Immigration, Refugees and Citizenship Canada / Immigration, Réfugiés et Citoyenneté Canada
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Archived: June 2, 2025 11:38:37 AM
From: [redacted] Représentants [redacted]
Sent: Fri, 7 Mar 2025 20:25:36
To:
Cc: Immigration Representatives / Représentants immigration (IRCC)
Subject: FW: CUSMA work permit holders and eligibility to support an Open Spousal Work Permit - REP-2025-0401 - Due 6-Mar-25
Importance: Normal
Sensitivity: None

Hello

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\sb160Thank you for your email correspondence to Immigration, Refugees and Citizenship Canada's Immigration Representatives mailbox. We appreciate your patience.

\sb160Note that this service provides guidance and not case-specific advice.

\sb160Please find the answers to your questions below:

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Question

Specifically, I would like to understand if CUSMA work permit holders (e.g. LMIA exemption T36) can support their spouse or common-law partner's OSWP if the spouse or common-law partner is otherwise not eligible for an OSWP under the C41 LMIA Exemption Code (for example, the principal worker works in a TEER 2/3 occupation that is not part of the occupation list released January 21, 2025).

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Response

If the spouse is covered by a Free Trade Agreement (FTA) , they are subject to the requirements outlined in the relevant FTA.

For example, the spousal work permit would be issued to the same validity as the PA's document regardless of the length of validity.

Those who are not covered under their FTA are subject to the new requirements including the 16 months rules. Spouses or common-law partners of foreign nationals authorized to work in high-skilled occupations TEER 0 or 1, or select occupations TEER 2 or 3) – [C41]

For more information, please consult the following webpages:

International Mobility Program: International free trade agreements - Canada.ca

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

Sincerely,

Immigration, Refugees and Citizenship Canada / Immigration, Réfugiés et Citoyenneté Canada
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Immigration Representatives Mailbox

De :
Envoyé : 5 février 2025 15:10
À : Immigration Representatives / Représentan immigration
Cc :
Objet : CUSMA work permit holders and eligibility to support an Open Spousal Work Permit

I am a licensed immigration consultant m writing to seek clarification regarding CUSMA work permit holders and their eligibility to support their spouse or common-law partner's Open Spousal Work Permits (OSWP).

Specifically, I would like to understand if CUSMA work permit holders (e.g. LMIA exemption T36) can support their spouse or common-law partner's OSWP if the spouse or common-law partner is otherwise not eligible for an OSWP under the C41 LMIA Exemption Code (for example, the principal worker works in a TEER 2/3 occupation that is not part of the occupation list released January 21, 2025).

. I to your response.

Best regards,