



FCJ REFUGEE CENTRE

Shoulder to Shoulder, Side by Side
Walking with Uprooted People for 30 years

SPONSORSHIP CHANGES 2022

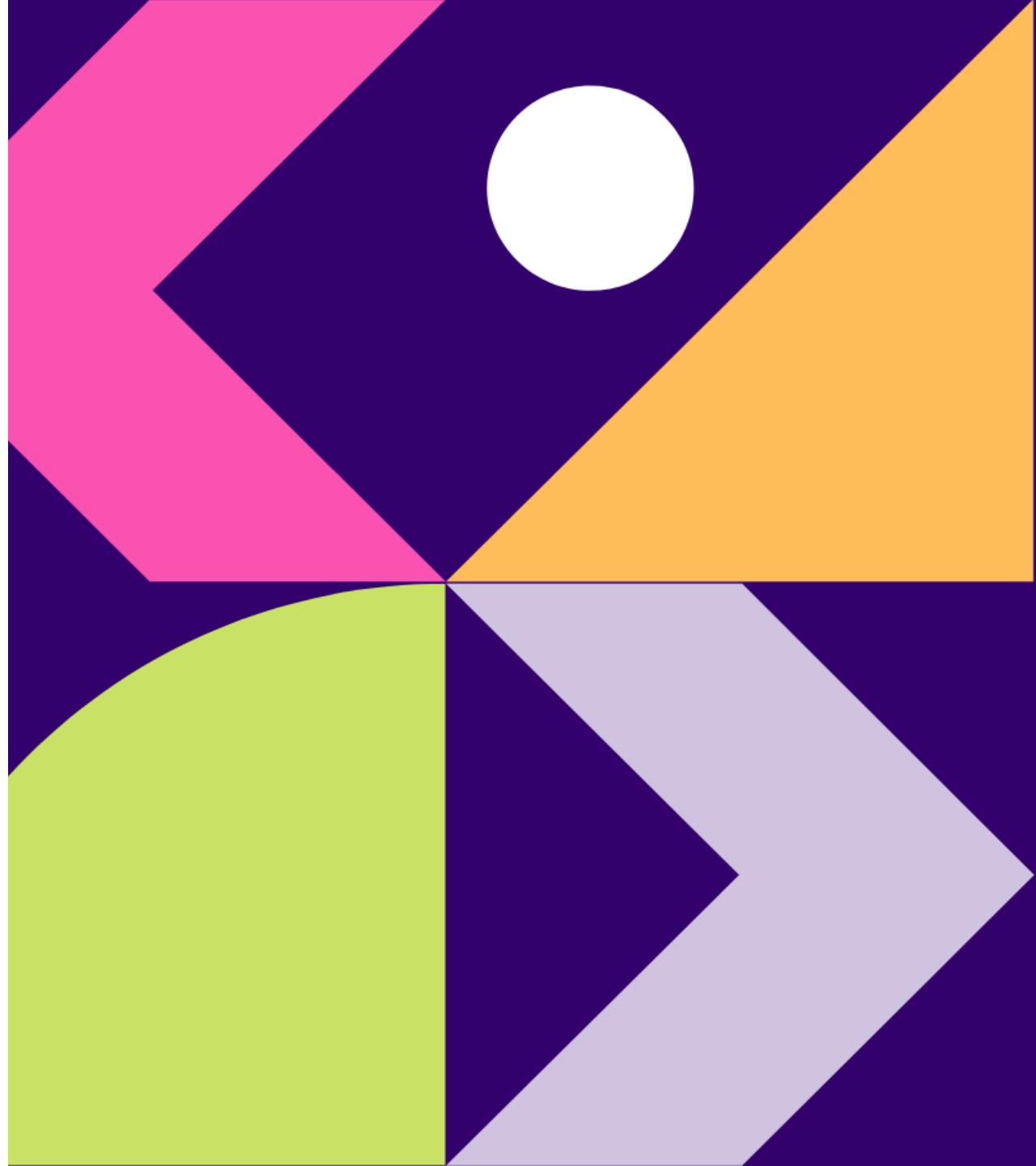
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AGENDA

SECTION	TOPIC
SECTION 1	SPONSORSHIP
SECTION 2	SPONSORSHIP BREAKDOWN
SECTION 3	ABUSE
SECTION 5	FAMILY REUNIFICATION



SECTION 1:
SPONSORSHIP

WHAT IS SPONSORSHIP?

- To help families reunite in Canada, or to allow organizations and communities to help refugees.
- To ensure that new immigrants and refugees who are granted status in Canada do not depend totally or partially on financial support from the Canadian government.

There are three types of Sponsorships:

- **Family Class Sponsorship (Today's Topic)**
- **Private Sponsorship- Group of 5 People**
- **Government Sponsorship**

WHAT IS FAMILY REUNIFICATION?

Canada's immigration rules give special avenues for accepted refugee claimants- convention refugees and protected persons- to reunite with immediate family members, who are called "dependents".

Dependents are:

- Spouse (by marriage or common law)
- Biological or adopted children who were under 22 years at the **lock-in date**.

NOTE: For refugees, the lock-in date is generally:

- A) The date that the refugee claim was made or,
- B) The date the private sponsorship undertaking was submitted or,
- C) The date that the Government-Assisted Refugee's case was referred to Canada.

WHO CAN BE A SPONSOR? (FAMILY CLASS)

You can sponsor certain relatives to come to Canada if you're at least 18 years old and a:

- **Canadian citizen** or
- A person registered in Canada as an **Indian** under the **Canadian Indian Act** or
- **Permanent residents** of Canada

These people can sponsor their family members if:

1. They can prove to IRCC their family relationship with the sponsored person and financial requirements to support the family member.
2. They sign a **Sponsorship Agreement**, which bound them to support the sponsored family member financially.

WHO CANNOT BE A SPONSOR? (FAMILY CLASS)

- A person who became a permanent resident or a Canadian citizen **after being sponsored** as spouse, common-law partner or conjugal partner is barred from sponsoring a spouse or partner within 5 years of becoming permanent resident.
- The sponsor is under 18 years of age, does not reside in Canada or has failed to submit a sponsorship application in accordance the requirement to reside in Canada.
- A permanent resident subject to a removal order.
- Person detained in any penitentiary, jail, reformatory or prison or convicted of certain offences.

WHO **CAN** GET SPONSORED? (FAMILY CLASS)

- **Spouses, Common-law partners, Conjugal partners.**
- **Biological children, Dependent children, Spouse's children, and adopted children.**
- **Parents and grandparents.**
- **Brothers and Sisters, Nieces and Nephews, and Grandchildren, ONLY IF they are orphaned, under 18, unmarried, and if they are legally adopted**
- **Accompanying relatives of the above (spouses, partners, dependent children).**

NOTE: To show they meet the eligibility requirements, the sponsored person must provide all required forms and documents with their application and any additional information we request during processing, including medical exams and biometrics.

WHO **CANNOT** GET SPONSORED? (FAMILY CLASS)

- If you are applying through spousal sponsorship and the sponsored person is **under 18** years old.
- If other conditions exist that create doubts about the **legitimacy of the marriage** or partnership in spousal sponsorship.
- Other relatives, such as brothers and sisters over 22, or independent adult children, cannot be sponsored.
- Applicants with a **criminal record** may not be allowed to enter Canada. People who pose a risk to Canada's security are also not allowed to enter Canada. The *Sponsor's Guide* for Family Class explains medical, criminal and background checks.

THE APPLICATION PROCESS

The application process is different for different applications. But all the applications consists of two part:

1. You must apply to become a sponsor.
2. Your spouse, partner, child, parent or grandparent must apply for permanent residence.

Send both the sponsorship and the permanent residence applications **together at the same time**.

If you want to sponsor your **adopted** child or an orphaned family member, follow the instructions to sponsor your adopted child instead.

NOTE: The forms required are slightly different depending on whether the applicant lives with you here in Canada or is applying from abroad.

SPONSORING SPOUSES/PARTNERS

CHANGE: Updated spousal guides and checklists

As of **February 14, 2018**, IRCC updated [guides and checklists](#) for the spousal sponsorship program to make them easier to use and understand. The updates included:

- Basic Guide,
- Complete Guide, and
- Document checklists (one each for spouse, common-law partner, conjugal partner, and dependent child)
- Order in which certain required documents must be submitted.

Spousal applicants will now be asked to submit their Schedule A – Background/Declaration (IMM 5669) form and police certificates as part of their initial paper application package, instead of later in the application process.

Applicants are still encouraged to link their applications to an online account to communicate quickly and securely with IRCC, get medical instructions as soon as they are issued, receive and respond to request letters quickly, and get application updates online.

SPONSORING SPOUSES, PARTNERS, CHILDREN

Canada has launched an online portal where spousal and child sponsorship applicants can track their immigration application online.

The tracker can be found on the government website:

<https://prt-srp.apps.cic.gc.ca/en/register>

It is currently only for people who are applying for **spousal, common-law, and dependent child sponsorship**.

The screenshot shows the top of the Government of Canada website with the Canadian flag and the text "Government of Canada" and "Gouvernement du Canada". A "Français" link is visible in the top right. Below the header is a breadcrumb trail: "Canada.ca > Immigration and citizenship > My application > Application status > Your status tracker". The main heading is "Register for your permanent residence tracker account". A note with an information icon states: "This tracker is currently only for people sponsoring or being sponsored as a [spouse, partner, or dependent child](#)". The main content area is titled "Step 1 of 3 Create your account". It says "You can create an account as a" followed by a bulleted list: "sponsor or principal applicant (the person being sponsored) or" and "representative or designated individual". There are two buttons: "Principal applicant or sponsor" (dark blue) and "Representative or designated individual" (light blue). Below the buttons, it says "Enter all the information requested below to create an account. Make sure it matches the information on your application." and "It may take some time before we enter your information in our system. Once we enter the information on your application, you'll be able to create an account." At the bottom, there is a "Required" section with a bullet point: "Unique client identifier (UCI) or client ID" and a link "What is a UCI?". An illustration on the left shows a person in a red jacket and blue circle, with a red maple leaf and a smartphone displaying a form.

SPONSORING PARENTS & GRANDPARENTS

- IRCC stated that it has yet to be determined when the application process for Parents and Grandparents Program will open in 2022.
- Federal Income Table for sponsors of parents and grandparents applied in 2021 were:**

Total number of people you'll be responsible for	2020	2019	2018
2 people	\$32,270	\$41,007	\$40,379
3 people	\$39,672	\$50,414	\$49,641
4 people	\$48,167	\$61,209	\$60,271
5 people	\$54,630	\$69,423	68,358
6 people	\$61,613	\$78,296	\$77,095
7 people	\$68,598	\$87,172	\$85,835
If more than 7 people, for each additional person, add:	\$6,985	\$8,876	\$8,740

SPONSORING UNDECLARED FAMILY MEMBERS

September 6, 2019 – When people apply to become permanent residents in Canada, they're asked to declare all family members on their application (spouse, common-law partner, dependent children), including those who aren't accompanying them to Canada.

For various reasons, including lack of awareness or lack of knowledge of a family member's whereabouts in a conflict situation, many newcomers failed to declare some family members on their application. By not including these family members, applicants made them ineligible from being sponsored to come to Canada for life.

To address this unintended consequence, [the Minister of Immigration, Refugees and Citizenship announced on May 31, 2019](#), a pilot whereby a resettled refugee, a person conferred refugee protection in Canada, or a person who was sponsored as a spouse, partner or dependent child themselves, will be able to sponsor undeclared immediate family members (a spouse, partner or dependent child).

The pilot began on September 9, 2019, and ran for 2 years.

WHAT IS THE LENGTH OF A SPONSORSHIP?

Persons you sponsor	Length of undertaking for all provinces except Quebec
Spouse, common-law partner or conjugal partner	3 years
Dependent child (biological or adopted) or child to be adopted in Canada under 22 years of age	10 years, or until age 25, whichever comes first
Dependent child 22 years of age or older	3 years
Parent or grandparent	20 years
Other relative	10 years

WHAT ARE THE FEES FOR A SPONSORSHIP?

Sponsored person	Total Fees
<p>Sponsor your spouse, partner, parent, grandparent, or relatives (22 years and older) Sponsorship fee (\$75), principal applicant processing fee (\$475) and right of permanent residence fee (\$500)</p>	1,050 CAD
<p>Sponsor a dependent child Sponsorship fee (\$75) and processing fee (\$75)</p>	150 CAD

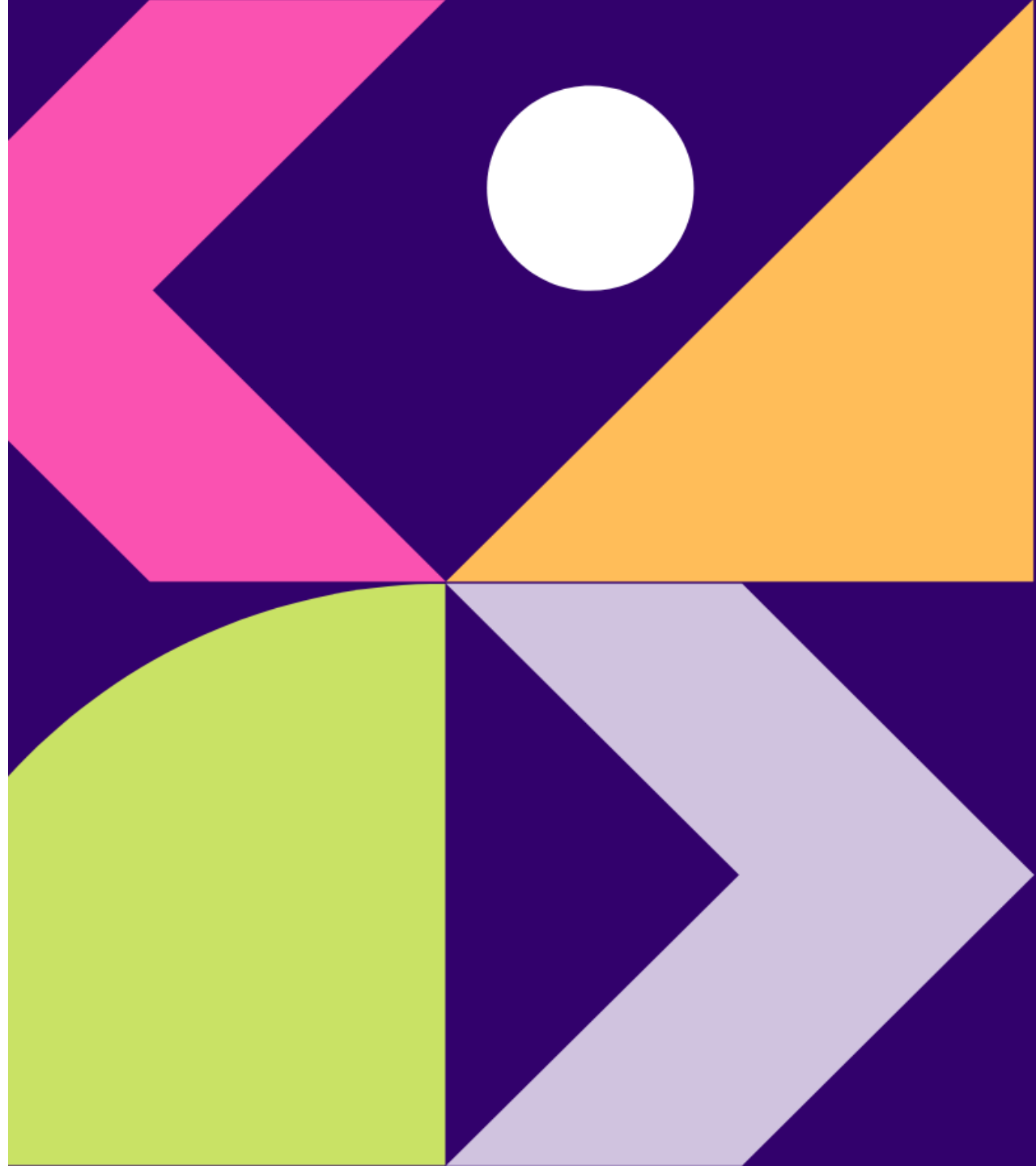
SPONSORSHIP PROCESSING TIMES

Sponsored person	Processing Time
Spouse or partner	12 months
Dependent children	Varies by country

CANADA SPONSORSHIP PLANS 2022-2024

Following the tabling of the [2021 Annual Report to Parliament](#) on Immigration, Immigration, Refugees and Citizenship Canada released details on the Government of Canada's Immigration Levels Plan for 2022-2024.

Family Sponsorship	2022	2023	2024
Spouses, Partners and Children	80,000	81,000	81,000
Parents and Grandparents	25,000	28,500	32,000
Total Family	105,000	109,500	113,000



SECTION 2:

SPONSORSHIP BREAKDOWN

WHAT IS A SPONSORSHIP BREAKDOWN?

A sponsorship breakdown occurs when:

- The sponsor or co-signer is no longer able to, or refuses to, provide some or all the basic requirements agreed upon in the sponsorship undertaking and agreement;
- The sponsored family member(s) starts to collect social assistance (OW, ODSP).

NOTE: It is not considered a sponsorship breakdown if the sponsored family member(s) have secured a means of self-sustenance that doesn't require them to collect social assistance.

Before seeking social assistance, it is important to remember that the **Sponsorship Agreement Form (IMM1344)** was signed at the beginning of the sponsorship with the following conditions:

- The sponsored family member(s) seeks out the assistance of the sponsor in the instance that they are unable to provide for their own basic requirements.
- The sponsored family member(s) are additionally expected to try their best to secure a means of self-sustenance – most social assistance programs will also screen for this.

NOTE: If the sponsorship breakdown was due to abuse or family violence, the family member(s) does not need to seek out the assistance of the sponsor before applying for social assistance.



SEEKING OUT SOCIAL ASSISTANCE

- After the OW or ODSP eligibility assessment is completed, and it has been established that the sponsored family member(s) has no means of financial support, the social assistance application is approved.
- The sponsored family member(s) will receive the same amount (based on their eligibility assessment) from OW or ODSP as any person on social assistance.
- If the sponsor is providing partial support, this will be treated as income and will be deducted from the sponsored family member(s)' social assistance.



SPONSORED FAMILY MEMBER(S)' RIGHTS

- Immigration status (Permanent Residency) will *not* be affected.
- All the rights and benefits that sponsored family member(s) is entitled to is *not* affected.
- If in financial need (and without any other financial support sources), the sponsored family member(s) has the right to apply for social assistance.
- The sponsored family member(s) has every right to leave someone who is hurting, scaring, threatening, or abusing them (even if it is the sponsor); and to end a violent relationship with their spouse/partner.

CHANGES IN THE SPONSOR - SPONSORED RELATIONSHIP



- The Sponsorship Agreement is an unconditional guarantee of support for the entire sponsorship period.
- The agreement cannot be cancelled or modified after the sponsored family member(s) receives permanent residence, not even after they become a Canadian citizen, nor if there is a separation or divorce, a move to another province, or if a financial situation deteriorates.
- Bankruptcy (of the sponsor): The Sponsor cannot sponsor another family member as they fall into sponsorship default (lifelong ban).

WHAT IS SPONSORSHIP DEFAULT?

- During the Sponsorship period if the sponsored family member receives social assistance, the sponsor and co-signer (if applicable) are in Sponsorship Default and must repay the social assistance payments to the Ontario government.
- The sponsor is not allowed to sponsor other family members until the debt is repaid in full.
- Same criteria applies for H&C applications.

WHAT ARE THE SPONSOR'S RESPONSIBILITIES?

In October 2004, the Ontario Ministry of Community and Social Services (MCSS) established The Overpayment Recovery Unit (ORU) to collect outstanding social assistance debts from sponsors who have defaulted on their Sponsorship Agreement.

The amount of the sponsorship debt will be equal to the amount of money OW or ODSP gives to the sponsored family member(s).

OW or ODSP will calculate the debt and will refer the case to the Overpayment Recovery Unit (ORU).



SPONSOR'S RESPONSIBILITIES CONT'D.

- ORU informs the sponsor by letter that the sponsored family member(s) has received social assistance. The purpose of this letter is to reach an agreement on how the sponsor will resume providing for the sponsored family member(s), or to start the collection of the debt.
- If necessary, the ORU will pursue the sponsorship debt by sending further letters to the sponsor *or* by referring the case to Canada Revenue Agency's (CRA) Refund Set-Off Program. The CRA can garnish (take over) any Income Tax refunds.
- ORU *can* take other steps against the sponsor, like court action.



WHAT HAPPENS TO THE SPONSOR?

- OW or ODSP will advise CIC when a sponsor is not providing support. CIC will ban the sponsor from sponsoring another family member(s) until debt is fully repaid.
- The sponsor's credit record will be negatively affected by debt recovery actions (ex. application for a loan).
- **If a sponsor has been convicted of a sexual offence or an attempt/threat to commit a sexual offence, they will NOT be eligible to sponsor again even if a sponsorship debt is repaid.**



RIGHTS OF THE SPONSOR

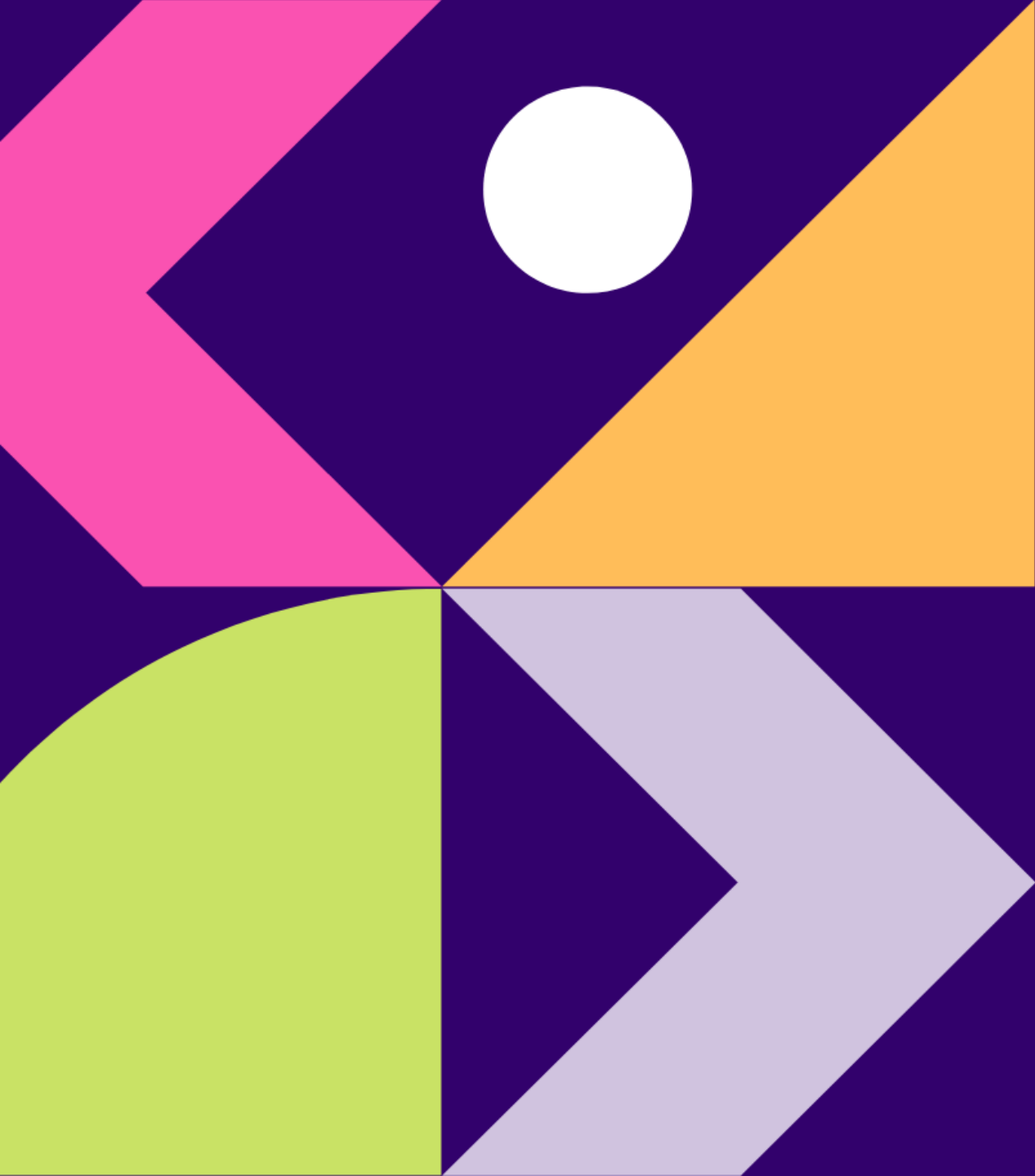
- Their immigration status is *not* affected.
- All the rights and benefits to which a sponsor is entitled are *not* affected.
- They will have the right to sponsor other relatives in the future if:
 - 1) the sponsorship period is finished,
 - 2) they have repaid outstanding debts, and
 - 3) they are not on social assistance for at least 12 months before the time planning to submit a sponsorship application.

HOW CAN SPONSORSHIP BREAKDOWN BE RESOLVED?



The Sponsor can:

- Contact the sponsored family member(s) directly and make an offer of assistance so they will stop receiving benefits.
- This is not possible if abuse and/or family violence has caused the breakdown.
- If making an offer of assistance fails, contact OW or ODSP to discuss the options and to remain informed about the situation.



SECTION 3:

ABUSE

DEFINITION AND TYPES OF ABUSE

- Abuse is behaviour that scares, isolates, or controls another person. This may be actions or words. Abuse may be a pattern or a single incident.
- Neglect is the failure to provide care, which can cause serious harm. This may be not providing food, clothing, medical care or shelter, or any other behaviour that could be hurtful.
- There are many types of abuse or neglect. As a victim, you may experience more than 1 type of abuse.
- The abuser could be your spouse, former spouse, partner or former partner, another family member or friend. The abuser could also be a member of your spouse's or partner's family. The abuser may be of any sex or gender.
- Abuse can be physical, emotional, verbal, sexual, psychological, and/or financial. It includes assault and battery, other forms of mistreatment and cruelty such as constant threats, stalking, and psychological violence, controlling behaviour, neglect, and/or forced marriage.
- All types of abuse have one thing in common — they create fear.



IMMIGRATION STATUS IN CANADA - ABUSE

Taken directly from the Govt. of Canada/IRCC website:

You don't have to stay in an abusive relationship to keep your status in Canada

The person who's abusing you might tell you that you'll be deported or lose your children if you leave. If you're a permanent resident, [you have rights and freedoms in Canada.](#)

There used to be a condition on some sponsored spouses or partners of Canadian citizens and permanent residents. Under that condition, you had to live with your sponsor to keep permanent resident status. That condition no longer exists, and your status no longer depends on you living with your sponsor.

[If you have temporary status in Canada, you also have options.](#)



IMPLICATIONS OF FAMILY VIOLENCE/ABUSE/NEGLECT

- Abandonment of a child could be considered abuse in itself and the abandoning sponsor or co-signer (if applicable) could be prosecuted.
- For a minor under 16:
 - OW or ODSP will contact Children Services
 - Children's Aid Society will make a risk assessment of the situation.
- If a sponsor has been convicted of a sexual offence or an attempt, threat to commit a sexual offence, they are not eligible to sponsor again even if the sponsorship debt is paid off.



THIRD-PARTY VERIFICATION OF ABUSE

Abuse or domestic violence can be confirmed by a letter on appropriate letterhead from any of the following:

- **Law Enforcement Officer**
- **Shelter Worker**
- **Lawyer**
- **Member of the Clergy**
- **Teacher**
- **Guidance Counsellor**
- **Medical Doctor**
- **Victim Service Worker**
- **Social Worker**
- **Settlement Services Worker**
- **Social Service Worker**
- **Community Health Care Worker**



WHERE/HOW TO SEEK OUT IMMEDIATE HELP?

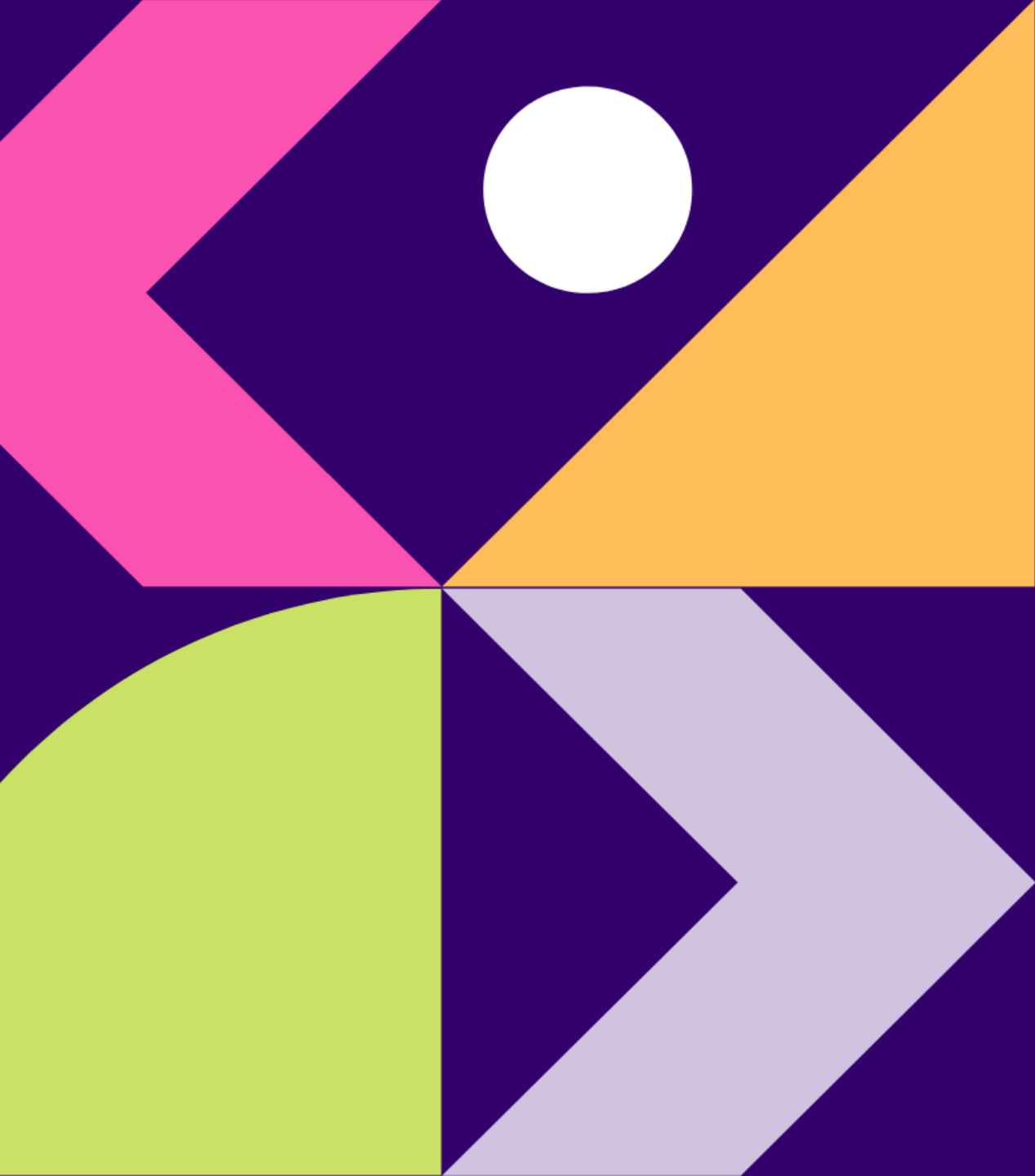
Govt. of Canada/IRCC resources to get help if someone is threatening you:

- Call 9-1-1 or your local police in an emergency.
- Call 1-888-242-2100 to contact our [Client Support Centre](#) for information on your citizenship or immigration status.
 - Choose the option for victims of abuse and forced marriage to speak directly to an agent.
 - They will tell you about your options. This includes a [fee-exempt permit](#) created for victims of family violence who need to escape their abusive spouse or partner.
- Call [2-1-1](#) to find community, social and health services.
- Find more [services and information](#) to deal with violence and abuse.
- If you are a woman escaping violence, [find a women's shelter](#).
- If you are a young person who needs support, you can talk to counsellors without giving your name at Kids Help Phone: 1-800-668-6868 or [visit their website](#).

Family Reunification



- Canada's family reunification program aims to grant permanent residency to accepted refugees
- The program allows recent immigrants to be reunited with members of their family
- Special avenue for refugees to reunite with immediate family members (Dependants)
- Dependants :
 - Spouse (by marriage or common law)
 - Unmarried biological or adopted children who were under 22 years at the lock-in date.
- After the Refugee Claimant is accepted as Convention Refugee or Protected Person by the IRB, she/he must:
 - Including in the application only dependents (spouse and children)
- Processing fee: \$550 adults + \$150 child younger than 22 years old



SECTION 3:

FAMILY REUNIFICATION

Connect with us



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