Immigration, Refugees and Citizenship Canada | Immigration, Réfugiés et Citoyenneté Canada
Information disclosed under the Access to Information Act
L'information divulguée en vertu de la loi sur l'accès à l'information

Archived: June 2, 2025 10:20:03 AM
From: [redacted] Représentants [redacted]
Sent: Tue, 11 Feb 2025 15:52:00
To:
Cc: Immigration Representatives / Représentants immigration (IRCC)
Subject: FW: Misrepresentation Ban · REP-2025-0322 - Due 28-Feb-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.

Bonjour,

[redacted] la **boîte aux courriels pour les représentants en immigration.**

Veuillez noter que cette boîte aux lettres est destinée à fournir des conseils généraux et ne fournit pas de réponses à des demandes spécifiques à un cas, mais a fourni les informations suivantes comme conseil. Si vous avez des questions spécifiques à un dossier, nous vous encourageons à soumettre le formulaire IRCC Web form.

Veuillez consulter notre réponse à votre question.

For clarity, pursuant to A40(2)(a) of the IRPA, if a foreign national is inadmissible for misrepresentation, then they continue to be inadmissible for a period of five years from the date of the determination (if outside Canada) or the date the removal order is enforced (in Canada), and pursuant to A40(3), may not apply for permanent residence during that period.

Their spouse would not be inadmissible for misrepresentation, nor subject to the bar, simply by virtue of their relationship. However, the spouse is likely inadmissible pursuant to A42 because they are a family member of an inadmissible person. Therefore, the spouse may apply for permanent residence, however if they do they should be aware that both they and their spouse are likely inadmissible for five years (from the dates prescribed in A40(2)(a)).

[redacted]

The Immigration Representatives Mailbox

De :
Envoyé : 30 janvier 2025 15:38
À : Immigration Representatives / Représentants immigration (IRCC) <IRCC.ImmigrationRepresentatives-

Immigration, Refugees and Citizenship Canada / Immigration, Réfugiés et Citoyenneté Canada
Information disclosed under the Access to Information Act
L'information divulguée en vertu de la loi sur l'accès à l'information

Representantsimmigration. [redacted]
Objet : Misrepresentation Ban |

Hello,

If an Applicant is found inadmissible under a provincial nominee program for misrepresentation and receives a 3 year ban, does this mean that their spouse is also subject to the ban and prevented from applying as a Principal Applicant under either PNP or federal Express Entry?

Thank you,

[redacted]