

COVID-19: HOW COVID-19 IS AFFECTING IMMIGRATION IN CANADA (March 30, 2020)

In an effort to help you understand the changes in Immigration due to Covid-19, we have prepared the following information. This information is solely for informational purposes. Given all of the rapid changes happening in response to COVID-19, we will seek to update our resources on a regular basis and urge you to consult with us if you have any specific legal questions about a client's situation.

<h3>Travel Ban</h3> <ul style="list-style-type: none"> All passengers with Covid-19 symptoms are prohibited from boarding flights to Canada whether they are Permanent Residents or citizens. Foreign nationals are prohibited from entering Canada if arriving from a foreign country other than the U.S. Border crossings are still possible for those entering from the U.S. for essential travel (<i>essential travel has not been defined</i>). <p>Exemptions to the Travel Ban:</p> <ol style="list-style-type: none"> an immediate family member of a Canadian citizen or of a permanent resident; a person who is authorized, in writing, by a consular officer of the Government of Canada to enter Canada for the purpose of reuniting immediate family members; a crew member; a person who is exempt from the requirement to obtain a temporary resident visa under paragraph 190(2)(a) of the Immigration and Refugee Protection Regulations and the immediate family members of that person; a protected person travelling abroad; a person or any person in a class of persons appointed under the Public Health Agency of Canada Act who does not pose a risk of significant harm to public health OR will provide an essential service while in Canada; a person whose presence in Canada, is of national interest. 	<h3>Citizenship Applications, Permanent Residence Applications, Temporary Residence Applications</h3> <ul style="list-style-type: none"> There is no global expedited processing for applications that have already been submitted. Some Visa offices are open and functional, while others are closed. Processing times may be delayed dependent on where the application has been submitted. IRCC has granted a 90-day extension to those with a pending application for citizenship, PR and TRP, for which IRCC requested additional information. All citizenship tests and ceremonies have been cancelled until further notice. All temporary residents in Canada unable to leave must apply for an extension if their status will soon expire. They must meet all the requirements and pay the associated fees. Temporary residents who have already applied for an extension will receive "implied status" and can remain in Canada until a decision on their application for extension has been rendered. If a temporary resident's status has expired, they must apply for restoration and pay all associated fees for restoration. Permanent residence applicants who received their confirmation of permanent residence and their permanent resident visa but are unable to travel to Canada while their documentation is still valid must inform IRCC via a web form submission. If the documentation has expired, they must also inform IRCC via web form submission. Immigration officers will re-open their application and review within 90 days
<h3>Refugee Claimants, Hearings and Removals</h3> <p>REFUGEE CLAIMANTS AT U.S. BORDER</p> <ul style="list-style-type: none"> Claimants at U.S. border will not be permitted to enter Canada. Claimants at U.S. border will be turned away and sent back into the U.S. Safe third country refugee claimants will also be turned away at the U.S. border and sent back into the U.S. Unaccompanied minors may be able to seek asylum and enter through the U.S./Canada border. <p>REFUGEE HEARINGS</p> <ul style="list-style-type: none"> All in-person hearings other than Detention Reviews (DR) have been postponed until May 4, 2020. All offices are closed. Documents that must be submitted to the Immigration Refugee Board (IRB) should be sent via mail, fax, email or epost. <p>REMOVALS</p> <ul style="list-style-type: none"> All removals from Canada have been suspended for 3 weeks as of March 17, 2020. 	<h3>International Students & Tourist Visas</h3> <p>INTERNATIONAL STUDENTS</p> <ul style="list-style-type: none"> International students who were already enrolled for studies in Canada or had been accepted and made arrangements to come to Canada to study before the travel restrictions were put in place may still attempt to enter Canada*. International Students must identify themselves and their circumstances to airlines upon boarding and present a valid study permit and a letter of introduction from IRCC dated on or prior to March 18, 2020*. <p style="text-align: center;">* <i>There are reports that international students are being turned away by airlines.</i></p> <p>TOURIST VISAS</p> <ul style="list-style-type: none"> All those with valid visiting visas and super visas will not be permitted to enter Canada at this time. This travel is considered to be leisure travel and is not considered essential. A person with a visitor visa would only be able to enter Canada through the U.S./Canada border if they fall into a category of those who are exempt from the travel ban.