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 12:35:17 PM
From: Immigration Representatives / Représentants immigration (IRCC)
Sent: Thu, 20 Mar 2025 14:37:12
To:
Cc: Immigration Representatives / Représentants immigration (IRCC)
Subject: FW: Clarifications regarding C42 SOWP extension - REP-2025-0289 - Due 26-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 but have provided the following information as guidance. If you have case specific questions about a file, you are encouraged to submit the IRCC Web form.
Please see our response to your question.

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

Generally,

- * Study permit conditions under R220.1 include:
  - * remaining enrolled at the DLI named on their study permit (SP); and
  - * actively pursuing their studies.
- * To continue pursuing their studies the foreign national (FN) must continue to be authorized to study in Canada. So, if their SP is going to expire before the end of their studies the FN would need to submit a SP extension application before their SP expires.
  - As an example, if they are taking prerequisite courses required by their DLI before the DLI accepts them into the main program (conditional acceptance), the SP would generally be valid for the length of those courses plus 1 year (Study permit: While you study - Canada.ca). When they get accepted into the main program, they would have to apply to extend their stay as a student.

Only spouses of certain primary foreign nationals (PFN) can extend their work permit if the PFN applies for a study permit for a new level or program of study.
Spouses and common-law partners of study permit holders – [R205(c)(ii) – C42]– Canadian interest – International Mobility Program - Canada.ca

The onus is on the study permit holder to meet all of the conditions under R220.1 in order to prove they remained enrolled at the DLI as well as actively pursuing their studies.

Extending or replacing your study permit
Study permit: While you study - Canada.ca

We hope this information is of assistance.

[redacted]
The Immigration Representatives Mailbox

De :

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

Envoyé : 28 janvier 2025 15:15
À : Immigration Representatives / Représentants immigration (IRCC) <IRCC.ImmigrationRepresentatives-Representantsimmigration.[redacted]gc.ca>
Cc
Objet : Clarifications regarding C42 SOWP extension

Good day,

This is , I am a Regulated Canadian Immigration Consultant based in Vancouver. I would appreciate your clarification regarding the extension of C42 spousal open work permits.

The IRCC manual as of today Jan 28, 2025 states that: https://www.canada.ca/en/immigration-refugees-citizenship/corporate/publications-manuals/operational-bulletins-manuals/temporary-residents/foreign-workers/public-policy-competitiveness-economy/c42.html

If the applicant has applied to extend their open work permit on or after January 21, 2025

For the applicant to be eligible to extend their open work permit under administrative code C42, the principal foreign national must meet **all** of the following requirements

- * hold a valid study permit
- * be accepted by or enrolled in a PGWP-eligible study program and DLI
- * be physically residing in Canada while studying
- * be studying full-time or have proof of enrolment in full-time courses at a PGWP-eligible DLI
- * be studying in one of the following:
    - * a master's program of 16 months or longer
    - * a doctorate program
    - * a professional program
    - * one of the eligible programs at a participating DLI

In limited circumstances, spouses of principal foreign nationals studying in the following programs may apply for a work permit renewal under the criteria that were in place when they received their current work permit. This applies to spouses of principal foreign nationals studying in

- * master's programs of less than 16 months, or
- * college and undergraduate programs

The spouse must be residing in Canada and be requesting an open work permit renewal for a duration that aligns with, and does not exceed, the principal foreign national's existing study authorization.

Example 2:

- * If the principal foreign national needs more time (for example, for their thesis) and a study permit extension is needed to complete their **current** program, spouses may still benefit from a work permit renewal, as noted above. However, the spouse's application for their work permit extension can be assessed only once the principal foreign national receives the approval of their study permit extension.

Questions

Many applicants are facing the following situation: Several DLIs offer bundled admissions into two programs. For example, the Principal Foreign National (PFN) submitted a letter of acceptance explicitly stating they are admitted into two consecutive certificate programs. While IRCC initially approved their study permit based on this letter, the validity period of the current study permit only covers the first program. As a result, the PFN must extend their study permit to complete the second program, as outlined in their initial admission requirements.
In this scenario, we would like to clarify: Would the spouse of the PFN remain eligible for a C42 spousal open work permit extension under the policy (example 2) given that the extension is solely to fulfill the planned program of study?

Your clarification on these scenarios is essential for ensuring proper compliance with IRCC regulations and advising clients accurately. [redacted] your assistance as always, and I look forward to your guidance on this matter.

Regards,

Page 1196

is withheld pursuant to section

est retenue en vertu de l'article

19(1)

of the Access to Information Act

de la Loi sur l'acces a l'information