

## **More Citizenship and Immigration Changes!**

For those who are still keeping tabs on the myriad changes in Canada's immigration law and policy, please see below a summary of further changes that were introduced by Citizenship and Immigration Canada (CIC) in just the first two weeks of February 2014.

### *PGP Sponsorship Applications Closed for 2014*

On 3 February 2014, CIC announced that the annual quota of 5,000 complete applications under the parent and grandparent sponsorship (PGP) category had been filled. Therefore, no new PGP applications will be accepted by CIC in 2014 and prospective applicants will have to wait until the quota is reopened in 2015.

Despite the annual limit of 5,000 applications, CIC expects to admit up to 20,000 parents and grandparents this year most of whom will come from the huge backlog of applications accumulated in the previous years. This is expected to substantially reduce the processing time for all pending PGP sponsorship applications which are taking up to six or more years to process.

The alternative means for parents and grandparents to come to Canada will be to apply for supervisas which are multiple entry visas valid for up to ten years and which will allow parents and grandparents to stay in Canada for up to two years at a time.

### *Proposed Citizenship Act Changes*

On 3 February 2014, CIC released the details of the proposed changes to Canada's Citizenship Act. These changes, which are still subject to legislative review and approval, include:

- Citizenship applicants will be required to be physically present in Canada for at least 1,460 days/four years in the last six years (3 in the last 4 years at present)
- Citizenship applicants will be required to be physically present in Canada for at least 183 days/six months in four out of the last six years (not required at present)
- No more credit will be given for presence in Canada before becoming a permanent resident (credit for half of time spent in Canada as a valid temporary resident for up to a year maximum is allowed at present)
- Applicants will be required to prove intent to reside in Canada (not required at present)
- Applicants with foreign criminal charges and convictions will be disqualified from obtaining citizenship (limited to domestic criminal charges and convictions at present)
- Applicants from 14 to 64 will need to satisfy the language and knowledge requirements (18 to 54 years old at present)
- Adult applicants will be required to file Canadian income tax returns (not required at present)
- Fines and penalties for fraud committed by applicants and consultants will be increased to a maximum of \$100,000 or up to 5 years in prison (\$1,000 and one year in prison at present)

- Canadian citizenship of dual citizens who are convicted of terrorism, treason and spying offences and who are members of organized groups engaged in armed conflict with Canada will be revoked
- Citizenship grant for members of the Armed Forces of Canada will be expedited.

### *CIC Processing Fee Changes*

Effective 6 February 2014, the CIC processing fees for the following applications have changed:

- \$100 for all visitor visa and visitor renewal applications (previously \$75 for single-entry visas and visitor renewals and \$150 for multiple entry visas)
- \$150 for student visa and study permit renewal applications (previously \$125)
- \$155 for work visa and work permit renewal applications (previously \$150)
- \$400 for adult citizenship applications plus right of citizenship fee (previously \$200)

### *Elimination of Federal Investor and Entrepreneur Programs*

On 11 February 2014, CIC announced the termination of the Federal Investor and Entrepreneur programs. CIC will instead promote the Start-Up Visa program and introduce new and "more focused and effective pilot programs that will ensure that immigrants who come to Canada deliver meaningful benefits to our economy." In this regard, CIC Minister Chris Alexander disclosed in recent news reports that the government plans to launch "a new Immigrant Investor Venture Capital Fund plan or a business skills option" later this year.

### *Changes for International Students*

On 12 February 2014, CIC released the new regulations for international students which will take effect on 1 June 2014. These include:

- Study permits will only be issued for students pursuing studies in educational institutions designated by CIC to receive international students
- Study permit holders will be authorized to work off campus for up to 20 hours a week during school periods and full time during school breaks without need to obtain a work permit
- Visitors may apply for a study permit from within Canada if they are at the pre-school, primary or secondary level, an exchange or a visiting student at a designated learning institution, or have completed a course or program of study that is a condition for acceptance at a designated learning institution
- A study permit becomes invalid 90 days after completion of studies
- International students may legally work after completion of studies until a decision is made on their application for a post-graduation study permit

More significant changes to Canada's immigration landscape are expected in the days and months ahead and which may catch many people unaware. Thus, if you are currently dealing with any immigration or citizenship issues, it is best to exercise due diligence by consulting a trusted legal advisor to discuss the current state of the law vis-a-vis your particular circumstances.

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