Immigration, Refugees and Citizenship Canada / Immigration, Réfugiés et Citoyenneté Canada
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Archived: June 3, 2025 10:00:58 AM
From: Immigration Representatives / Représentants immigration (IRCC)
Sent: Wed, 16 Apr 2025 17:19:42
To: [redacted]
Cc: Immigration Representatives / Représentants immigration (IRCC)
Subject: FW: Question on scope of policy - IRCC representative portal - REP-B-2025-0181 - Due 28-Apr-25
Importance: Normal
Sensitivity: None

Good day,

[redacted] **Immigration Representatives Mailbox.**

Please note that this mailbox is intended for general guidance and does not provide responses to case-specific inquiries but have provided the following information as guidance. If you have case specific questions about a file, you are encouraged to submit the IRCC Web form.

Please see our response to your question.

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Question 1: Based on the above regulation, if a student chooses to take an unscheduled break from their studies which is not classified as an authorized leave according to the DLI, would that student's permit, become automatically invalid after 90 days?

If the answer is yes, and if the DLI approved that student to return in the next available intake with a re-admit document, would their study permit still be considered invalid?

> **Answer:** As you know, a student may take **an authorized leave from their studies**, but such leave **must always be approved** by the institution and cannot exceed 150 days. A student who is not actively studying must change their status while they are in Canada or leave the country. A student who takes an unauthorized break are in violation of their study permit conditions. According to the website, if IRCC becomes aware that a student has failed to meet these con[redacted]ns, [redacted] ma[redacted] he [redacted] to [redacted] [redacted] [redacted] [redacted]ul [redacted] the [redacted] [redacted] an [redacted]u[redacted] applications, and the student may need to wait six months before reapplying for a study permit, visitor visa, or work permit. Additionally, if a student is unenrolled (withdrawn) by the Designated Learning Institution (DLI) due to unauthorized leave or other academic reasons, their study permit will become invalid.

Question 2: If a student applies to return to their studies **after** being out of school on an unscheduled break for one semester, does that student need to restore their status prior to returning to their approved DLI?

> **Answer:** No, restoration of status applies when the study permit has expired, and the student had met study permit conditions. An unauthorized leave is considered a breach of study permit conditions. Even though, a student may have taken an unscheduled break/unauthorized leave for less than 150 days, there can be consequences on future applicants as indicated above. Therefore, it is important to ensure that students take authorized leave only.

Question 3: When a student is out of school for **over** 150 days for personal reasons (unscheduled break or authorized leave over 150 days), to ensure their permits validity can they exit the country and re-enter to re-validate their study permit or remain in Canada and apply for a visitor record?

> **Answer:** Students in Canada who wish would take a leave longer than 150 days must change their status (I.e, visitor or worker). Students who are overseas and who have not met their previous study permit conditions, should apply for a new study permit with all the proper documentations. Please note that foreign nationals re-entering Canada as study permit holders will be assessed by a border service officer and should have all the necessary documentations in their possessions regarding their studies if asked.

We have noticed the policy page that previously advised students to exit the country or apply for a visitor record to maintain their study permit has been changed.

> **Answer:** IRCC is continuously updating its website as policies and regulations change. Please note that we are working in updating the IRCC website with updated program delivery instructions regarding the International Students [redacted] [redacted] information may [redacted] available [redacted] [redacted] date.

Question 4: When a student is transferring to a new program within the same DLI and will be out of school for one semester, does that DLI need to approve the leave in-between the two programs to ensure the student's permit remains valid? Or does this student need to do status restoration since they have passed 90 days?

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Answer: Yes, it is recommended that the DLI approve the leave in-between the two programs. The student must ensure that their study permit remains valid for that same DLI so they could start the new program in time.

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[redacted]

The Immigration Representatives Mailbox

From:
Sent: [redacted] 21, 2025 3:03 PM
To: Immigration Representatives / Représentants immigration (IRCC) <IRCC.ImmigrationRepresentatives-Representantsimmigration.IRCC[redacted]
Subject: FW: Question on scope of policy - IRCC representative portal

> **CAUTION:** This email originated from outside the Government of Canada. Do not click on links or open attachments unless you recognize the sender and know the content is safe.
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[redacted]

Kindly see my questions emailed below. Would you be able to support us in answering these questions?

From:
Sent: [redacted]
Subject: Question on scope of policy - IRCC representative portal

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[redacted]
We are hoping to clarify the scope of the new regulation under IRPR 222(1)(a.1), posted below.

- * ***222 (1)*** *A study permit becomes invalid upon the first to occur of the following days:*
  - * ***(a)*** *the day that is 90 days after the day on which the permit holder completes their studies,*
  - * ***(a.1)*** *the day on which the permit holder is no longer enrolled at the designated learning institution that is named in the permit, other than as a result of completing their studies;*
  - * ***(b)*** *the day on which the study permit is cancelled under section 222.7, 222.8 or 243.2; or*
  - * ***(c)*** *the day on which the permit expires.*

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Question 3: When a student is out of school for **over** 150 days for personal reasons (unscheduled break or authorized leave over 150 days), to ensure their permits validity can they exit the country and re-enter to re-validate their study permit or remain in Canada and apply for a visitor record?
We have noticed the policy page that previously advised students to exit the country or apply for a visitor record to maintain their study permit has been changed.
Question 4: When a student is transferring to a new program within the same DLI and will be out of school for one semester, does that DLI need to approve the leave in-between the two programs to ensure the student's permit remains valid? Or does this student need to do status restoration since they have passed 90 days?
Any assistance in response to the above questions would be a huge help to our institution.