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Archived: June 2, 2025 11:45:18 AM
From: Immigration Representatives / Représentants immigration (IRCC)
Sent: Mon, 10 Mar 2025 18:46:02
To:
Cc: Immigration Representatives / Représentants immigration (IRCC)
Subject: FW: Clarification on PGWP Application for a Student with a Valid Open Work Permit - REP-2025-0246 - Due 21-Feb-25
Importance: Normal
Sensitivity: None

Good day,

[redacted] to [redacted] and Citizenship Canada's Immigration Representatives Mailbox.

Please consider the information provided as general program guidance and not a directive for case-specific enquires.

We hope that this information is helpful to you.

[redacted]

The Immigration Representatives Mailbox

De :
Envoyé : 23 janvier 2025 17:50
À : Immigration Representatives / Représentants immigration (IRCC) <IRCC.ImmigrationRepresentatives-Representantsimmigration.[redacted]
Objet : Clarification on PGWP Application for a Student with a Valid Open Work Permit

Dear Officer,

I hope this email finds you well. [redacted] I am an International Student Advisor at the [redacted] I am a member in good standing at the CICC

I am writing to seek clarification regarding the eligibility of a student to apply for a Post-Graduation Work Permit (PGWP) while holding a valid open work permit. Here is a scenario:

1. 1. The student completed a PGWP-eligible program at the and received their Letter of Completion. It has been more than 90 days since they received their Letter of Completion
2. 2. Their study permit, therefore, has become invalid as per R222(1)
3. 3. However, the student has been holding a valid open work permit issued under a temporary public policy, in response to the global crisis. Therefore, he has been maintaining his valid temporary resident status in Canada.

Key points of confusion
According to the recently updated IRCC PDI, applicants whose study permit becomes invalid or expires before they can apply for a work permit may not be eligible to apply from Canada because they would no longer meet the requirements of section R199, and must submit electronically for processing outside of Canada under section R197.

However, R199(a) states that "***a foreign national may apply for a work permit after entering Canada if they hold a valid work***

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permit." Given that the student in question currently holds a valid open work permit issued under a public policy, they have legal status in Canada and can apply for a PGWP from within Canada (extend stay and change conditions as a worker) within 180 days of completion of their studies under R199(a).

Questions:

1. 1. **Eligibility to apply for a PGWP from within Canada under R199(a):** If the applicant holds a valid open work permit obtained through a temporary public policy, are they eligible to apply for a PGWP from within Canada under R199(a) within the 180-day period from the date of their Letter of Completion, even though their study permit is no longer valid? If not, on what grounds are they considered ineligible?

   R199 (a) states that a foreign national may apply for a work permit after entering Canada if they hold a work permit. Therefore, they are eligible to apply for a PGWP from within Canada.

2. 2. **IRCC Come to Canada Wizard Walkthrough:** When selecting status as a "worker" in the Come to Canada Wizard on the IRCC Secure Account, the system does not provide an option for PGWP or open work permit (IMM5710). Given that the information provided in the Come to Canada Wizard is for reference only, and no immigration decision will be made based on their answers, can the student proceed with the option that leads him to a "Post-Graduation Work Permit (in Canada)" by selecting his current status as "student" instead? If not, could you provide guidance on how an applicant in this situation should correctly complete the questionnaire to access the PGWP application?

   The student can select his current status as "student" to proceed with the option that leads him to the PGWP checklist.

I am seeking clarification to ensure the student submits their application correctly and in compliance with the relevant provisions of the IRPR and IRPA.

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

Warm regards,