



Canadian Bureau for  
International Education  
Bureau canadien de  
l'éducation internationale

# IAC Update to IRCC

March 2023

*The following was prepared for Immigration, Citizenship and Refugees Canada (IRCC) by the Canadian Bureau for International Education (CBIE) Immigration Advisory Committee (IAC) as a summary document of concerns raised by CBIE membership.*

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## **Study Permit Application Processing and Processing Times**

### Context:

All applications are submitted online. IRCC no longer publishes country-specific processing times for study permit applications submitted from outside of Canada.

### Questions:

- Does this imply that there is a centralized mechanism for processing applications that does not consider a student's country of residence or nationality?
- Are processing times consistent throughout the system, or are there still regional variations?
- Can IRCC share details about the mechanism for distributing online applications to processing agents at various visa offices? Does student nationality or country of residence affect where the student's application is processed? How are applications selected to be processed in Processing Centres in Canada?
- How does IRCC ensure that the officers processing applications at these locations have complete knowledge of the visa office-specific documentation?

## **Study Permit Refusals**

### Context:

The IRCC study permit refusal letters often provide very general reasons for refusal, such as “The purpose of your visit to Canada is not consistent with a temporary stay given the details you have provided in your application.” ATIP requests for the GCMS notes may take months.

IRCC recently piloted including officers' notes in refusal letters for some TRV applicants.

Question:

- Does IRCC have any plans to include the officers' notes or more details in the refusal letters for study permit applicants who are refused?

**RECOMMENDATION**

**Provide clear and detailed refusal reasons or officer notes in refusal letters.**

Applicants can properly address the reasons for refusals if specific details are provided in the letters. It would help applicants to strengthen subsequent applications or make informed decisions on alternative options (i.e., whether or not to reapply or seek other remedies). This would also reduce the administrative burden on IRCC.

**Study Permit Extensions**

Context:

The extended processing times are affecting students and family members in significant ways. Those students who are in their last term and who followed IRCC website directions to apply for their extension within 30 days of the expiry of their permit are finding themselves on maintained status upon completion of their program, which hinders their ability to apply for their PGWP from within Canada as well as their ability to start working upon submission of that work permit application. It also affects the extension of Spousal Open Work Permits and consequently further diminishes the livelihood of our students and their family members.

In addition to being unable to apply for their PGWP, students on maintained status cannot apply for Temporary Resident Visas, which affects their ability to return to Canada should they need to leave. They cannot visit family in their home country because they are not authorized to re-enter Canada.

**RECOMMENDATIONS**

1. Processing of in-Canada study permit extensions should be prioritized.
2. Recent graduates should be authorized by public policy to submit PGWP applications from inside Canada while on maintained status as was stated in the program delivery instructions from 2020-2022 ([accessed via Internet Archive](#)):

“Applicants may apply for a PGWP from within Canada if

- their study permit is still valid
- they have a valid visitor record because they changed their status to visitor status before their study permit expired, while waiting for their notice of graduation from their institution, or simply to remain in Canada. However, they would not be eligible to work while waiting for a decision on their PGWP application as per [paragraph R186\(w\)](#)
- they are on implied status, meaning they submitted an application to extend or change their status to visitor or student before the expiry date of their study permit and no decision has been made”

3. To support recent graduates' entry into the labour market, those who submit a PGWP application while on maintained status should be permitted by public policy to start working full time upon submission of the application.

## Off-campus Work & Co-op Work Permit

### Context:

The new [public policy for off-campus work](#) allows students to work an unlimited number of hours off campus provided they meet specific eligibility criteria.

Students who do not qualify for the new public policy have reported attempts to apply for their co-op work permits at a port of entry are being refused by CBSA because “they do not need a co-op work permit due to the new public policy.”

### Question:

- Does the new public policy for off-campus work apply to international students who have completed their academic program and are waiting for their program completion letter?
- More specifically, can these students continue to work more than 20 hours per week if they are no longer registered but have a valid study permit and are waiting for proof of program completion?
- Are co-op work permits still being processed for students who are not eligible to work under the new off-campus public policy and need to apply for a co-op work permit?
- Have the new eligibility criteria been communicated to CBSA?

## Temporary Policies

### Context:

A [temporary policy](#) was announced on December 2, 2022, indicating changes to work permits for spouses of high-wage and low-wage temporary workers as well as dependent children. “Starting in January 2023, through a temporary 2-year measure, Canada will expand eligibility to work in Canada to spouses and working-age children through a phased approach for workers at all skill levels.”

However, the [program delivery update](#) outlining the new LMIA exemption codes does not suggest that this is a temporary policy, and the public-facing website on [changes to open work permit eligibility for family members of foreign workers](#) also does not reference an expiry date.

### Question:

- Please confirm if these changes are only temporary until January 2025.