INELIGIBILITY</b>	
26	Notice to Minister of possible exclusion before hearing . . . . .	1189
27	Notice to Minister of possible integrity issues before hearing . . . . .	1189
28	Notice of possible inadmissibility or ineligibility . . . . .	1190
	<b>INTERVENTION BY THE MINISTER</b>	
29	Notice of intention to intervene . . . . .	1190
	<b>CLAIMANT OR PROTECTED PERSON IN CUSTODY</b>	
30	Custody . . . . .	1191
	<b>DOCUMENTS</b>	
	<b><i>Form and Language of Documents</i></b>	
31	Documents prepared by party . . . . .	1191
32	Language of documents — claimant or protected person . . . . .	1191
	<b><i>Disclosure and Use of Documents</i></b>	
33	Disclosure of documents by Division . . . . .	1192
34	Disclosure of documents by party . . . . .	1192
35	Documents relevant and not duplicate . . . . .	1193
36	Use of undisclosed documents . . . . .	1193
	<b><i>Providing a Document</i></b>	
37	General provision . . . . .	1194
38	Providing documents to Division . . . . .	1194

Table of Contents

39	How to provide document . . . . .	1194
40	Application if unable to provide document . . . . .	1194
41	When document received by Division . . . . .	1195
	<b>Original Documents</b>	
42	Original documents . . . . .	1195
	<b>Additional Documents</b>	
43	Documents after hearing . . . . .	1195
	<b>WITNESSES</b>	
44	Providing witness information . . . . .	1197
45	Requesting summons . . . . .	1198
46	Cancelling summons . . . . .	1198
47	Arrest warrant . . . . .	1198
48	Excluded witness . . . . .	1199
	<b>APPLICATIONS</b>	
	<b>General</b>	
49	General provision . . . . .	1199
	<b>How to Make an Application</b>	
50	Written application and time limit . . . . .	1199
	<b>How to Respond to a Written Application</b>	
51	Responding to written application . . . . .	1200
	<b>How to Reply to a Written Response</b>	
52	Replying to written response . . . . .	1200
	<b>CHANGING THE LOCATION OF A PROCEEDING</b>	
53	Application to change location . . . . .	1201
	<b>CHANGING THE DATE OR TIME OF A PROCEEDING</b>	
54	Application in writing . . . . .	1202
	<b>JOINING OR SEPARATING CLAIMS OR APPLICATIONS</b>	
55	Claims automatically joined . . . . .	1205
56	Application to join . . . . .	1205
	<b>PROCEEDINGS CONDUCTED IN PUBLIC</b>	
57	Minister considered party . . . . .	1206
	<b>OBSERVERS</b>	
58	Observers . . . . .	1208
	<b>WITHDRAWAL</b>	
59	Abuse of process . . . . .	1208
	<b>REINSTATING A WITHDRAWN CLAIM OR APPLICATION</b>	
60	Application to reinstate withdrawn claim . . . . .	1209
61	Application to reinstate withdrawn application to vacate or to cease refugee protection . . . . .	1209
	<b>REOPENING A CLAIM OR APPLICATION</b>	
62	Application to reopen claim . . . . .	1209
63	Application to reopen application to vacate or to cease refugee protection . . . . .	1212
	<b>APPLICATIONS TO VACATE OR TO CEASE REFUGEE PROTECTION</b>	
64	Form of application . . . . .	1214

Table of Contents

	<b>ABANDONMENT</b>	
65	Opportunity to explain . . . . .	1214
	<b>NOTICE OF CONSTITUTIONAL QUESTION</b>	
66	Notice of constitutional question . . . . .	1217
	<b>DECISIONS</b>	
67	Notice of decision and reasons . . . . .	1218
68	When decision of single member takes effect . . . . .	1225
	<b>GENERAL PROVISIONS</b>	
69	No applicable rule . . . . .	1225
70	Powers of Division . . . . .	1227
71	Failure to follow rule . . . . .	1227
	<b>REPEALS</b>	
72	Repeal . . . . .	1227
73	Repeal . . . . .	1227
	<b>COMING INTO FORCE</b>	
74	S.C. 2010, c. 8 . . . . .	1227
	<b>SCHEDULE 1 — CLAIMANT’S INFORMATION AND BASIS OF CLAIM</b>	
	<b>SCHEDULE 2 — INFORMATION TO BE PROVIDED ABOUT THE CLAIMANT BY AN OFFICER</b>	
	<b>SCHEDULE 3 — INFORMATION AND DECLARATIONS — COUNSEL NOT REPRESENTING OR ADVISING FOR CONSIDERATION</b>	
	 <b>2012-257 — REFUGEE APPEAL DIVISION RULES</b>	
	<b>INTERPRETATION</b>	
1	Definitions . . . . .	1232
	<b>PART 1 — RULES APPLICABLE TO APPEALS MADE BY A PERSON WHO IS THE SUBJECT OF AN APPEAL</b>	
	<b><i>Filing and Perfecting an Appeal</i></b>	
2	Filing appeal . . . . .	1233
3	Perfecting appeal . . . . .	1233
	<b><i>Intervention by the Minister</i></b>	
4	Notice of intervention . . . . .	1235
	<b><i>Reply</i></b>	
5	Reply to Minister’s intervention . . . . .	1236
	<b><i>Extension of Time</i></b>	
6	Application for extension of time to file or perfect . . . . .	1237
	<b><i>Disposition of an Appeal</i></b>	
7	Decision without further notice . . . . .	1238
	<b>PART 2 — RULES APPLICABLE TO APPEALS MADE BY THE MINISTER</b>	
	<b><i>Filing and Perfecting an Appeal</i></b>	
8	Filing appeal . . . . .	1238
9	Perfecting appeal . . . . .	1239

Table of Contents

	<b><i>Response to an Appeal</i></b>	
10	Response to appeal . . . . .	1240
	<b><i>Reply</i></b>	
11	Minister's reply . . . . .	1241
	<b><i>Extension of Time</i></b>	
12	Application for extension of time — Minister . . . . .	1242
	<b><i>Disposition of an Appeal</i></b>	
13	Decision without further notice . . . . .	1243
	<b>PART 3 — RULES APPLICABLE TO ALL APPEALS</b>	
	<b><i>Communicating with the Division</i></b>	
14	Communicating with Division . . . . .	1243
15	Change to contact information . . . . .	1243
	<b><i>Counsel</i></b>	
16	Retaining counsel after providing notice . . . . .	1243
17	Declaration — counsel not representing or advising for consideration . . . . .	1244
18	Becoming counsel of record . . . . .	1244
19	Request to be removed as counsel of record . . . . .	1244
20	Removing counsel of record . . . . .	1244
	<b><i>Refugee Protection Division Record</i></b>	
21	Providing notice of appeal . . . . .	1245
	<b><i>Language of the Appeal</i></b>	
22	Choice of language . . . . .	1245
	<b><i>Designated Representatives</i></b>	
23	Continuation of designation . . . . .	1245
	<b><i>Specialized Knowledge</i></b>	
24	Notice to parties . . . . .	1247
	<b><i>Notice of Constitutional Question</i></b>	
25	Notice of constitutional question . . . . .	1248
	<b><i>Conferences</i></b>	
26	Requirement to participate at conference . . . . .	1248
	<b><i>Documents</i></b>	
	<b><i>Form and Language of Documents</i></b>	
27	Documents prepared by party . . . . .	1249
28	Language of documents — person . . . . .	1249
	<b><i>Documents or Written Submissions not Previously Provided</i></b>	
29	Documents or written submissions not previously provided — person . . . . .	1249
	<b><i>Providing a Document</i></b>	
30	General provision . . . . .	1250
31	Providing documents to Division . . . . .	1250
32	How to provide document . . . . .	1251
33	Application if unable to provide document . . . . .	1251
34	Proof document was provided . . . . .	1251
35	When document received by division . . . . .	1251



Table of Contents

	<b>Applications</b>	
	<b>General</b>	
36	General provision . . . . .	1252
	<b>How to Make an Application</b>	
37	Form of application and time limit . . . . .	1252
	<b>How to Respond to a Written Application</b>	
38	Responding to written application . . . . .	1253
	<b>How to Reply to a Written Response</b>	
39	Replying to written response . . . . .	1253
	<b>Joining or Separating Appeals</b>	
40	Appeals automatically joined . . . . .	1254
41	Application to join . . . . .	1254
	<b>Proceedings Conducted in Public</b>	
42	Minister considered party . . . . .	1255
	<b>Assignment of Three-Member Panel</b>	
43	Notice of order . . . . .	1256
	<b>UNHCR and Interested Persons</b>	
44	Rules applicable to UNHCR and interested persons . . . . .	1257
45	Notice to Division . . . . .	1257
46	Application by person to participate . . . . .	1258
	<b>Withdrawal</b>	
47	Abuse of process . . . . .	1260
	<b>Reinstating a Withdrawn Appeal</b>	
48	Application to reinstate withdrawn appeal . . . . .	1260
	<b>Reopening an Appeal</b>	
49	Application to reopen appeal . . . . .	1261
	<b>Decisions</b>	
50	Notice of decision . . . . .	1262
51	When decision of single member takes effect . . . . .	1262
	<b>General Provisions</b>	
52	No applicable rule . . . . .	1262
53	Powers of Division . . . . .	1262
54	Failure to follow rules . . . . .	1263
	<b>PART 4 — RULES APPLICABLE TO AN APPEAL FOR WHICH A HEARING IS HELD</b>	
	<b>Fixing a Date for a Hearing</b>	
55	Conference to fix date for hearing . . . . .	1263
	<b>Notice to Appear</b>	
56	Notice to appear . . . . .	1263
	<b>Conduct of a Hearing</b>	
57	Restriction of hearing . . . . .	1263
	<b>Person Who Is the Subject of an Appeal in Custody</b>	
58	Custody . . . . .	1264
	<b>Interpreters</b>	
59	Need for interpreter — person . . . . .	1264

Table of Contents

	<b>Observers</b>	
60	Observers . . . . .	1264
	<b>Witnesses</b>	
61	Providing witness information . . . . .	1265
62	Requesting summons . . . . .	1265
63	Cancelling summons . . . . .	1266
64	Arrest warrant . . . . .	1266
65	Excluded witness . . . . .	1266
	<b>Changing the Location of a Hearing</b>	
66	Application to change location . . . . .	1266
	<b>Changing the Date or Time of a Hearing</b>	
67	Application to change date or time . . . . .	1267
	<b>Abandonment</b>	
68	Abandonment after hearing scheduled . . . . .	1269
	<b>Coming Into Force</b>	
69	S.C. 2001, c. 27 . . . . .	1269

**SCHEDULE [1] — INFORMATION AND DECLARATIONS — COUNSEL NOT REPRESENTING OR ADVISING FOR CONSIDERATION**

**2002-229 — IMMIGRATION DIVISION RULES**

	<b>DEFINITIONS</b>	
1	Definitions . . . . .	1271
	<b>COMMUNICATING WITH THE DIVISION</b>	
2	Communicating with the Division . . . . .	1271
	<b>PART 1 — RULES APPLICABLE TO ADMISSIBILITY HEARINGS</b>	
	<b>Information</b>	
3	Information provided by the Minister . . . . .	1272
4	Change to contact information . . . . .	1272
	<b>Withdrawing a Request by the Minister for an Admissibility Hearing</b>	
5	Abuse of process . . . . .	1273
	<b>Reinstating a Request by the Minister for an Admissibility Hearing</b>	
6	Application for reinstatement of withdrawn request . . . . .	1273
	<b>Decision</b>	
7	Favourable decision . . . . .	1274
	<b>PART 2 — RULES APPLICABLE TO DETENTION REVIEWS</b>	
	<b>Information</b>	
8	Information provided by the Minister . . . . .	1275
9	Application for early review . . . . .	1275
10	Removal before detention review . . . . .	1275
	<b>Decisions</b>	
11	Notice to the parties . . . . .	1276

Table of Contents

**PART 3 — RULES THAT APPLY TO BOTH ADMISSIBILITY HEARINGS AND DETENTION  
REVIEWS**

	<b><i>Information Relating to Counsel</i></b>	
12	Counsel's contact information . . . . .	1276
	<b><i>Counsel of Record</i></b>	
13	Becoming counsel of record . . . . .	1276
14	Withdrawal as counsel of record . . . . .	1276
15	Removal of counsel of record . . . . .	1276
	<b><i>Language of Proceedings</i></b>	
16	Changing the language of proceedings . . . . .	1277
17	Requesting an interpreter . . . . .	1277
	<b><i>Designated Representatives</i></b>	
18	Duty of counsel to notify the Division . . . . .	1277
19	Requirements for being designated . . . . .	1277
	<b><i>Conference</i></b>	
20	Requirement to participate at a conference . . . . .	1278
	<b><i>Fixing a Date</i></b>	
21	Fixing a date . . . . .	1278
	<b><i>Notice to Appear</i></b>	
22	Notice to appear . . . . .	1278
	<b><i>Permanent Resident or Foreign National in Custody</i></b>	
23	Order . . . . .	1278
	<b><i>Documents</i></b>	
	<b><i>Form and Language of Documents</i></b>	
24	Documents prepared by party . . . . .	1278
25	Language of documents . . . . .	1279
	<b><i>Disclosure of Documents</i></b>	
26	Disclosure of documents by a party . . . . .	1279
	<b><i>How to Provide A Document</i></b>	
27	General provision . . . . .	1279
28	Providing documents to the Division . . . . .	1279
29	How to provide a document . . . . .	1279
30	If document cannot be provided under rule 29 . . . . .	1280
31	When a document is considered received by the Division . . . . .	1280
	<b><i>Witnesses</i></b>	
32	Providing witness information . . . . .	1280
33	Application for a summons . . . . .	1281
34	Cancelling a summons . . . . .	1281
35	Arrest warrant . . . . .	1281
36	Excluded witness . . . . .	1282
	<b><i>Applications</i></b>	
37	General provision . . . . .	1282
	<b><i>How to Make an Application</i></b>	
38	Application to the Division . . . . .	1282
	<b><i>How to Respond to a Written Application</i></b>	
39	Responding to a written application . . . . .	1282

Table of Contents

	<b>How to Reply to a Written Response</b>	
40	Replying to a written response . . . . .	1283
	<b>Non-disclosure of Information</b>	
41	Application to prohibit disclosure . . . . .	1283
	<b>Changing the Location of a Hearing</b>	
42	Application to change the location of a hearing . . . . .	1284
	<b>Changing the Date or Time of a Hearing</b>	
43	Application to change the date or time of a hearing . . . . .	1284
	<b>Joining or Separating Hearings</b>	
44	Application to join hearings . . . . .	1285
	<b>Proceedings Conducted in Private</b>	
45	Application for proceeding conducted in private . . . . .	1286
	<b>Proceeding Conducted in Public</b>	
46	Application for proceeding conducted in public . . . . .	1286
	<b>Notice of Constitutional Question</b>	
47	Notice of constitutional question . . . . .	1287
	<b>Oral Representations</b>	
48	Oral representations . . . . .	1287
	<b>General Provisions</b>	
49	No applicable rule . . . . .	1287
50	Powers of the Division . . . . .	1289
51	Failing to follow a rule . . . . .	1289
	<b>Coming Into Force</b>	
52	Coming into force . . . . .	1289

**2002-230 — IMMIGRATION APPEAL DIVISION RULES**

	<b>DEFINITIONS</b>	
1	Definitions . . . . .	1290
	<b>COMMUNICATING WITH THE DIVISION</b>	
2	Communicating with the Division . . . . .	1290
	<b>APPEAL BY A SPONSOR</b>	
3	Notice of appeal . . . . .	1290
4	Appeal record . . . . .	1291
	<b>APPEAL FROM A REMOVAL ORDER MADE AT AN ADMISSIBILITY HEARING</b>	
5	Notice of appeal . . . . .	1291
6	Appeal record . . . . .	1292
	<b>APPEAL FROM A REMOVAL ORDER MADE AT AN EXAMINATION</b>	
7	Notice of appeal . . . . .	1292
8	Appeal record . . . . .	1293
	<b>APPEAL FROM A DECISION MADE OUTSIDE CANADA ON THE RESIDENCY OBLIGATION</b>	
9	Notice of appeal . . . . .	1294
10	Appeal record . . . . .	1294

Table of Contents

<b>APPEAL BY THE MINISTER FROM A DECISION OF THE IMMIGRATION DIVISION IN AN</b>	
<b>ADMISSIBILITY HEARING</b>	
11	Notice of Appeal . . . . . 1294
12	Appeal record . . . . . 1295
<b>CONTACT INFORMATION</b>	
13	Contact information for the subject of the appeal . . . . . 1295
<b>COUNSEL OF RECORD</b>	
14	Becoming counsel of record . . . . . 1296
15	Request to be removed as counsel of record . . . . . 1296
16	Removing counsel of record . . . . . 1296
<b>LANGUAGE OF THE APPEAL</b>	
17	Choice of language . . . . . 1296
18	Need for an interpreter . . . . . 1297
<b>DESIGNATED REPRESENTATIVE</b>	
19	Duty of counsel to notify . . . . . 1297
<b>PROCEEDINGS IN AN APPEAL</b>	
<b><i>Alternative Dispute Resolution Process</i></b>	
20	Participation in the alternative dispute resolution process . . . . . 1298
<b>CONFERENCE</b>	
21	Requirement to participate at a conference . . . . . 1299
<b>FIXING A DATE FOR A PROCEEDING</b>	
22	Fixing a date . . . . . 1299
<b>NOTICE TO APPEAR</b>	
23	Notice to appear . . . . . 1299
<b>SUBJECT OF AN APPEAL IN CUSTODY</b>	
24	Custody . . . . . 1299
<b>PROCEEDING IN WRITING</b>	
25	Proceeding in writing . . . . . 1300
<b>STAY OF REMOVAL ORDER</b>	
26	Application to reconsider an appeal . . . . . 1300
27	Notice requirement — cancellation of stay . . . . . 1300
<b>DOCUMENTS</b>	
<b><i>Form and Language of Documents</i></b>	
28	Documents prepared by party . . . . . 1301
29	Language of documents — subject of the appeal . . . . . 1301
<b><i>Disclosure of Documents</i></b>	
30	Disclosure of documents by a party . . . . . 1301
31	Use of undisclosed documents . . . . . 1302
<b><i>Providing a Document</i></b>	
32	General provision . . . . . 1302
33	Providing documents to the Division . . . . . 1302
34	How to provide a document . . . . . 1302
35	If document cannot be provided under rule 34 . . . . . 1302
36	When a document is considered received by the Division . . . . . 1302

Table of Contents

	<b>WITNESSES</b>	
37	Providing witness information . . . . .	1303
38	Requesting a summons . . . . .	1305
39	Cancelling a summons . . . . .	1305
40	Arrest warrant . . . . .	1305
41	Excluded witness . . . . .	1306
	<b>APPLICATIONS</b>	
42	General provision . . . . .	1306
	<b><i>How to Make an Application</i></b>	
43	Form of application and time limit . . . . .	1307
	<b><i>How to Respond to a Written Application</i></b>	
44	Responding to a written application . . . . .	1307
	<b><i>How to Reply to a Written Response</i></b>	
45	Replying to a written response . . . . .	1308
	<b>RETURN TO CANADA TO APPEAR AT A HEARING</b>	
46	Application for an order to appear . . . . .	1308
	<b>CHANGING THE LOCATION OF THE PROCEEDING</b>	
47	Application to change the location of a proceeding . . . . .	1308
	<b>CHANGING THE DATE OR TIME OF A PROCEEDING</b>	
48	Application to change the date or time of a proceeding . . . . .	1309
	<b>PROCEEDING TO BE HELD IN PRIVATE</b>	
49	Form of application . . . . .	1311
	<b>WITHDRAWING AN APPEAL</b>	
50	Abuse of process . . . . .	1311
	<b>REINSTATING AN APPEAL AFTER WITHDRAWAL</b>	
51	Application to reinstate a withdrawn appeal . . . . .	1311
	<b>NOTICE OF CONSTITUTIONAL QUESTION</b>	
52	Notice of constitutional question . . . . .	1311
	<b>DECISIONS</b>	
53	Notice of decision . . . . .	1312
54	Written reasons for decision on appeal by a sponsor or that stays a removal order . . . . .	1312
55	When decision of single member takes effect . . . . .	1314
56	When decision of three-member panel takes effect . . . . .	1314
	<b>GENERAL PROVISIONS</b>	
57	No applicable rule . . . . .	1314
58	Powers of the Division . . . . .	1314
59	Failing to follow a rule . . . . .	1316
	<b>COMING INTO FORCE</b>	
60	Coming into force . . . . .	1316

Table of Contents

**2012-255 — OATH OR SOLEMN AFFIRMATION OF OFFICE RULES  
(IMMIGRATION AND REFUGEE BOARD)**

	<b>OATH OR SOLEMN AFFIRMATION OF OFFICE</b>	
1	Text of the oath or affirmation . . . . .	1317
	<b>REPEAL</b>	
2	Repeal . . . . .	1317
	<b>COMING INTO FORCE</b>	
3	S.C. 2010, c. 8 . . . . .	1317

**FEDERAL COURTS ACT**

**BARRISTERS, ADVOCATES, ATTORNEYS AND SOLICITORS**

11	Barrister or advocate . . . . .	1319
----	---------------------------------	------

**JURISDICTION OF FEDERAL COURT**

18	Extraordinary remedies, federal tribunals . . . . .	1321
18.1	Application for judicial review . . . . .	1325
18.2	Interim orders . . . . .	1391
18.3	Reference by federal tribunal . . . . .	1422
18.4	Hearings in a summary way . . . . .	1422
18.5	Exception to sections 18 and 18.1 . . . . .	1425

**JURISDICTION OF FEDERAL COURT OF APPEAL**

27	Appeals from Federal Court . . . . .	1425
----	--------------------------------------	------

**PROCEDURE**

48	How proceeding against Crown instituted . . . . .	1428
50	Stay of proceedings authorized . . . . .	1429

**JUDGMENTS OF FEDERAL COURT OF APPEAL**

52	Powers of Federal Court of Appeal . . . . .	1431
----	---	------

**GENERAL**

57	Constitutional questions . . . . .	1432
----	------------------------------------	------

**98-106 — FEDERAL COURTS RULES**

**PART 2 — ADMINISTRATION OF THE COURT**

***Court Files***

22	Caveat register . . . . .	1434
----	---------------------------	------

***Summoning of Witnesses or Other Persons***

41	Subpoena for witness . . . . .	1434
----	--------------------------------	------

**PART 3 — RULES APPLICABLE TO ALL PROCEEDINGS**

***General***

**Appeals of Prothonotaries' Orders**

51	Appeal . . . . .	1436
----	------------------	------

**Orders and Directions**

54	Motion for directions . . . . .	1436
----	---------------------------------	------

Table of Contents

	<b><i>Court Documents</i></b>	
	<b>Filing of Documents</b>	
72	Irregular documents . . . . .	1437
72.1	Time of filing . . . . .	1438
72.2	Paper copies — fax or electronic transmission . . . . .	1438
72.3	Retention and provision of paper copy . . . . .	1438
	<b><i>Affidavit Evidence and Examinations</i></b>	
	<b>Affidavits</b>	
84	When cross-examination may be made . . . . .	1438
	<b><i>Joinder, Intervention and Parties</i></b>	
	<b>Joinder</b>	
104	Order for joinder or relief against joinder . . . . .	1439
105	Consolidation of proceedings . . . . .	1440
	<b><i>Representation of Parties</i></b>	
	<b>General</b>	
119	Individuals . . . . .	1440
	<b><i>Filing of Confidential Material</i></b>	
151	Motion for order of confidentiality . . . . .	1441
152	Marking of confidential material . . . . .	1442
	<b><i>Summary Disposition</i></b>	
167	Dismissal for delay . . . . .	1443
	<b>PART 4 — ACTIONS</b>	
	<b><i>Summary Judgment and Summary Trial</i></b>	
	<b>Motion and Service</b>	
213	Motion by a party . . . . .	1444
	<b><i>Striking Out Pleadings</i></b>	
221	Motion to strike . . . . .	1445
	<b>PART 5 — APPLICATIONS</b>	
	<b>General</b>	
302	Limited to single order . . . . .	1445
312	Additional steps . . . . .	1446
	<b>PART 7 — MOTIONS</b>	
369	Motions in writing . . . . .	1446
	<b>PART 9 — CASE MANAGEMENT AND DISPUTE RESOLUTION SERVICES</b>	
	<b><i>Case Management</i></b>	
	<b>Specially Managed Proceedings</b>	
384	Order for special management . . . . .	1448
	<b>PART 10 — ORDERS</b>	
397	Motion to reconsider . . . . .	1449
398	Stay of order . . . . .	1452
399	Setting aside or variance . . . . .	1453



Table of Contents

**PART 11 — COSTS**

***Awarding of Costs Between Parties***

404 Liability of solicitor for costs . . . . . 1453

**93-22 — FEDERAL COURTS CITIZENSHIP, IMMIGRATION AND REFUGEE PROTECTION RULES**

1 [Repealed SOR/2002-232, s. 2.] . . . . . 1455

2 **INTERPRETATION** . . . . . 1455

3 **APPLICATION** . . . . . 1456

4 . . . . . 1456

4.1 **DEEMED RECEIPT OF DOCUMENTS** . . . . . 1458

5 **FORM OF APPLICATION FOR LEAVE** . . . . . 1458

6 **EXTENSION OF TIME TO FILE AND SERVE APPLICATION FOR LEAVE** . . . . . 1459

7 **FILING AND SERVICE OF APPLICATION FOR LEAVE** . . . . . 1461

8 **NOTICE OF APPEARANCE** . . . . . 1462

8.1 **ANONYMITY ORDER** . . . . . 1462

9 **OBTAINING TRIBUNAL’S DECISION AND REASONS** . . . . . 1462

10 **PERFECTING APPLICATION FOR LEAVE** . . . . . 1464

11 **RESPONDENT’S AFFIDAVITS AND MEMORANDUM OF ARGUMENT** . . . . . 1469

12 **AFFIDAVITS** . . . . . 1470

13 **REPLY MEMORANDUM** . . . . . 1474

14 **DISPOSITION OF APPLICATION FOR LEAVE** . . . . . 1474

15 . . . . . 1475

16 . . . . . 1476

17 **OBTAINING TRIBUNAL’S RECORD** . . . . . 1477

18 **DISPOSITION OF APPLICATION FOR JUDICIAL REVIEW** . . . . . 1480

Table of Contents

	<b>APPEALS</b>	
19	[Repealed SOR/98-235, s. 4.] .....	1480
20	.....	1480
	<b>TIME LIMITS</b>	
21	.....	1481
	<b>COSTS</b>	
22	.....	1487
	<b>FEEs</b>	
23	.....	1496
	<b>COMING INTO FORCE</b>	
24	.....	1496
	<b>SCHEDULE</b>	
Form IR-1	.....	1496
Form IR-2	.....	1498
Form IR-3	.....	1499
Form IR-4	.....	1500
Form IR-5	.....	1501

	<b>APPENDIX I</b>	
	<b>GUIDELINES ISSUED BY THE CHAIRPERSON</b>	
	.....	1503

**APPENDIX II**  
**QUÉBEC IMMIGRATION ACT**

	<b>Chapter Chapter I — Objects</b>	
1	.....	1617
2	.....	1617
	<b>Chapter Chapter II — Immigration Planning</b>	
3	.....	1617
4	.....	1618
5	.....	1618
	<b>Chapter Chapter III — Temporary and Permanent Immigration</b>	
	<b>DIVISION I — IMMIGRATION CLASSES AND PROGRAMS</b>	
6	.....	1618
7	.....	1618
8	.....	1618
9	.....	1618
10	.....	1618
11	.....	1619
	<b>DIVISION II — TEMPORARY IMMIGRATION</b>	
12	.....	1619

Table of Contents

13	.....	1619
14	.....	1619
15	.....	1619
16	.....	1619
	<b>DIVISION III — TRANSITION TO PERMANENT IMMIGRATION</b>	
17	.....	1619
	<b>DIVISION IV — PERMANENT IMMIGRATION</b>	
	<b>§1. — General provisions</b>	
	<b>1. — Selection for Permanent Immigration</b>	
18	.....	1620
19	.....	1620
20	.....	1620
21	.....	1620
21.1	.....	1620
	<b>2. — Sponsorship Undertaking</b>	
22	.....	1620
23	.....	1620
24	.....	1620
	<b>§2. — Economic class</b>	
25	.....	1621
26	.....	1621
27	.....	1621
28	.....	1621
29	.....	1621
30	.....	1621
31	.....	1621
32	.....	1621
	<b>§3. — Family class</b>	
33	.....	1622
	<b>§4. — Humanitarian class</b>	
34	.....	1622
35	.....	1622
36	.....	1622
	<b>Chapter Chapter IV — Override Power</b>	
37	.....	1622
38	.....	1623
39	.....	1623
40	.....	1623
	<b>Chapter Chapter V — Application Procedure and Management</b>	
	<b>DIVISION I — CONDITIONS FOR FILING AN APPLICATION WITH THE MINISTER</b>	
41	.....	1623
	<b>DIVISION II — EXPRESSION OF INTEREST</b>	
42	.....	1623
43	.....	1623
44	.....	1624

Table of Contents

45	.....	1624
46	.....	1624
47	.....	1624
48	.....	1624
49	.....	1624
49.1	.....	1624
	<b>DIVISION III — MINISTER’S DECISION RESPECTING APPLICATION MANAGEMENT</b>	
50	.....	1625
51	.....	1625
52	.....	1625
53	.....	1625
	<b>DIVISION IV — REFUSAL TO EXAMINE, REJECTION OF AN APPLICATION AND INVALIDITY OF A DECISION</b>	
54	.....	1626
55	.....	1626
56	.....	1626
57	.....	1626
58	.....	1626
59	.....	1626
	<b>Chapter Chapter VI — Participation in Québec Society</b>	
60	.....	1627
61	.....	1627
61.1	.....	1627
	<b>Chapter Chapter VII — Immigration Consultant</b>	
62	.....	1627
63	.....	1627
64	.....	1627
65	.....	1628
66	.....	1628
67	.....	1628
68	.....	1628
69	.....	1628
70	.....	1628
	<b>Chapter Chapter VIII — Review of a Decision or Proceeding Before the Administrative Tribunal of Québec</b>	
71	.....	1628
72	.....	1628
	<b>Chapter Chapter IX — Required Fees</b>	
73	.....	1629
74	.....	1629
75	.....	1629
76	.....	1629
77	.....	1629
78	.....	1629
79	.....	1629

Table of Contents

80	.....	1630
81	.....	1630
82	.....	1630
	<b>Chapter Chapter X — Delegation and Agreements</b>	
83	.....	1630
84	.....	1630
	<b>Chapter Chapter XI — Inspection and Investigation</b>	
	<b>DIVISION I — INSPECTION</b>	
85	.....	1630
86	.....	1631
	<b>DIVISION II — INVESTIGATION</b>	
87	.....	1631
88	.....	1631
	<b>DIVISION III — MISCELLANEOUS PROVISIONS</b>	
89	.....	1632
90	.....	1632
91	.....	1632
	<b>Chapter Chapter XII — Penal Provisions</b>	
92	.....	1632
93	.....	1633
94	.....	1633
95	.....	1633
96	.....	1633
97	.....	1633
98	.....	1633
99	.....	1633
100	.....	1634
	<b>Chapter Chapter XIII — Regulations</b>	
101	.....	1634
102	.....	1634
103	.....	1634
104	.....	1634
105	.....	1634
106	.....	1634
	<b>Chapter Chapter XIV — Amending Provisions</b>	
	<i>Individual and Family Assistance Act</i>	
107	.....	1635
	<i>Act respecting administrative justice</i>	
108	.....	1635
109	.....	1635
	<i>Act respecting the Ministère de l'Immigration et des Communautés culturelles</i>	
110	.....	1635

Table of Contents

111	.....	1635
112	.....	1636
113	.....	1636
	<b>Act to amend the Act respecting the Ministère des Communautés culturelles et de l'Immigration</b>	
114	.....	1637
	<b>Act to amend the Act respecting immigration to Québec</b>	
115	.....	1637
	<b>Act to Amend the Act respecting immigration to Québec</b>	
116	.....	1637
	<b>Regulation respecting immigration consultants</b>	
117	.....	1637
118	.....	1637
119	.....	1637
120	.....	1637
	<b>Chapter Chapter XV — Transitional and Final Provisions</b>	
121	.....	1638
122	.....	1638
123	.....	1638
124	.....	1638
125	.....	1638
126	.....	1638
127	.....	1638
128	.....	1638
129	.....	1638
130	.....	1638

**APPENDIX III  
CHAPTER 16 OF CUSMA**

.....	1641
-------	------

**APPENDIX IV  
CHAPTER K OF CANADA-CHILE FTA**

.....	1655
-------	------

**APPENDIX V  
CHAPTER X OF CANADA-COSTA RICA FTA**

.....	1669
-------	------

Table of Contents

<b>APPENDIX VI</b>	
<b>CHAPTER 12 OF CANADA-PERU FTA</b>	
.....	1671
<b>APPENDIX VII</b>	
<b>CHAPTER 12 OF CANADA-COLOMBIA FTA</b>	
.....	1683
<b>APPENDIX VIII</b>	
<b>CHAPTER 12 OF CANADA-KOREA FTA</b>	
.....	1693
<b>APPENDIX IX</b>	
<b>COMPREHENSIVE ECONOMIC AND TRADE AGREEMENT</b>	
.....	1705
<b>APPENDIX X</b>	
<b>CANADA-UK TRADE CONTINUITY AGREEMENT</b>	
.....	1739
<b>APPENDIX XI</b>	
<b>CONSTITUTION ACT, 1982</b>	
<b>PART I — CANADIAN CHARTER OF RIGHTS AND FREEDOMS</b>	
<b>Guarantee of Rights and Freedoms</b>	
1	Rights and freedoms in Canada ..... 1741
<b>Fundamental Freedoms</b>	
2	Fundamental freedoms ..... 1741
<b>Democratic Rights</b>	
3	Democratic rights of citizens ..... 1741
4	Maximum duration of legislative bodies ..... 1752
5	Annual sitting of legislative bodies ..... 1741
<b>Mobility Rights</b>	
6	Mobility of citizens ..... 1742
<b>Legal Rights</b>	
7	Life, liberty and security of person ..... 1742
8	Search or seizure ..... 1742
9	Detention or imprisonment ..... 1742
10	Arrest or detention ..... 1742
11	Proceedings in criminal and penal matters ..... 1743

Table of Contents

12	Treatment or punishment . . . . .	1743
13	Self-crimination . . . . .	1743
14	Interpreter . . . . .	1743
	<b>Equality Rights</b>	
15	Equality before and under law and equal protection and benefit of law . . . . .	1743
	<b>Official Languages of Canada</b>	
16	Official languages of Canada . . . . .	1744
16.1	English and French linguistic communities in New Brunswick . . . . . . . . . .	1744
17	Proceedings of Parliament . . . . .	1744
18	Parliamentary statutes and records . . . . .	1744
19	Proceedings in courts established by Parliament . . . . .	1744
20	Communications by public with federal institutions . . . . .	1745
21	Continuation of existing Constitutional provisions . . . . .	1745
22	Rights and privileges preserved . . . . .	1745
	<b>Minority Language Educational Rights</b>	
23	Language of instruction . . . . .	1745
	<b>Enforcement</b>	
24	Enforcement of guaranteed rights and freedoms . . . . .	1746
25	Aboriginal rights and freedoms not affected by Charter . . . . .	1746
26	Other rights and freedoms not affected by Charter . . . . .	1746
27	Multicultural heritage . . . . .	1746
28	Rights guaranteed equally to both sexes . . . . .	1746
29	Rights respecting certain schools preserved . . . . .	1746
30	Application to Territories and territorial authorities . . . . .	1747
31	Legislative powers not extended . . . . .	1747
	<b>Application of Charter</b>	
32	Application of Charter . . . . .	1747
33	Exception where express declaration . . . . .	1747
	<b>Citation</b>	
34	Citation . . . . .	1747