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Archived: June 3, 2025 8:48:45 AM
From: Immigration Representatives / Représentants immigration (IRCC)
Sent: Fri, 4 Apr 2025 13:47:44
To:
Cc: Immigration Representatives / Représentants immigration (IRCC)
Subject: FW: Clarification on Open Work Permit Eligibility for Spouses of Study Permit Holders - REP-A-2025-0813 -Due 16-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.
***
OWPs that were approved under the previous measures and have not expired will remain valid. In situations where students may need more time to complete their program or where family members received a shorter work permit than the principal applicant, in-Canada family members (including spouses and dependent children) can apply to renew their work permit as long as

- * they are applying under the same criteria as the current work permit, and
- * the requested duration of the renewal matches that of the existing study or work permit of the principal applicant

Changes to open work permits for family members of temporary residents - Canada.ca

As the principal foreign national now has a study permit and not a work permit, their spouse would not be applying under the same conditions/criteria.

We hope this information is of assistance.

***

[redacted]

The Immigration Representatives Mailbox

From:
Sent: [redacted] 5, 2025 5:32 PM
To: Immigration Representatives / Représentants immigration (IRCC) <IRCC.ImmigrationRepresentatives-Representantsimmigration.IRCC@cic.gc.ca>
Cc:
Subject: Clarification on Open Work Permit Eligibility for Spouses of Study Permit Holders

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s.19(1)

Hi there,

The current rule states:
In-Canada spouses of students may seek open work permit renewals, *under the criteria that existed when their current work permit was processed,* only if they are requesting a permit duration that aligns with the study authorization that the principal foreign national received to complete their current program.

Scenario:
The principal foreign national (FN) previously held a work permit and currently has a valid study permit while enrolled in a two-year diploma program at a public college. The spouse's open work permit, which was issued based on the principal FN's former work permit, is set to expire in a few months. Given that the principal FN's study permit is valid, is the spouse eligible to apply for an open work permit based on the principal's current study permit?

In other words, would the spouse benefit from "*the criteria that existed when their current work permit was processed*"?

Thank you!

Warm Regards,