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Archived: June 2, 2025 10:24:28 AM
From: Immigration Representatives / Représentants immigration (IRCC)
Sent: Fri, 14 Feb 2025 20:47:26
To:
Cc: Immigration Representatives / Représentants immigration (IRCC)
Subject: FW: Clarification on Open Work Permit Extensions for Spouses of International Students - REP-2025-0325 - Due 28-Feb-25
Importance: Normal
Sensitivity: None

Hello,

Question:
I am reaching out to seek clarification regarding the recent updates to open work permits for family members of temporary residents, as announced on January 14, 2024, and outlined on the IRCC website. Specifically, I would appreciate guidance on how these changes impact extension applications for spouses of international students already residing in Canada and holding a C42 open work permit.

I have two questions regarding the operational bulletin and manual posted on this link.

https://www.canada.ca/en/immigration-refugees-citizenship/corporate/publications-manuals/operational-bulletins-manuals/temporary-residents/foreign-workers/public-policy-competitiveness-economy/c42.html#extension-applications

1. The example provided on the webpage states: *"If the spouse was given a shorter work permit duration than they originally applied for, due to passport expiry, they may still benefit from a work permit renewal, as noted above."*

Does this imply that if a principal applicant's study permit is extended due to course failures or a deferred intake, and the study permit extension does not include the usual 90-day preparation period for applying for a Post-Graduation Work Permit (PGWP), the spouse (holding a C42 work permit) would still be eligible for an extension of their work permit upon the principal applicant's study permit extension approval?

2. A note on the webpage states: *"If the principal foreign national applies for a study permit for a new level or program of study, the spouse of the principal foreign national, as noted above, is not eligible to extend their work permit under administrative code C42. Those who do not meet the new eligibility criteria or qualify for an extension can apply for a new work permit from within Canada under the Temporary Foreign Worker Program or another stream of the International Mobility Program, if eligible."*

If the C42 work permit expires and the spouse applies for a visitor record while the principal applicant (student) extends their study permit to a new program of study, can the spouse then apply for a C42 work permit? Would this application be processed and approved, as the C42 extension is no longer applicable because the spouse is on a visitor record now?

Given the limited policy guidance on these issues, I would greatly appreciate your clarification to assist in providing accurate advice to our applicants.

Response:

Immigration, Refugees and Citizenship Canada / Immigration, Réfugiés et Citoyenneté Canada
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Please note that this service provides guidance and not case-specific advice.

1. Please review the remaining information listed where you pulled this line from for the answer to your question on extension eligibility: Spouses and common-law partners of study permit holders – [R205(c)(ii) – C42] – Canadian interest – International Mobility Program - Canada.ca
In limited circumstances, spouses of principal foreign nationals studying in the following programs may apply for a work permit renewal under the criteria that were in place when they received their current work permit. This applies to spouses of principal foreign nationals studying in

- * master's programs of less than 16 months, or
- * college and undergraduate programs

The spouse must be residing in Canada and be requesting an open work permit renewal for a duration that aligns with, and does not exceed, the principal foreign national's **existing** study authorization.

Example 1:

- [redacted] the spouse was [redacted] work permit [redacted] originall[redacted] lied for, [redacted] to [redacted] may still benefit from a work permit renewal, as noted above.

Example 2:

- * If the principal foreign national needs more time (for example, for their thesis) and a study permit extension is needed to complete their **current** program, spouses may still benefit from a work permit renewal, as noted above. However, the spouse's application for their work permit extension can be assessed only once the principal foreign national receives the approval of their study permit extension.

Note: If the principal foreign national applies for a study permit for a new level or program of study, the spouse of the principal foreign national, noted above, is not eligible to extend their work permit under administrative code C42.

Those who do not meet the new eligibility criteria or qualify for an extension can apply for a new work permit from within Canada under the Temporary Foreign Worker Program or another stream of the International Mobility Program, if eligible.

2. If the spouse and primary applicant meet the eligibility criteria, listed on our webpage, at the time of application, they may be eligible to apply for a new open work permit.

We hope this information is of assistance.

Regards,
The Immigration Representatives Mailbox

De :
Envoyé : 30 janvier 2025 16:38
[redacted] : Immigration Representatives [redacted] Représentants immigration [redacted]
[redacted] Immigration Representatives / Représentants immigration (IRCC)
[redacted]
Objet : Clarification on Open Work Permit Extensions for Spouses of International Students

[redacted]

I hope this email finds you well.

I am reaching out to seek clarification regarding the recent updates to open work permits for family members of temporary residents, as announced on January 14, 2024, and outlined on the IRCC website. Specifically, I would appreciate guidance on how these changes impact extension applications for spouses of international students already residing in Canada and holding a C42 open work permit.

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[redacted]. I [redacted] to your response.

Best regards,