



Determine your eligibility to become a Canadian Citizen

June 2017

Bill C-6, an act amending Canada's *Citizenship Act*, has received Royal Assent and is now law. Under the new legislation, permanent residents of Canada may apply for citizenship sooner than previously. However, it should be noted that some of the measures contained in the legislation will not come into force until later this year or early 2018, while some measures came into force immediately. See page 5 below.

Age

Minors can now apply for citizenship without a Canadian parent, as the age requirement for citizenship has been removed under subsection 5(1). A person having custody of the minor or empowered to act on their behalf by court order, written agreement or operation of law, can now apply for citizenship on behalf of the minor, unless that requirement is waived by the Minister.

Permanent Resident Status

If you're applying for citizenship, you must have:

- permanent resident (PR) status in Canada
- no unfulfilled conditions related to your PR status

Your PR status must not be in question. This means you must **not**:

- be under review for immigration or fraud reasons
- have certain unfulfilled conditions related to your PR status
- be under a removal order (an order from Canadian officials to leave Canada)

You don't need a valid PR card to apply for citizenship. If you have an expired PR card, you can still apply for citizenship.

Time you have lived in Canada

As of June 19 2017:

- applicants now have to accumulate 1,095 days, or three years, within a five-year period before being eligible for citizenship
- permanent residents who have spent time in Canada on temporary status, such as on a work or study permit, may now count up to 365 days of this temporary status towards the residency requirement

Canadian Citizenship Eligibility Calculator

<http://www.canadavisa.com/citizenship-wizard.html>



Language Abilities

Canada has two official languages—English and French. To become a citizen, you must show that you have adequate knowledge of one of these languages. In general, this means you can:

- take part in short, everyday conversations about common topics;
- understand simple instructions, questions and directions;
- use basic grammar, including simple structures and tenses; and
- show that you know enough common words and phrases to answer questions and express yourself.

Depending on your age, you must send documents with your citizenship application that prove you can **speak** and **listen** in English or French at this level. Use IRCC's wizard to see if you have the proof CIC will accept.

IRCC will note how well you communicate to staff or a citizenship officer during your interview. A citizenship officer will make the final decision on your application, including how well you can communicate in English or French.

How well you know Canada

To become a citizen, you must understand the rights, responsibilities and privileges of citizenship, such as voting in elections and obeying the law. You must also show, in English or French, that you understand Canada's:

- history,
- values,
- institutions and
- symbols.

Depending on your age, you will need to take a citizenship test to show you have adequate knowledge of Canada and the responsibilities and privileges of citizenship. It is usually a written test, but it is sometimes taken orally with a citizenship officer. All you need to know for the test is in our free study guide, *Discover Canada: The Rights and Responsibilities of Citizenship*. We will send you a copy of it once we get your application. The questions in the citizenship test are based on this study guide.



Prohibitions

If you have committed a crime in or outside Canada you may not be eligible to become a Canadian citizen for a period of time. For example if you:

- are in prison, on parole or on probation in Canada, or are serving a sentence outside Canada,

- have been convicted of an indictable offence in Canada or an offence outside Canada in the four years before applying for citizenship, or
- are charged with, on trial for, or involved in an appeal of an indictable offence in Canada, or an offence outside Canada.

Individuals serving a conditional sentence will not be granted citizenship, take the Oath of Citizenship, or be able to count this time towards meeting the physical presence requirements for citizenship.

Fees

<http://www.cic.gc.ca/english/information/fees/fees.asp#citizenship>

If more than one member of your family is applying for Canadian citizenship pay the fees all together.

Fees must be included with application.

Adult (18 years of age and over) × \$630

Child (under 18 years of age) × \$100

More info

<http://www.cic.gc.ca/english/citizenship/become.asp>



New Legislation

Changes expected to take effect in fall/autumn 2017

Outlined below are measures contained in the new act that the government expects to take effect in fall/autumn 2017.

Previous act: Applicants had to be physically present in Canada for four out of six years before applying for citizenship.

New act: Applicants must be physically present in Canada for three out of five years before applying for citizenship.

Previous act: Applicants had to file Canadian income taxes, if required to do so under the *Income Tax Act*, for four out of six years, matching the physical presence requirement.

New act: Applicants must file Canadian income taxes, if required to do so under the *Income Tax Act*, for three out of five years, matching the new physical presence requirement.

Previous act: Applicants had to be physically present in Canada for 183 days in four out of the six years preceding their application.

New act: This provision is repealed. Applicants no longer have to meet this requirement.

Previous act: Time spent in Canada prior to becoming a permanent resident did not count towards the physical presence requirement for citizenship.

New act: Applicants may count each day they were physically present in Canada as a temporary resident or protected person before becoming a permanent resident as a half-day toward meeting the physical presence requirement for citizenship, up to a maximum credit of 365 days.

Previous act: Applicants between 14 and 64 years had to meet the language and knowledge requirements for citizenship.

New act: Applicants between 18 and 54 years must meet the language and knowledge requirements for citizenship.

Changes expected to take effect in early 2018

Outlined below are measures contained in the new act that the government expects to take effect in early 2018.

Previous act: The Minister was the decision-maker for most cases of citizenship revocation on the grounds of false representation, fraud, or knowingly concealing material circumstances. The Federal Court was the decision-maker for citizenship revocation cases involving false representation, fraud, or knowingly concealing material circumstances related to security, human or international right violations, and organized criminality.

New act: The Federal Court is the decision-maker in all revocation cases, unless the individual requests that the Minister make the decision.

Previous act: There was no clear authority for Citizenship Officers to seize fraudulent or suspected fraudulent documents provided under the *Citizenship Act*.

New act: Clear authority for Citizenship Officers to seize fraudulent or suspected fraudulent documents is provided under the *Citizenship Act*.

This document is an overview and cannot be relied upon from a legal perspective. I/CAN provides information—not advice. This information is gleaned from the IRCC website. Before you proceed you must verify this information with IRCC. I/CAN has no immigration lawyers or consultants on staff.

