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 11:47:26 AM
From: Immigration Representatives / Représentants immigration (IRCC)
Sent: Tue, 11 Mar 2025 18:05:35
To:
Cc: Immigration Representatives / Représentants immigration (IRCC)
Subject: FW: Clarifications on recent policy updates - REP-2025-0286 - Due 26-Feb-25
Importance: Normal
Sensitivity: None

Good day,

[redacted] Please note that the information provided serves as general program guidance and should not be considered a directive for case-specific inquiries.

QUESTION

1. 1. **PAL/TAL requirement**

The program policy, effective January 22, 2025, specifies that applicants are **exempt from providing a PAL/TAL** when applying for a study permit extension at the **same DLI and same level of study** as their current study permit.
The definition of "level of study," as outlined in Canada Gazette, Part I, Volume 159, is categorized as follows:

a. Primary and secondary education,
b. Post-secondary education (including vocational and technical training, and undergraduate programs), and
c. Graduate education or above (niveau d'études).

Under the most recent policy concerning a change of DLI, when transitioning **between post-secondary levels at the same DLI**, the policy indicates that a **new PAL/TAL is required** for the study permit extension.
****Question:** Does this mean that the PAL/TAL exemption applies only when an applicant transitions between programs conferring the same type of credential (e.g., from certificate to certificate) at the same DLI? Conversely, if an applicant transitions between different post-secondary credentials (e.g., from certificate to diploma) at the same DLI, would this require a new PAL/TAL since the two programs grant different levels of post-secondary education?

Response:

As of January 22, 2025, applicants extending their study permit are exempt from providing a PAL/TAL if they are staying at the same DLI and within the same level of study. The levels of study are defined as:

- * Primary and secondary education
- * Post-secondary education (including vocational and technical training, and undergraduate programs)
- * Graduate education or above

The PAL/TAL exemption applies when an applicant transitions between different programs at the same Designated Learning Institution (DLI), as long as they remain within the same level of study. This means that a student can switch between programs (e.g., from one undergraduate program to another or from a certificate to a diploma) without needing a new PAL/TAL, as long as both programs fall within the same level of study and within the same DLI. However, if the transition involves moving to a different level of study (e.g., from an undergraduate program to a graduate program), a new PAL/TAL is required, even if the student stays at the same DLI.
For more detailed information, please refer to the official IRCC websites:

- * Changing your school or program - Canada.ca
- * Study permit: Get the right documents - Provincial attestation letter or territorial attestation letter - Canada.ca
- * Ministerial Instructions

QUESTION

2. 2. **Field of study requirement for PGWP application**

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

Under the most recent policy, there's no field of study requirement for PGWP if the applicant submitted their study permit before November 1, 2024.

Field of study requirement:

If you submitted your **study permit** application before November 1, 2024, there are no field of study requirements.

If you submitted your **study permit** application on or after November 1, 2024, you must have graduated in an eligible field of study.

****Question:** For applicants who initially submitted their study permit application before November 1, 2024, and now require an extension [redacted] their i[redacted] study permit was [redacted] with [redacted] to [redacted] the [redacted] study requirement for eligibility reasonably be exempted in such cases?

Response:

[redacted] the applicant [redacted] an extension [redacted] to [redacted] and [redacted] the [redacted] program [redacted] study from their initial study permit application that was submitted prior to November 1, 2024, they are not required to meet the field of study requirement.

QUESTION

3. 3. **Eligibility for C42 Spousal Open Work Permit Extensions for Spouses or Common-Law Partners of Business Owners (Self-Employed or Entrepreneurs)**

Effective January 21, 2025, spouses and common-law partners of Principal Foreign Nationals (PFNs) are eligible to apply for or extend their C42 SOWP only if the PFN is employed in a TEER 0 or 1 occupation, or certain TEER 2 or 3 occupations. This policy **appears apply to all PFNs including those who are self-employed or entrepreneurs.** Specifically, the PFN must submit the business plan as supporting evidence.

▼ Proof that the principal applicant is or will be working in an occupation in TEER category 0, 1 or in certain occupations in TEER category 2 or 3 of the National Occupation Classification system

For most open work permit holders, such as those under the PGWP Program or International Experience Canada, the proof should be a letter from the principal applicant's current employer that shows

- their employment details
- their occupation
- a description of their duties
- the NOC and TEER category their job is classified under or a copy of the letter of offer of employment

Spouses or common-law partners of business owners (self-employed or entrepreneurs)

Your spouse or common-law partner can provide proof of the principal applicant's business plan .

****Question:** I would like to confirm and ensure that the spouses and common-law partners of PFNs, who are either on an open work permit (including a Post-Graduation Work Permit) or a closed work permit (such as a C11 Entrepreneur Work Permit), would be eligible to benefit from this policy. Could you please clarify and advise whether this policy explicitly excludes any specific categories of work permit holders for principal foreign nationals?

Your clarification on these scenarios is essential for ensuring proper compliance with IRCC regulations and advising clients accurately.

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

Response:

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

1. Please review all of the guidance provided for PAL/TAL exemption Study permit: Get the right documents Provincial attestation letter or territorial attestation letter - Canada.ca.

If you meet one of the following, you may be eligible for a PAL/TAL exemption:

- *You've entered Canada **and** one of the following situations applies to you:*
  - *You're applying for a study permit extension at the same DLI **and** level of study as your current study permit.*
  - *You're under a removal order, but can't be removed from Canada at this time.*
  - *You have a temporary resident permit valid for at least 6 months.*
  - *You're a protected person.*
  - *You're eligible for permanent residence*
    - *based on humanitarian and compassionate grounds , **or***
    - *based on a current public policy, **or***
    - *as a spouse or common-law partner (through the spouse or common-law partner in Canada class)*

You must be applying for a study permit extension at the same DLI and level of study as your current study permit. So the primory applicant would not qualify if moving between levels of study even at the same DLI.

2. ***Exemption note:** For study permit extension applications used to complete the same program of study as the study permit application made before November 1, 2024, there is no field-of-study requirement for the PGWP.*

Post-graduation work permit (PGWP) [R205(c) - C43] – International Mobility Program - Canada.ca

3. If the principal applicant is a PGWP or C11 Entrepreneur Work Permit holder, then the spouse may be eligible to apply for an open work permit (OWP) if the primary applicant meets the new requirements that entered into effect on Jan 21, 2025 5:00 UTC a.m.

Please refer to:

- the client instructions: Open work permits for family members of foreign workers: Who can apply, and
- the program delivery instructions: Public policy, competitiveness or economy [R205(c)(ii) – C41, C46, C47, C48, C49] – Canadian interest – International Mobility Program
  - Spouses and common-law partners of foreign nationals authorized to work in high-skilled occupations TEER 0 or 1, or select occupations TEER 2 or 3) [R205(c)(ii) – C41] (for applications received on or after January 21)

We trust that this information will assist you.

[redacted]

The Immigration Representatives Mailbox

De :
Envoye : 28 janvier 2025 14:07
À : Immigration Representatives / Représentants immigration (IRCC) <IRCC.ImmigrationRepresentatives-Representantsimmigration.IRCC[redacted]gc.ca>
Cc :
Objet : Clarifications on recent policy updates

Good day,

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

This is I am a Regulated Canadian Immigration Consultant based in Vancouver, and I'd appreciate your clarifications on the following policy updates:

1. 1. **PAL/TAL requirement**

The program policy, effective January 22, 2025, specifies that applicants are **exempt from providing a PAL/TAL** when applying for a study permit extension at the **same DLI and same level of study** as their current study permit.
The [redacted] study," [redacted] Canada [redacted], i[redacted]:

a. Primary and secondary education,
b. Post-secondary education (including vocational and technical training, and undergraduate programs), and
c. Graduate education or above (niveau d'études).

Under the most recent policy concerning a change of DLI, when transitioning **between post-secondary levels at the same DLI**, the policy indicates that a **new PAL/TAL is required** for the study permit extension.
****Question:** Does this mean that the PAL/TAL exemption applies only when an applicant transitions between programs conferring the same type of credential (e.g., from certificate to certificate) at the same DLI? Conversely, if an applicant transitions between different post-secondary credentials (e.g., from certificate to diploma) at the same DLI, would this require a new PAL/TAL since the two programs grant different levels of post-secondary education?

2. 2. **Field of study requirement for PGWP application**

Under the most recent policy, there's no field of study requirement for PGWP if the applicant submitted their study permit before November 1, 2024.

Field of study requirement:

If you submitted your **study permit** application before November 1, 2024, there are no field of study requirements.

If you submitted your **study permit** application on or after November 1, 2024, you must have graduated in an eligible field of study.

****Question:** For applicants who initially submitted their study permit application before November 1, 2024, and now require [redacted] would the field of study requirement for eligibility reasonably be exempted in such cases?

3. 3. **Eligibility for C42 Spousal Open Work Permit Extensions for Spouses or Common-Law Partners of Business Owners (Self-Employed or Entrepreneurs)**

Effective January 21, 2025, spouses and common-law partners of Principal Foreign Nationals (PFNs) are eligible to apply for or extend their C42 SOWP only if the PFN is employed in a TEER 0 or 1 occupation, or certain TEER 2 or 3 occupations. This policy **appears apply to all PFNs including those who are self-employed or entrepreneurs.** Specifically, the PFN must submit the business plan as supporting evidence.

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

▼ Proof that the principal applicant is or will be working in an occupation in TEER category 0, 1 or in certain occupations in TEER category 2 or 3 of the National Occupation Classification system

For most open work permit holders, such as those under the PGWP Program or International Experience Canada, the proof should be a letter from the principal applicant's current employer that shows

- their employment details
- their occupation
- a description of their duties
- the NOC and TEER category their job is classified under or a copy of the letter of offer of employment

Spouses or common-law partners of business owners (self-employed or entrepreneurs)

Your spouse or common-law partner can provide proof of the principal applicant's business plan .

****Question**: I would like to confirm and ensure that the spouses and common-law partners of PFNs, who are either on an open work permit (including a Post-Graduation Work Permit) or a closed work permit (such as a C11 Entrepreneur Work Permit), would be eligible to benefit from this policy. Could you please clarify and advise whether this policy explicitly excludes any specific categories of work permit holders for principal foreign nationals?

Your clarification on these scenarios is essential for ensuring proper compliance with IRCC regulations and advising clients [redacted] your [redacted] and I [redacted] to your guidance [redacted] these [redacted]

Regards,