Immigration, Refugees and Citizenship Canada | Immigration, Réfugiés et Citoyenneté Canada
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Archived: June 2, 2025 2:46:04 PM
From: Immigration Representatives / Représentants immigration (IRCC)
Sent: Wed, 26 Mar 2025 17:20:47
To [redacted]
Cc: Immigration Representatives / Représentants immigration (IRCC)
Subject: TR: Clarification on Open Work Permit Eligibility for Family Members of Temporary Residents - REP-2025-0133-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:
I am writing to seek clarification regarding the recent updates to open work permits for family members of temporary residents, as announced on January 14, 2024, and detailed on the IRCC website. Specifically, I am looking for guidance on how these changes affect spouses of international students who are already **inside Canada** and holding a C42 open work permit.
My question is as follows:
If the spouse of an international student has previously obtained an open work permit under the C42 LMIA exemption code and is currently inside Canada, and their spouse (the international student) is now applying for a Post-Graduation Work Permit (PGWP) after completing their studies from an eligible DLI, would the open work permit (C42) holder be eligible for a C47 or C41 open work permit if the PGWP holder is working in:

- * A TEER 4/5 job, or
- * A TEER 2/3 job that is not included in the recently announced labour shortages or linked to government priorities?

The reason for my inquiry is that the announcement provides clarity regarding applications made from outside Canada but does not specify the eligibility criteria for work permit extension applications submitted from within Canada. In this scenario, the spouse is extending their work permit from within Canada rather than applying for a new open work permit from outside Canada.
For reference, the announcement can be found here:
https://www.canada.ca/en/immigration-refugees-citizenship/news/notices/changes-open-work-permits-family-members-temporary-residents.html
Guide 5553 - Applying for a work permit inside Canada – extend, change conditions, initial and open work permits - online application - Canada.ca

Answer:
Please note that this service provides guidance and not case-specific advice.
Spouses of PGWP who are working in an occupation TEER 3 or 5 or in TEER 2 or 3 in an occupation not on the list of selected NOC (TEER 2 or 3) are not eligible to apply for an open work permit. Dependent children of all workers who are not on a pathway to PR are no longer eligible to apply for an open work permit.

Please review the updated pages below for more information related to your questions.
https://www.canada.ca/en/immigration-refugees-citizenship/services/work-canada/permit/temporary/open-work-

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permit-spouses-dependent-children/eligibility.html
Public policy, competitiveness or economy [R205(c)(ii) – C41, C46, C47, C48, C49] – Canadian interest – International Mobility Program.

We hope this information is of assistance.

Sincerely,

The Immigration Representatives Mailbox

De :
Envoyé : 14 janvier 2025 16:05
[redacted]: Immigration Representatives [redacted] Représentants immigration [redacted]
Representantsimmigration.IRCC[redacted]
Objet : Clarification on Open Work Permit Eligibility for Family Members of Temporary Residents

[redacted]

I hope this email finds you well.

I am writing to seek clarification regarding the recent updates to open work permits for family members of temporary residents, as announced on January 14, 2024, and detailed on the IRCC website. Specifically, I am looking for guidance on how these changes affect spouses of international students who are already **inside Canada** and holding a C42 open work permit.

My question is as follows:

If the spouse of an international student has previously obtained an open work permit under the C42 LMIA exemption code and is currently inside Canada, and their spouse (the international student) is now applying for a Post-Graduation Work Permit (PGWP) after completing their studies from an eligible DLI, would the open work permit (C42) holder be eligible for a C47 or C41 open work permit if the PGWP holder is working in:

- * A TEER 4/5 job, or
- * A TEER 2/3 job that is not included in the recently announced labour shortages or linked to government priorities?

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https://www.canada.ca/en/immigration-refugees-citizenship/news/notices/changes-open-work-permits-family-members-temporary-residents.html

Your guidance on this policy would be greatly appreciated.

[redacted] and attention.

Best regards,

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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