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 10:32:37 AM
From: [redacted] Représentants [redacted]
Sent: Fri, 21 Feb 2025 20:36:52
To:
Cc: Immigration Representatives / Représentants immigration (IRCC)
Subject: FW: Clarification on regulations regarding study permit conditions - REP-2025-0444 - Due 10-Mar-25
Importance: Normal
Sensitivity: None

Good day,

Minor children attending primary/secondary studies are exempt from the new regulations and the DLI name will not be printed on their SP.

Dependants of principal applicants are exempt from requiring an LOA when applying from overseas as per R219(2). However, once in Canada if they choose to attend a post-secondary DLI, they must comply with the regulations outlined in R215(1). This includes providing all necessary documentation, such as an LOA, when applying for an SP. Please note that Section 222 cannot be considered in isolation. As per R216(1)(e), a study permit is issued only if a foreign national has been accepted into a program at a post-secondary Designated Learning Institution (DLI). Therefore, confirmation of a letter of acceptance (LOA) is required before issuing a study permit in these cases.

[redacted]

The Immigration Representatives Mailbox

From:
Sent: [redacted] 7, 2025 10:48 PM
To: Immigration Representatives / Représentants immigration (IRCC) <IRCC.ImmigrationRepresentatives-Representantsimmigration.[redacted]
Subject: Clarification on regulations regarding study permit conditions
Sensitivity: Confidential

Dear Officer,

I am writing to seek for an appropriate interpretation of the following regulations regarding study permits.

With respects to recent updates of legislation regarding study permits, especially the subsections below:

- * **220.1 (1)** The holder of a study permit in Canada is subject to the following conditions:
  - * **(a)** they shall enroll at the designated learning institution that is named in their permit and remain enrolled there until they complete their studies; and
  - * **(b)** they shall actively pursue their course or program of study.

S.220.1(1)(a) would maintain a study permit valid to its holder as long as the student continues to study at the DLI named in the study permit until study is completed. However, subsection 220.1(3) provides certain exemptions:

Exception
220.1 (3) Subsection (1) does not apply to

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

- * **(a)** a person described in any of paragraphs 300(2)(a) to (i); or
- * **(b)** a family member of a foreign national who resides in Canada and is described in any of paragraphs 215(2)(a) to (i).

Family members
215 (2) A family member of a foreign national may apply for a study permit after entering Canada if the foreign national resides in Canada and the foreign national

- * **(a)** holds a study permit;
- * **(b)** holds a work permit;
- * **(c)** holds a temporary resident permit issued under subsection 24(1) of the Act that is valid for at least six months;
- * **(d)** is subject to an unenforceable removal order;
- * **(e)** is a member of the armed forces of a country that is a designated state described in paragraph 186(d);
- * **(f)** is an officer of a foreign government described in paragraph 186(e);
- * **(g)** is a participant in sports activities or events, as described in paragraph 186(h);
- * **(h)** is an employee of a foreign news company as described in paragraph 186(i); or
- * **(i)** is a person who is responsible for assisting a congregation or group, as described in paragraph 186(l).

By applying the exception S.220.1(3)(b), it allows a family member, such as a dependant child, who is a study permit holder of a work permit holder (i.e. subsection 215(2)(b)) residing in Canada, to exempt from the requirement described in subsection 220.1(1) to enrol at a DLI that is named in the study permit and remained enrolled there until study is complete. In other words, the dependant child who holds a study permit which does not name a DLI (the previous version of study permit) is not required to apply for change condition to remain in Canada as a student (i.e. extension of study permit) even the child changes school or level, provided that the dependant child's parent holds a valid work permit in Canada.

Please advise if the above interpretation of the legislation is correct given the sections quoted. [redacted] attention.

Kind Regards,