Immigration, Refugees and Citizenship Canada / Immigration, Réfugiés et Citoyenneté Canada
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Archived: June 2, 2025 10:25:16 AM
From: Immigration Representatives / Représentants immigration (IRCC)
Sent: Mon, 17 Feb 2025 15:08:20
To:
Cc: Immigration Representatives / Représentants immigration (IRCC)
Subject: FW: Maintained Status - with 2 applications - REP-2025-0091- Due 7-Feb-25
Importance: Normal
Sensitivity: None

Hello ,

[redacted] correspondence to Immigration, Refugees and Citizenship Canada's Immigration Representatives mailbox. We appreciate your patience.

Note that this service provides guidance and not case-specific advice.

Please find the answers to your questions below:

Question 1

Could you advise if a second application is refused, but the original permit was valid when the second application was received, then the period of authorized stay and the authority to work in the original permit is extended until a decision is rendered on the first application?

Response 1

Because both applications were submitted while the original permit was still valid, the foreign national's period of authorized stay, and the authority to study or work is extended until a decision is rendered on both applications.

We hope this information is of assistance. Do not hesitate to reach out again if you required further clarification.

Sincerely,

Immigration Representatives Mailbox

De :
Envoyé : 10 janvier 2025 12:04
[redacted]: Immigration Representatives [redacted] Représentants immigration (I[redacted]
Objet : Maintained Status - with 2 applications

Hello IMM Reps,

For your policy on maintained status during processing - I have a specific question with regards to 'a second application during processing.'

https://www.canada.ca/en/immigration-refugees-citizenship/corporate/publications-manuals/operational-bulletins-manuals/temporary-residents/visitors/implied-status-extending-stay.html

We have a situation where two work permit applications were submitted before the expiry of the initial work permit. The CUAET extension work permit (herein first application) was filed on July 23, 2024 and the LMIA work permit (herein second application) on October 10, 2024. The original CUAET work permit expired on October 12, 2024.

IRCC policy is silent on this particular scenario (see below) as it only discusses when a first application is refused.

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If the second application is submitted during the period of authorized stay extended by operation of law under R183(5), then their status is maintained by the second application after the decision on the first is finalized until a decision on the second application is made. However, their authorization to work or study may be affected.

- If the first application is refused, but the **original permit was** still valid when the second application was received, then the period of authorized stay and the authority to study or work in the original permit is extended until a decision is rendered on the second application.
- If the first application is refused, and the **original permit was** expired when the second application was received, then the period of authorized stay is extended but there is no continued authority to study or work.

In our case, the second application (LMIA) was refused before the first application, so it is unclear whether he still is on maintained status. We are hoping he is still is on maintain status.

Could you advise if a second application is refused, but the original permit was valid when the second application was received, then the period of authorized stay and the authority to work in the original permit is extended until a decision is rendered on the first application?

[redacted]