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Archived: June 2, 2025 10:25:44 AM
From: Immigration Representatives / Représentants immigration (IRCC)
Sent: Mon, 17 Feb 2025 16:57:37
To:
Cc: Immigration Representatives / Représentants immigration (IRCC)
Subject: FW: Clarification on Application Process for Client's Family Sponsorship - REP-2025-0040- Due 4-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. If you have case specific questions about a file, you are encouraged to submit a Webform at:

http://www.ircc.canada.ca/english/contacts/web-form.asp

A Canadian parent may choose between two streams that are available for adoptive parents to bring their adopted child to Canada: the immigration process or the citizenship process.

The citizenship process allows adoptive parents who are Canadian citizens to apply directly for Canadian citizenship for their [redacted] under section [redacted] the *Citizenship* [redacted] part process. Part [redacted] the Canadian citizenship of at least one adoptive parent and their eligibility to pass citizenship onto an adopted child. Part 2 is an assessment of the adoption to ensure it meets the requirements of section 5.1 of the Citizenship Act. We are unable to provide processing times for this application type, as processing times vary by complexity of the application. In some instances, it can take several years to receive a decision on the application. It is important to note that the first generation limit to citizenship by descent applies to the adopted person's children if these children are born outside of Canada.

The immigration process may be used for adoptions that were finalized in the child's country of habitual residence. If the adoption was finalized when the adoptive parent and the child were habitually residing in the same country, the child may be included on their parent's immigration application or later sponsored as a member of the family class. A Canadian citizen or permanent resident may also choose to sponsor their spouse or partner and include their dependant child on the application, if eligible.

For processing times, see Check processing times.

Canada is party to the *1993 Hague Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoption* (Hague Convention). The provinces and territories are responsible for the adoption process in Canada, as they have exclusive constitutional responsibility over adoption and child welfare issues.

Under the Hague Convention, "habitual residence" is key to determining whether an adoption should be processed as an intercountry or domestic adoption, and whether the Hague Convention applies. It is important to note that nationality has no bearing on this determination. If the prospective adoptive parent(s) and the child habitually reside in the same country, it is considered a domestic adoption. If the prospective adoptive parent(s) and the child habitually reside in different countries, it is considered an intercountry adoption and requires the involvement of the Canadian provincial or territorial Central Authority for adoption. If this is the case, please advise the client to contact their provincial or territorial Central Authority for adoption for further information: Adoption authorities - Canada.ca.

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Given that adoption is a provincial or territorial responsibility, Canada extended the application of the Hague Convention to the Canadian provinces and territories, with provincial and territorial laws giving effect to the Hague [redacted] an[redacted]nshi[redacted] l[redacted]n h[redacted]r[redacted]o support Canada's obligations under th[redacted] Hague Convention and is reflected in *Immigration and Refugee Protection Regulations* (IRPR) and the *Citizenship Act* and its corresponding Regulations.

We hope you find this information useful.

[redacted]

The Immigration Representatives Mailbox

De :
Envoyé : 7 janvier 2025 11:42
[redacted]
Objet : Clarification on Application Process for Client's Family Sponsorship

[redacted]

Happy New Year!

I am reaching out to seek some clarification regarding the application process for one of our clients, as they are in a unique [redacted] The cli[redacted] and [redacted] a[redacted] from [redacted] l[redacted]lly [redacted] for [redacted] years. He has also legally adopted her year-old son as per the Georgian law. The adoption process is now complete.

The client now wishes to bring both his wife and the adopted child to Canada. I would appreciate your guidance on the best and fastest route for the child to join them in Canada.

Would applying for Canadian Citizenship for the adopted child be the most efficient option, and if so, what is the estimated processing time for this? Alternatively, should we pursue Permanent Residency for the child along with his mother as a dependent? Also can these 2 applications be filed simultaneously?

Your expertise on how to navigate this process effectively would be greatly appreciated. Looking forward to your advice.

Best regards,