Immigration, Refugees and Citizenship Canada / Immigration, Réfugiés et Citoyenneté Canada
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Archived: June 3, 2025 8:48:07 AM
From: [redacted] Representatives / Représentants [redacted] (IR[redacted]
Sent: Fri, 4 Apr 2025 13:13:45
To:
Cc: [redacted] Representat[redacted]s [redacted]
Subject: FW: Open work permits for family members of foreign workers - REP-A-2025-0816 - Due 22-Apr-25
Importance: Normal
Sensitivity: None

Good day,
[redacted] **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.
***
Response Q1:

Yes, the spouse may apply at the same time as the principal foreign national under C41. Please refer to: Family group in Canada.

Response Q2:

If the occupation of the principal foreign national is not on the list of NOCs, the spouse will not be eligible to apply to restore their status to obtain an open work permit under C41. However, spouses who are no longer entitled to an open work permit can apply for any type of work permit for which they may be eligible under Canada's work permit programs. They may restore their status in the worker's class as per R182 and apply for that work permit.

***

[redacted]

The Immigration Representatives Mailbox

From:
Sent: [redacted] 7, 2025 8:56 AM
To: Immigration Representatives / Représentants immigration (IRCC) <IRCC.ImmigrationRepresentatives-Representantsimmigration.[redacted]ca>
Subject: RE: Open work permits for family members of foreign workers

> **CAUTION:** This email originated from outside the Government of Canada. Do not click on links or open attachments unless you recognize the sender and know the content is safe.
> **ATTENTION:** Ce courriel provient de l'extérieur du gouvernement du Canada. Ne cliquez pas sur les liens et n'ouvrez pas les pièces jointes sauf si vous reconnaissez l'expéditeur et sachez que le contenu est sûr.

Greetings,

Immigration, Refugees and Citizenship Canada | Immigration, Réfugiés et Citoyenneté Canada
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Requesting clarification on Open work permits for family members of foreign workers.

Work permit extensions for your in-Canada family members

Your family members in Canada can apply to extend their open work permit, even after January 21, 2025, if **all of the following** apply:

- They're in Canada.
- Their current work permit is valid for a shorter period of time than yours (the principal applicant).
- They apply to extend their work permit before their initial work permit expires.

Note that we can't issue a work permit beyond the expiry of

- your work permit **and**
- your family member's passport or biometric validity

Example:
Your work permit (the principal applicant) is valid until March 2027. Your family member's work permit has a shorter validity because their passport is valid until March 2026. Since we can't issue a work permit beyond the expiry date of your family member's passport, they must

1. apply for a new passport
2. apply to extend their work permit

Foreign worker and spouse already in Canada working on valid work permit/Open work permit. A new high skill high wage LMIA has been approved, and foreign worker is applying to extend stay as a worker with a new LMIA.

Does spouse qualify to apply at the same time as the worker currently?

Please clarify.

As well please clarify the following scenario:

Foreign worker and spouse applied to extend stay as workers with an LMIA in process. Applications refused as the LMIA was not received on time.

Foreign worker will apply to restore status as a worker with an LMIA (high skill occupation), can spouse apply to restore status as well under the new rules if occupation is not on list?

Thank you in advance.

Sincerely,

Page 1968

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19(1)

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