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Archived: June 2, 2025 12:36:33 PM
From: Immigration Representatives / Représentants immigration (IRCC)
Sent: Fri, 21 Mar 2025 11:51:41
To:
Cc: Immigration Representatives / Représentants immigration (IRCC)
Subject: TR: C49 LMIA Exemption Criteria and Changes to C41/C47 Eligibility - REP-2025-0137- Due 11-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.

Our sincere apologies for not responding sooner to your question.

Family members of PNP T13 workers continue to be eligible under the new measure.

Please refer to: Public policy, competitiveness or economy [R205(c)(ii) – C41, C46, C47, C48, C49] – Canadian interest – International Mobility Program.

Family members of workers who are transitioning to PR but have not submitted an applications for permanent residence, such as family members of T13 workers will continue to be eligible to apply for an open work permit as described in the Program Delivery Instructions (PDIs) found at

- * Family members of foreign nationals authorized to work in high-skilled occupations (TEER 0, 1, 2 or 3) [R205(c)(ii) – C41 and C46] and
- * Family members of foreign nationals authorized to work in low-skilled occupations (TEER 4 or 5) [R205(c)(ii) – C47 and C48]

[redacted]

The Immigration Representatives Mailbox

De :
Envoyé : 14 janvier 2025 16:46
À : Immigration Representatives / Représentants immigration (IRCC) <IRCC.ImmigrationRepresentatives-[redacted]
Objet : C49 LMIA Exemption Criteria and Changes to C41/C47 Eligibility

Hello,

Given today's announcements of changes to the C41 and C47 LMIA Exemption eligibility (C41 moves to more limited employment scope and C47 appears fully rolled back), this will impact spouses of workers in PR situations.

[redacted]

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Historically, the T13 LMIA exempt permit could be accessed by spouses of nominees as an open work permit.

> **Open work permits for spouses and common-law partners**
> Spouses and common-law partners of provincially nominated exemption code T13 work permit holders may apply for an exemption code T13 open work permit, irrespective of the skill level of the principal applicant's occupation. The open work permit should be location-restricted to the principal applicant's province of work. The duration should match the lesser of either the [redacted] or the principal applicant's work permit validity.

Source: [redacted]
citizenship/corporate/publications-manuals/operational-bulletins-manuals/temporary-residents/foreign-workers/exemption-codes/federal-provincial-territorial-agreements-r204-lmia-exemption-code-t13.html

Because the C49 LMIA Exemption requires the Principal Foreign National to have a complete PR application, Acknowledgement of Receipt (AOR; see documentary evidence), the T13 LMIA Exemption cannot be filed with an SOWP (C41) if the occupation of the Principal Foreign National is not under the current rules, and the C49 SOWP cannot be filed without [redacted] creates more situations where the family group of applications are separated.

Question
Will the C49 LMIA Exempt requirements be adjusted so that they can be filed with a work permit when there is a PR application that has been filed, but no AOR is yet received?

Sincerely,