Immigration, Refugees and Citizenship Canada / Immigration, Réfugiés et Citoyenneté Canada
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Archived: June 2, 2025 10:13:35 AM
From: Immigration Representatives / Représentants immigration (IRCC)
Sent: Tue, 28 Jan 2025 18:53:01
To:
Cc: Immigration Representatives / Représentants immigration (IRCC)
Subject: TR: Restoration from Student or Worker to Visitor - REP-2025-0123- 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.

Please see our response to your question.

Question:
As IRCC has transitioned from its more facilitative guidance (OP 130) to the current guidance (Operation Bulletin on Restoration of Status), which is more restrictive. Can you please clarify:

1. 1. Is it the requirement of IRCC that a person whose last status and authorization as worker must restore both temporary residence status *and* authorization to their most recent authorization (worker) as a condition to make an eligible restoration application, OR may a person whose last status was worker *restore their temporary status only* and still potentially have an eligible restoration application?
2. 2. Is it the requirement of IRCC that a person whose last status and authorization as student must restore both temporary residence status *and* authorization to their most recent authorization (student) as a condition to make an eligible restoration application, OR may a person whose last status was student *restore their temporary status only* and still potentially have an eligible restoration application?

The questions highlight the ability to restore status only (restore to visitor) without restoring to an authorization.

Response:
When a temporary resident submits an application to restore their status as a worker or student, the client is submitting two applications in one; the first is to restore their **status** as a temporary resident, while the second is to seek **authorization** as a worker or student. Foreign nationals can only apply to restore their temporary resident status and authorization to the one that they held immediately prior to the loss of status as per the Immigration and Refugee Protection Regulations section 182(1). For example, a temporary resident with authorization to study and who is out of status cannot apply to restore their temporary resident status with authorization to work.

It is important to note that since status and authorization are not the same under the IRPA, an applicant can only restore their status to that of a temporary resident and to the authorization that they held immediately prior to the restoration application. As an example, a student who lost their status cannot apply to restore temporary resident status with authorization to work.

Despite this, an out-of-status worker or student may apply to restore their status as a visitor without submitting an application (and the associated fees) for a work or study permit. However, restoring their status as a visitor may limit them to later apply for a work or study permit from inside Canada (only if eligible).

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For more information, please visit IRCC webpage: Restoration of temporary resident status - Canada.ca

We trust that this information will assist you.

[redacted]

The Immigration Representatives Mailbox

De :
Envoyé : 14 janvier 2025 11:22
À : Immigration Representatives / Représentants immigration (IRCC) <IRCC.ImmigrationRepresentatives-Representantsimmigration.[redacted]
Objet : Restoration from Student or Worker to Visitor

Hello,

As IRCC has transitioned from its more facilitative guidance (OP 130) to the current guidance (Operation Bulletin on Restoration of Status), which is more restrictive. Can you please clarify:

1. 1. Is it the requirement of IRCC that a person whose last status and authorization as worker must restore both temporary residence status *and* authorization to their most recent authorization (worker) as a condition to make an eligible restoration application, OR may a person whose last status was worker *restore their temporary status only* and still potentially have an eligible restoration application?
2. 2. Is it the requirement of IRCC that a person whose last status and authorization as student must restore both temporary residence status *and* authorization to their most recent authorization (student) as a condition to make an eligible restoration application, OR may a person whose last status was student *restore their temporary status only* and still potentially have an eligible restoration application?

The questions highlight the ability to restore status only (restore to visitor) without restoring to an authorization.

Thank you!

Sincerely,