



Citizenship and
Immigration Canada

Citoyenneté et
Immigration Canada

CP 4

Grants

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Updates to chapter

Listing by date:

Date: 2009-08-07

Changes have been made to this chapter to reflect changes to citizenship law that came into effect with the coming into force of Bill C-37, *An Act to amend the Citizenship Act*, S.C. 2008, c.14, on April 17, 2009. Specifically:

- Paragraph A5(2)(b) has been repealed and minor grants are now described under subsection A5(2).
- Section 4: Grant of citizenship under 5(2)(b) has been replaced with Grant of citizenship under subsection 5(5).
- Section 5 on resumption and election of Canadian citizenship has been added.

Other minor corrections throughout the chapter.

Please discard all previous versions of this chapter.

Date: 2007-03-20

A minor change was made to section 1.15 of chapter CP 4, entitled "Grants". The link in this section has been corrected.

2007-01-15

Please note that Citizenship Policy Manual Chapter 4 has been edited and updated to reflect changes to the policy concerning minor applicants turning 18 years of age:

- Revised: Sections 1.12 and 2.5
- Deleted: Section 2.19 (Minor will be 18 before citizenship can be granted)
- Deleted: Section 2.20 (Minor turns 18 before citizenship is granted)

Please discard all previous versions of this chapter.

2006-01-11

This chapter has been updated. The following operations memoranda and operational bulletins have been incorporated:

- CP 98-14 Language Assessment in the Citizenship Process
- CP 01-04 Mandatory Citizenship Test Questions

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- OB003 Establishing parentage: Grant of citizenship
- OB008 Expiration on August 14, 2004 of transitional provisions ...
- OB010 New interpretation of the facilitated grant provision under section 5(2)(b) of the Citizenship Act 1977 (after a Court order in the *Augier* case)
- OB 016 "A Look at Canada" and "Citizenship tests" in Braille

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1. Grant of citizenship - subsection 5(1)

1.1 This section is about

This section is about the grant of citizenship to an adult non-citizen.

Note: Some applicants for a grant of citizenship may have acquired citizenship automatically on April 17, 2009 with the coming into force of Bill C-37, *An Act to amend the Citizenship Act*, S.C. 2008, c.14. See CP 9 Acquisition and Loss of Canadian Citizenship for more information.

1.2 Authorities

Citizenship Act

- Paragraph 2(2)(b) • Section 15
- Paragraph 3(1)(c) • Section 17
- Subsection 5(1) • Section 20
- Subsection 5(1.1) • Section 21
- Subsection 5(3) • Section 22
- Subsection 5(4) • Section 24
- Section 12 • Section 28
- Section 14 • Section 29

Citizenship Regulations

- Section 3 • Section 21
- Section 11 • Section 22
- Section 12 • Section 23
- Section 14 • Section 24
- Section 15 • Section 28
- Section 18 • Section 30
- Section 19 • Section 31
- Section 20 • Section 32
- Section 33

1.3 Requirements of the Act

The requirements to be met for an adult grant of citizenship are found in paragraphs 5(1)(a), (b), (c), (d), (e) and (f) of the *Citizenship Act*.

1.4 Form

Each applicant must submit an Application for Canadian Citizenship – Adults (CIT 0002E). The application form for a minor (CIT 0003E) is different from that of an adult.

1.5 Fee

Each application must include the non-refundable processing fee and the Right of Citizenship fee. The Right of Citizenship fee is refunded if the applicant does not acquire citizenship. See CP 1, section 3, Fees and Refunds.

1.6 Documents

Each application for a grant of citizenship must include clear and legible photocopies of the following:

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- Canadian Immigration record/document (either the *Record of Landing* (IMM 1000) or *Confirmation of Permanent Residence* (IMM 5292)), and both sides of the Permanent Resident Card (PR Card), if the applicant has one; and
- two pieces of personal identification, such as a driver's licence, provincial or territorial health insurance card, foreign passport, etc., one of which should contain the applicant's signature and photo. If such a document is not available, the applicant should provide an explanation.

The applicant must also provide two identical citizenship photographs with their application that conform to the citizenship photograph specifications (CIT 0021E) included in the application. Photographs must be signed with the signature that matches the one on the application if applicant is 14 years of age and older.

Other documentation that may be required, depending on the individual case, (list is not exhaustive):

- passport or travel document used to enter Canada, and any passport(s) issued after entry to Canada. If a passport is necessary, the applicant must submit photocopies of ALL the pages of the passport(s), even if the pages are blank;
- birth certificate;
- marriage certificate(s);
- legal name change certificate;
- residence questionnaire (CIT 0171B) and proofs of residence;
- fingerprints;
- court documents;
- request for medical opinion (CIT 0015E);
- immigration amendment form confirming amendment of name or date of birth on immigration record;
- any other documents a citizenship officer or judge feels are necessary to confirm that the applicant meets the requirements of the Act.

Note: While passports and travel documents are not required documents when submitting an application, they will be requested at some point in the process.

1.7 Applicant must sign and date form

The application must be signed and dated by the applicant. See CP 13, Section 5 Accepting Applications.

1.8 Age requirement

The age of majority for citizenship is 18. A minor who cannot meet the requirements of subsection 5(2) of the Act (for example, minor has no Canadian parent) may decide to apply under

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subsection 5(1) of the Act and request a waiver of the age requirement. See section 3, *Minor applying as an adult under subsection 5(1) of the Act* below.

1.9 Residence

The *Citizenship Act* requires that applicants under subsection 5(1) acquire at least three years of residence (1,095 days) in the four years immediately preceding the date of the application.

Other than exceptional circumstances, it is departmental policy that a citizenship applicant under subsection 5(1) must have accumulated 1,095 days of physical presence in Canada in the four years preceding the date of application. In other words, an applicant can be absent from Canada for up to one year, within the four year period.

However, the *Citizenship Act* does not define residence as physical presence and the Federal Court has made various decisions on this issue over the years. It is the responsibility of the citizenship judge to determine if an applicant meets the residence requirement despite absences from Canada. See CP 5 Residence.

1.10 Language and knowledge requirements

Applicants between 18 and 55 years of age are required to demonstrate adequate knowledge of either French or English, knowledge of Canada, and knowledge of the rights and responsibilities of citizenship. See sections 7 and 8 later in this chapter.

1.11 Prohibitions

The applicant must not be subject to the prohibitions contained in sections 20, 21 and 22 of the Act. See CP 6, Prohibitions.

1.12 Waiver of requirements

A judge may recommend that the language and knowledge requirements as well as the requirement to take the oath of citizenship be waived under subsection 5(3). See sections 5 and 6 later in this chapter and CP 7 - Waivers.

1.13 Discretionary grant of citizenship under subsection 5(4)

A judge may recommend that citizenship be granted pursuant to subsection 5(4). See CP 7 - Waivers.

1.14 Oath of citizenship

An adult applicant who has been granted citizenship under subsection 5(1) must take the oath of citizenship, unless the requirement to take the oath has been waived. See CP 7 - Waivers.

The oath of citizenship must be administered in Canada by an authorized person.

1.15 Effective date of citizenship

The effective date of citizenship is the date of the oath.

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1.16 Abandonment

There is no provision in the Act for the non-approval of an application for failure to appear for a test or oral interview. However, abandonment may be a possibility. See CP 13, [section 6, Abandonment](#).

1.17 Right of appeal

If the application is not approved by the citizenship judge, the judge notifies the applicant in writing of the reasons why the application is not approved and the right to appeal the decision. See CP 8, Appeals.

1.18 Ministerial appeal

In cases where the citizenship officer feels the citizenship judge made an error or did not take all the evidence into account, the citizenship officer may recommend that the Minister appeal the decision. See CP 8 - Appeals.

2. Grant of citizenship - subsection 5(2) of the Act

2.1 This section is about

This section is about an application filed on behalf of a minor (person under 18 years of age).

2.2 Authorities

Citizenship Act

- Paragraph 2(2)(b)
- Paragraph 3(1)(c)
- Subsection 5(2)
- Subsection 5(3)
- Subsection 5(4)
- Section 12
- Section 17
- Section 20
- Section 22
- Section 24

Citizenship Regulations

- Section 4
- Section 19
- Section 20
- Section 21
- Section 22
- Section 23
- Section 24
- Section 28
- Section 31

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2.3 Requirements

The minor must be a permanent resident of Canada and the child of a Canadian citizen. In order to be granted citizenship under subsection 5(2) of the Act, the minor child must have either a living natural or adoptive Canadian parent.

2.4 Who may apply on behalf of a child?

Only a legal guardian may apply for citizenship on behalf of a child. A legal guardian is usually the parent unless another person has been given guardianship over the child.

2.5 When a legal guardian may apply

A legal guardian, other than the parent, may apply for citizenship on behalf of the child ONLY when one of the parents (natural or adoptive) is already a Canadian citizen.

<p>Example: Parent is a Canadian citizen but resides in another country. Legal guardian may apply on behalf of the child.</p>

2.6 Age requirement assessed at time of application

The age requirement must be met at the time of application. When assessing the requirements in order to grant, officers must ensure that the applicant was a minor at the time of application. If an applicant turns 18 during the processing of the application, the applicant is still assessed against the requirements for a grant of citizenship as a minor under subsection 5(2).

2.7 Canadian citizen parent

The minor must have a Canadian citizen parent (non-concurrent) or must apply at the same time as a parent who is applying for citizenship (concurrent).

2.8 Concurrent applications

When an application is submitted at the same time as an application for one or both parents:

- process the applications together;
 - schedule the family to attend the citizenship ceremony and take the oath together.
-

2.9 Non-concurrent applications

Canadian citizen parents or a legal or *de facto* guardian can make an application on behalf of a child for the grant of citizenship.

If the minor is under 14 years of age when the application processing is complete, the Case Processing Centre (CPC), Sydney may grant citizenship and send the certificate to the applicant's last-known address.

If the minor is 14 years of age or older, the minor must take the oath. The local citizenship office may grant citizenship and schedule the minor for a citizenship ceremony.

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2.10 Signature on application for a minor under 14

The application form for a minor under 14 years of age must be signed and dated by either parent, a legal or *de facto* guardian, or any other person having legal custody of the minor.

2.11 Signature on application for minors between 14 and 18 years of age

The application form for a minor between 14 and 18 years of age, must be signed by either parent, a legal or *de facto* guardian, or any other person having legal custody of the minor, and be countersigned by the minor.

2.12 Documents with application

The application for a grant of citizenship for a minor must include clear and legible photocopies of the following:

- the minor's Canadian immigration record/document (either the *Record of Landing* (IMM 1000) or *Confirmation of Permanent Residence* (IMM 5292)), and both sides of the Permanent Resident Card (PR Card) if the minor has one;
- acceptable proof of parentage;
- acceptable proof of the date and place of birth of the minor;
- two pieces of personal identification for the minor, such as provincial or territorial health insurance card, foreign passport, etc. If the child is under school age, personal identification, such as hospital or immunization record, etc.; and
- acceptable proof that one or both of the minor's parents are Canadian citizens, if the application is not filed concurrently with one or both parents.

The application must also include two identical photographs of the minor that conform to the citizenship photograph specifications included in the application. If the minor is 14 years of age or older, the minor must sign the photographs.

2.13 Establishing parentage

A minor child, who is a permanent resident, must have a living natural or adoptive parent who is a Canadian citizen in order to be granted Canadian citizenship.

If parentage has been assessed for immigration purposes, filiation will be presumed to be established for citizenship purposes as well. Where possible, citizenship processes will not duplicate work previously conducted during an immigration process.

2.14 Documents establishing parentage for a grant of citizenship

The following documents (photocopies) can be accepted to establish parentage between a child and a parent who is either a Canadian citizen or has a concurrent application for citizenship:

- the child's birth certificate showing the name of the child and the name of the parent;
- the child's adoption order showing the name of the child and the name of the adoptive parent;

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- parent's passport, if the child is listed on the passport;
- child's passport, if the parent is listed on the passport;
- Record of Landing (IMM 1000), Confirmation of Permanent Residence (IMM 5292), FOSS, CAIPS, or other immigration records;
- DNA test results if requested by a departmental person (see CP 3, Establishing Applicant's Identity, for more information); or
- a statutory declaration from the parent applying on behalf of the child only under all the following conditions:
 1. According to immigration records
 - parentage has been established to the child's other parent who is not applying for citizenship at the same time as the child, and
 - the parent who is applying for citizenship on behalf of the child has been identified as the spouse or the common-law partner of the child's other parent.
 2. There is no information or evidence indicating that the parent-child relationship does not exist.
 3. There is a reasonable and objectively verifiable explanation related to circumstances in the child's country of birth for the inability to obtain a birth certificate or the other documents indicating parentage as stated above, for example:
 - the central authority that normally issues birth records in the place where the child was born was not recording birth information at the time the child was born;
 - the central authority is unable to issue birth records at the time the citizenship application is made;
 - the child's birth record information was never recorded for other reasons (e.g. child may have been excluded from the registration process due to the child's nationality);
 - the child or one of his/her parents is a protected person who may be unable to obtain a birth certificate for the above reasons or for reasons related to their need for protection.
 4. The statutory declaration is made in person before a citizenship officer.
 5. The citizenship officer is satisfied that the parent-child relationship exists.

2.15 Statutory declaration

The statutory declaration should include as much information as possible, including the reasons why a birth certificate is unobtainable. CP 12 provides guidelines on accepting statutory

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declarations. As a minimum requirement, the declaration made by the parent applying on behalf of the child should include the following:

- file number and/or case ID;
- child's name, date of birth, city/town and country of birth;
- parent's name, date of birth, city/town and country of birth;
- parent's reason(s) for being unable to obtain a birth certificate for the child;
- signature of parent;
- name and signature of the citizenship officer witnessing the declaration;
- date of the declaration;
- acknowledgment that the parent making the declaration understands that if he or she makes a false declaration, the child's citizenship certificate could be taken away and the parent could be charged under the *Citizenship Act*.

2.16 Procedure when statutory declaration required

When assessing a minor grant application, CPC Sydney verifies that parentage can be established. In cases where a birth certificate or an adoption order has not been submitted with the application, CPC Sydney will check whether parentage may be established using a passport or information on the Record of Landing (IMM1000), Confirmation of Permanent Residence (IMM 5292), FOSS, or CAIPS.

Where parentage cannot be established from the information on file or through available immigration information, CPC Sydney will request that the applicant submit either a birth certificate showing the name(s) of the parent(s), an adoption order showing the name(s) of the adoptive parent(s), the parent's passport, or the child's passport.

If the parent indicates that they cannot obtain a birth certificate for the child and the parent does not have any of the other documents listed above indicating parentage, CPC Sydney will:

- refer the file to the local office under a covering memo indicating that it appears one or more of the criteria for accepting a statutory declaration may apply; or
- inform the parent of the option to provide DNA test results, if the case does not meet the criteria for accepting a statutory declaration.

If the file is referred to the local office for a statutory declaration, the local office schedules the parent to make a statutory declaration before a citizenship officer, and requests that the parent bring any documents in his or her possession that may help demonstrate that the parent is the parent of the child, e.g., school records, medical records, photographs, etc.

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2.17 DNA

Applicants may be advised of the option to submit DNA test results if there is information suggesting there is no filiation or where a citizenship officer is not satisfied that a parent-child relationship exists. See CP 3, Section 5 Policies and procedures for DNA testing.

2.18 Parentage may need to be established with other parent

Where parentage was only established with one parent at CPC Sydney and that parent's application is non-approved, withdrawn or abandoned, the local office determines if parentage can be established to the other parent, providing the other parent is a Canadian citizen or has an application in process.

2.19 Documents showing parent's citizenship

In general, acceptable documents to establish a parent's citizenship are:

- a parent's birth certificate confirming the parent's birth in Canada;
 - Registration of Birth Abroad certificate;
 - Retention Certificate (issued between January 1, 1947 and February 14, 1977);
 - Canadian citizenship certificate;
 - Naturalization certificate.
-

Note: See CP 9 Loss and acquisition of citizenship on who is a citizen and possible ways to lose citizenship.

2.20 No language, knowledge or residence requirements

Applicants under 18 years of age are not required to demonstrate adequate knowledge of either French or English, knowledge of Canada, or knowledge of the rights and responsibilities of citizenship. Minors are not subject to the three-year residence requirement for adults.

Exception

A minor applying as an adult must demonstrate an adequate knowledge of either French or English, knowledge of Canada, and knowledge of the rights and responsibilities of citizenship and meet the residence requirement. See section 3, *Minor applying as an adult under subsection 5(1) of the Act*.

2.21 Prohibitions

The minor must not be subject to the prohibitions contained in sections 20, 21 and 22 of the Act.

Permanent resident status is verified for all minor applicants. Criminal and security clearances are generally not requested for minors under 16, although an officer may request such clearances if adverse information is received. Criminal and security clearances are required for minors 16 years of age and older. See CP 6 - [Prohibitions](#).

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2.22 Waiver of requirements

An officer may recommend that the requirement to take the oath of citizenship be waived under subsection 5(3). See CP 7 - [Waivers](#).

2.23 Discretionary grant of citizenship under subsection 5(4)

An officer may recommend that citizenship be granted pursuant to subsection 5(4). See CP 7 - [Waivers](#).

2.24 Granting a concurrent application

If the application for a minor is filed concurrently with one or both parents, grant the minor's application only AFTER the parent's application is approved and the parent has taken the oath of citizenship. If the parent is not approved, the child cannot be granted citizenship.

The officer should check the status and parentage of both parents before making a negative decision. There is no refund of the minor's application fee.

2.25 Application not filed concurrently

If the application for a minor is not filed concurrently with one or both parents, but one or both parents are citizens, CPC Sydney may grant citizenship and mail the certificate to the applicant's last-known address for a minor under 14 years of age. For a minor 14 years of age or older, the application is forwarded to the local office for the grant and so that the applicant can take the oath of citizenship.

The IMM 1000 must be updated and the PR card returned before a citizenship certificate can be mailed to the applicant. See CP 13 – Administration.

2.26 Taking the oath

Minors under 14 years of age are not required to take the oath of citizenship.

Minors 14 years of age and older must take the oath unless they are prevented from understanding the oath because of mental disability. See CP 7 – [Waivers](#).

A minor cannot take the oath if prohibited under sections 20 and 22 of the Act.

A minor outside Canada can take the oath before a foreign service officer.

Once the minor has taken the oath, he or she must sign the oath form.

2.27 Effective date of citizenship

The effective date of citizenship is the date of the grant by the citizenship officer if the applicant is under 14 years of age or if the oath has been waived. For applicants 14 years of age and older, the effective date of citizenship is the date of the oath.

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3. Minor applying as an adult under subsection 5(1) of the Act

3.1 This section is about

This section is about the procedure for a minor applying for citizenship as an adult.

3.2 Authorities

Citizenship Act

- Paragraph 2(2)(b) • Section 15
- Paragraph 3(1)(c) • Section 17
- Subsection 5(1) • Section 20
- Subsection 5(1.1) • Section 21
- Subsection 5(3) • Section 22
- Subsection 5(4) • Section 24
- Section 12 • Section 28
- Section 14 • Section 29

Citizenship Regulations

- Section 3 • Section 21
 - Section 11 • Section 22
 - Section 12 • Section 23
 - Section 14 • Section 24
 - Section 15 • Section 28
 - Section 18 • Section 30
 - Section 19 • Section 31
 - Section 20 • Section 32
 - Section 33
-

3.3 Guideline

It is rare for a minor to apply for a grant of citizenship as an adult.

Judges must review an application by a minor applying as an adult for waiver consideration under subsection 5(3).

Waiver consideration for a minor applying as an adult is referred to Case Management Branch for a decision. If the waiver is granted, the file is returned to the local office for completion of decision by the judge.

3.4 Basis for grant

Applications for minors applying as adults should only be granted when the Minister grants a waiver of the requirements. See CP 7 - Waivers.

3.5 Adult application form used

A minor applying as an adult for a grant of citizenship completes the adult application form.

3.6 Minor must sign

A minor 14 to 17 years old and who is applying as an adult must sign the application form.

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3.7 Additional information needed

Along with the adult application form and required documents, the minor must provide the following additional information:

- full names, dates and places of birth for his or her natural or adoptive parents;
- full name, date and place of birth for his or her legal guardian(s);
- reason(s) for applying as an adult.

If CPC Sydney receives an application from a minor applying as an adult without the required information, CPC Sydney asks the applicant for the additional information.

3.8 Documents and fees needed

The applicant must provide:

- the minor's Canadian immigration record/document (either the Record of Landing (IMM 1000) or *Confirmation of Permanent Residence* (IMM 5292)) and both sides of the Permanent Resident Card (PR Card) if the applicant has one;
- two separate pieces of identification; and
- information and documents about the guardianship, or lack of guardianship.

Each application must include the \$100 non-refundable processing fee and the \$100 Right of Citizenship fee. The Right of Citizenship fee is refunded if the applicant does not acquire citizenship. See CP 1, section 3, Fees and Refunds.

The application must also include two identical citizenship-size photographs of the minor that conform to the citizenship photograph specifications included in the application. If the minor is 14 years of age or older, the minor must sign the photographs.

3.9 Procedure and process same as adult

The mail-in procedure and process for a minor applying as an adult is the same as for an adult.

The only difference is the need for additional information. If the judge wishes to approve the application, he or she must at least recommend a waiver of the age requirement.

The clearance procedure for a minor applying as an adult is the same as the clearance procedure for an adult applicant, regardless of the age of the minor. See CP 6 - Prohibitions.

3.10 Waivers for minors

A minor applying for citizenship as an adult will not meet all the requirements for citizenship. A citizenship judge must consider a waiver of the requirements that the minor does not meet.

Requests for a waiver are usually accepted if the minor requires citizenship for:

- social benefits;

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- employment;
- educational purposes;
- education aid;
- urgent travel on a Canadian passport.

The Minister may waive the residence requirement in special circumstances for minors. The residence requirement for citizenship is rarely waived.

The Minister may waive the age, language, or knowledge requirements for a minor applying as an adult.

The Minister automatically waives the requirement to take the oath for minors under the age of 14 applying as adults. For minors 14 years of age or older, there must be a compelling reason to waive the oath requirement.

See CP 7 – Waivers.

3.11 Waiver of oath because of mental disability

The applicant must clearly understand what is involved in becoming a Canadian citizen. This includes the possible effect of becoming a Canadian citizen, such as the loss of other nationality or succession rights.

Only the Minister can waive the oath requirement.

See CP 7 – Waivers.

3.12 All waiver and 5(4) consideration requests sent to Case Management Branch

Officers in Case Management Branch may act for the Minister in cases of waivers for minors. Refer all applications to Case Management Branch where a judge recommends a waiver for minors or recommends that citizenship be granted pursuant to subsection 5(4). See CP 7 - Waivers. See CP 7 – Waivers.

3.13 Procedures for different scenarios

For each scenario, “parents” means natural or adoptive parent(s).

Parents deceased (orphan):

- The applicant must provide evidence that his or her parents are deceased.
- The minor must sign the application if the applicant is 14 years of age or older and have the legal guardian countersign the application.
- The legal guardian must sign the application, if the applicant is under 14 years of age.

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- The applicant must include a legal document confirming that the person acting on behalf of the child has legal guardianship.
- The applicant must explain and support any request for a waiver.

Parents living:

- The minor must sign the application if the applicant is 14 years of age or older and have the legal guardian countersign the application.
- The legal guardian must sign the application, if the applicant is under 14 years of age.
- The applicant must include a legal proof document confirming that the person acting on behalf of the child has legal guardianship.
- The applicant must explain and support any request for a waiver.

No Canadian parents (failed adoption):

- The minor must sign the application if the applicant is 14 years of age or older, and have the legal guardian countersign the application.
- The legal guardian must sign the application, if the applicant is under 14 years of age.
- The applicant must include a legal proof document confirming that the person acting on behalf of the child has legal guardianship of the child.
- The applicant must explain and support any request for a waiver.

4. Grant of citizenship - subsection 5(5) of the Act

4.1 This section is about

This section is about granting citizenship to a person who is stateless due to the limitation of citizenship by descent to the first generation born outside Canada.

4.2 Authorities

- | <i>Citizenship Act</i> | <i>Citizenship Regulations</i> |
|-------------------------------|---------------------------------------|
| • Subsection 3(1) | • Section 3.1 |
| • Subsection 3(3) | • Section 11 |
| • Subsection 5(5) | • Section 20 |
| • Section 12 | |
| • Section 14 | |
| • Section 28 | |

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4.3 Requirements of the Act

The requirements to be met for a grant of citizenship under subsection 5(5) are found in paragraphs 5(5)(a), (b), (c), (d), (e) and (f) of the *Citizenship Act*.

4.4 Form

Each applicant has to submit an Application for Grant of Citizenship for Stateless Persons Born to a Canadian Parent (Subsection 5(5)).

4.5 Fee

Each adult application must include the right of citizenship fee which is refunded if, for any reason, the applicant does not acquire citizenship (for example, applicant withdraws the application, applicant does not meet requirements, etc.). There is no processing fee for this application.

4.6 Documents

Each application must include certified true copies of the following:

- a birth certificate or, if unobtainable, other evidence that establishes the date and place of birth of the applicant;
- evidence that establishes that a birth parent of the person was a Canadian citizen at the time of the person's birth;
- evidence that establishes that the person has resided in Canada for at least three years during the four years immediately before the date of his or her application; and
- evidence that establishes that the person has always been stateless, this can include: travel documents issued by the International Committee of the Red Cross; a no record letter or similar document issued by the country of the applicant's birth, the country(ies) where the parents have citizenship, and other countries where the applicant has lived for more than five consecutive years.

The applicant must also provide two identical citizenship-size photographs with their application that conform to the citizenship photograph specifications (CIT 0021E) included in the application. Photographs must be signed with the signature that matches the one on the application if applicant is 14 years of age and older.

4.7 Applicant signs form

All applicants 14 years of age and older must sign the application.

The parent or legal guardian must countersign the application for children between the ages of 14 and 17, inclusive.

The parent or legal guardian must sign the application of a child under the age of 14.

4.8 Residence

The *Citizenship Act* requires that applicants under subsection 5(5) acquire at least three years of residence (1,095 days) in the four years immediately preceding the date of the application.

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Other than exceptional circumstances, it is departmental policy that a citizenship applicant under subsection 5(5) must have accumulated 1,095 days of physical presence in Canada in the four years preceding the date of application. In other words, an applicant can be absent from Canada for up to one year, within the four year period.

However, the *Citizenship Act* does not define residence as physical presence and the Federal Court has made various decisions on this issue over the years. It is the responsibility of the citizenship judge to determine if an applicant meets the residence requirement despite absences from Canada. See CP 5 Residence.

4.9 Prohibitions

The applicant must not have been convicted under sections 2, 47, 51 or 52 of the *Criminal Code*, sections 6 and 16 to 22 and subsection 5(1) of the *Security of Information Act*, or a conspiracy or an attempt to commit, being an accessory after the fact in relation to, or any counselling in relation to, an offence referred to in the above offences. The applicant must also not be subject to the prohibitions contained in section 20 of the *Citizenship Act*. See CP 6, Prohibitions.

4.10 No oath required

There are no language or knowledge requirements for a grant of citizenship under 5(5) of the Act, nor is an applicant required to take the oath of citizenship.

4.11 Abandonment

There is no provision for the refusal of an application for failure to provide documents or for failure to appear for an oral interview. However, abandonment may be a possibility. See CP 13, section 6 - Abandonment.

4.12 Right of appeal

If the application is not approved by the citizenship judge, the judge notifies the applicant in writing of the reasons why the application is not approved and of the right to appeal the decision. See CP 8, Appeals.

4.13 Effective date

The effective date of citizenship for applicants under subsection 5(5) of the *Citizenship Act* is the date of the grant by the citizenship officer.

4.14 Overview of the process

The process is as follows:

- The application is received at CPC Sydney.
- CPC Sydney verifies documentation and forwards the file to the senior citizenship judge.
- A citizenship judge assigned by the senior citizenship judge reviews the file and may request a hearing with the applicant, if necessary, in order to make a decision.

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- If the person meets all the requirements, the citizenship judge approves the application. The file is then returned to CPC Sydney.
- If the citizenship officer grants citizenship, the certificate of citizenship is mailed to the applicant.
- In cases where the citizenship officer feels the citizenship judge made an error or did not take all the evidence into account, the citizenship officer can recommend that the Minister appeal the decision. See CP 8 - Appeals.

5. Resumption of Canadian citizenship

5.1 This section is about

This section is about resumption of Canadian citizenship by a former citizen.

Note: Some applicants for resumption of citizenship may have reacquired citizenship automatically on April 17, 2009 with the coming into force of Bill C-37, *An Act to amend the Citizenship Act*, S.C. 2008, c.14. See CP 9, Acquisition and Loss of Canadian Citizenship for more information.

5.2 Authorities

<i>Citizenship Act</i>	<i>Citizenship Regulations</i>
<ul style="list-style-type: none">• Paragraph 2(2)(b)• Paragraph 3(1)(c)• Subsection 11(1)• Section 12• Section 14• Section 15• Section 17• Section 20• Section 21• Section 22• Section 24• Section 28• Section 29	<ul style="list-style-type: none">• Section 8• Section 9• Section 11• Section 12• Section 18• Section 20• Section 21• Section 22• Section 23• Section 24• Section 28• Section 30• Section 31

5.3 Who can resume citizenship

Any person who was previously a Canadian citizen, other than a person whose citizenship was revoked under the former or present Act, can resume citizenship under subsection 11(1).

5.4 Who cannot resume citizenship

Persons who cannot resume citizenship are as follows:

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- Persons who would have become Canadian citizens on January 1, 1947, but who lost British subject status prior to that date are not eligible to resume under subsection 11(1) because they have never been Canadian citizens. They must apply under subsection 5(1). There is an exception, however, for women who lost British subject status solely because of marriage to an alien prior to 1947; these women may acquire citizenship under subsection 11(2) of the Act (see Section 6 later in this chapter); or
- A person whose Canadian citizenship was revoked under the *Canadian Citizenship Act* or under the current Act, cannot resume citizenship under this subsection of the Act. The person must apply for grant of citizenship under subsection 5(1).

5.5 11(1) Resumption is a grant

A person who resumes Canadian citizenship is granted citizenship. Any adult who is granted citizenship is required to take the oath of citizenship. Resumption of citizenship is not retroactive. The effective date of citizenship is the date on which the oath was administered.

Note: Resumption of citizenship for persons who lost citizenship as minors under subsection 11(1.1) was repealed under the 2009 amendments.

5.6 Requirements

A former Canadian citizen may be granted resumption of citizenship if the person:

- applies for resumption of citizenship;
- is not subject to a declaration by the Governor in Council made pursuant to section 10 or 20 of the Act or section 18 of the former Act;
- is not under a removal order;
- has become a permanent resident within the meaning of subsection 2(1) of the *Immigration and Refugee Protection Act*; and
- has resided in Canada for at least one year immediately before the date of the application for resumption.

5.7 Application forms

To apply for resumption of Canadian citizenship, the applicant must submit an Application to Resume Canadian Citizenship Under Subsection 11(1).

5.8 Documentation—11(1)

Certified true copies of the following documents must be submitted with an application for resumption:

- applicant's birth certificate, or other satisfactory evidence of date and place of birth;
- satisfactory evidence that the applicant was a citizen, such as a Canadian provincial/territorial birth certificate, foreign birth certificate which confirms birth outside Canada to Canadian

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parent(s), Canadian Citizenship Certificate, Canadian Naturalization Certificate, Registration of Birth Abroad Certificate, Retention Certificate issued between 1947 and 1977;

- satisfactory evidence that the applicant ceased to be a Canadian citizen, such as a renunciation certificate or naturalization certificate from a foreign country;
- Canadian immigration records (either a *Record of Landing* (IMM 1000) or a *Confirmation of Permanent Residence* (IMM 5292 or IMM 5509) and both sides of the PR Card, if the applicant has one) or other satisfactory evidence that the applicant was lawfully admitted to Canada for permanent residence after ceasing to be a citizen;
- evidence that the applicant has resided in Canada for at least one year immediately preceding the date of the application; and
- two additional documents to establish identity such as a driver's licence, provincial/territorial health card, etc.

The applicant must also provide two identical citizenship sized photographs with their application that conform to the citizenship photograph specifications (CIT 0021E) included in the application. Photographs must be signed with the signature that matches the one on the application.

5.9 Fee

A non-refundable processing fee must be submitted with the application. For current fee, see CP 1, section 3.

5.10 Residence

The *Citizenship Act* requires that resumption applicants acquire at least one year of residence (365 days), immediately preceding the date of the application. In general, a resumption applicant must have accumulated 365 days of physical presence in the year preceding the application.

However, the *Citizenship Act* does not define residence as physical presence and the Federal Court has made various decisions on this issue over the years. It is the responsibility of the citizenship judge to determine if a resumption applicant meets the residence requirement despite absences from Canada. See CP 5 Residence.

5.11 Clearances and prohibitions

CPC Sydney requests immigration, security and criminal clearance checks for applications for resumption under subsection 11(1).

The applicant must not be subject to the prohibitions contained in sections 20, 21 and 22 of the Act.

See CP 6 Prohibitions.

5.12 Judge may require that the person appear in person for a hearing

An oral hearing with a citizenship judge is not mandatory for a resumption application under subsection 11(1). However, if the judge feels that further information is required in order to make a decision, the judge may request that the applicant appear for an oral interview. The local office contacts the applicant and requests that the client appear for an interview with a judge and to provide any information necessary. See CP 5 Residence.

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Note: A hearing is required if the judge is unable to approve the application.

5.13 5(3) waivers and 5(4) discretionary grants

A judge may recommend that the requirement that the person take the oath of citizenship be waived under subsection 5(3) because of a mental disability. A judge may also recommend that citizenship be granted pursuant to subsection 5(4). See CP 7 Waivers.

5.14 Request for waiver or consideration under 5(4) sent to Case Management Branch

Should the judge recommend a waiver under 5(3) or consideration under 5(4), the entire file with supporting documentation is forwarded to Case Management Branch. See CP 7 Waivers.

5.15 Right of appeal

If an application is not approved by the citizenship judge, the judge notifies the applicant in writing of the reasons why the application is not approved and the right to appeal the decision. See CP 8, Appeals.

5.16 Overview of the process

- Applications to resume Canadian citizenship under subsection 11(1) are received at CPC Sydney.
- Applications are checked for completion, correct fee and documents. CPC Sydney checks the information against any previous existing citizenship records.
- Immigration, criminal and security clearances are requested electronically (see CP 6, Prohibitions for more information).
- The file is forwarded to an officer who reviews the case and determines if the applicant was a citizen, ceased to be a citizen and meets the requirements to apply for resumption.
- If the applicant is determined to be a former citizen, a certificate is prepared and forwarded to the local office along with the file. If the applicant is not a former citizen, the file is forwarded to the local office without a certificate.
- Once all verifications are complete, the application is forwarded to a citizenship judge for a decision.
- If the applicant meets the requirements, the judge approves the application and the citizenship officer grants citizenship.
- The applicant is notified of the date, time and place to appear to take the oath.
- After the oath is taken and the oath form is signed, the file is returned to CPC Sydney for retirement.
- In cases where the citizenship officer feels the citizenship judge made an error or did not take all the evidence into account, the citizenship officer can recommend that the Minister appeal the decision. See CP 8 - Appeals.

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6. Election under subsection 11(2)

6.1 This section is about

This section is about acquisition of citizenship by a woman who lost her British subject status as a result of marriage.

6.2 Who can acquire citizenship under subsection 11(2)

A woman who lost British subject status before January 1, 1947 by virtue of her marriage to an alien or the alien naturalization of her husband may acquire citizenship under subsection 11(2).

This provision is covered here because it is found in section 11 of the Act and has historically been associated with resumption of citizenship.

6.3 Requirements—subsection 11(2)

A woman who would have been a citizen on January 1, 1947, except for loss of British subject status before that date by virtue of her marriage to an alien or the alien naturalization of her husband, may automatically acquire citizenship by notifying the Minister in writing that she elects to do so (see sample statement below). She may write directly to the Registrar or send her letter via any citizenship office or mission.

If she wishes proof of citizenship she must submit an Application for a Citizenship Certificate, with the applicable documents and fees, either at the same time as her notice to the Minister or at a later date.

6.4 11(2) needs no oath

A woman who acquires citizenship under 11(2) is not required to take the oath of citizenship. The effective date of citizenship is the date on which her notice in writing that she elects to be a citizen is received by CIC.

6.5 Sample statement—subsection 11(2)

"I, being a woman who lost British subject status by virtue of my marriage to a non-British subject man, hereby declare my desire to become a Canadian citizen."

6.6 Documentation—subsection 11(2)

In addition to the written statement, photocopies of the following documentation are required:

- evidence establishing British subject status prior to 1947, such as a Canadian provincial/territorial birth certificate, or a naturalization certificate or evidence to establish that she would have acquired Canadian citizenship upon the coming into force of the 1947 Act (e.g. as a citizen under section 9 of that Act);
- marriage certificate;
- evidence that husband was not a British subject at time of marriage or evidence of any nationality of another country acquired by husband subsequent to the marriage; and

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- the applicant may be requested to produce two additional documents to establish her identity, such as a driver's licence, Social Insurance Card, etc.

Note: The application may be processed even if the woman cannot provide documents proving her husband was not a British subject at the time of marriage. A statement from the subject confirming her husband was not a British subject may be sufficient evidence.

6.7 Fee

There is no fee for a woman to notify the Minister under subsection 11(2) that she wishes to be a citizen. However, if she wishes to obtain a citizenship certificate, she must pay the fee for that application.

6.8 Forms

There is no standard form for a woman to notify the Minister under subsection 11(2) that she wishes to be a citizen. However, if she wishes to obtain a citizenship certificate, she must submit an Application for a Citizenship Certificate.

6.9 What the person will receive

Once CPC Sydney receives the written notice and necessary documentation, a letter is issued confirming that citizenship has been acquired.

6.10 Effective date

The date on which the notice in writing to the Minister is received by the Registrar, CPC Sydney or the local citizenship office, is the effective date of citizenship.

6.11 No prohibitions

The person is not subject to any prohibitions.

6.12 No residence requirement

The person is not subject to any residence requirements.

6.13 No oath

The person is not required to take the oath of citizenship.

7. Assessing language and knowledge - written test

7.1 This section is about

This section is about the written test used to assess the applicant's ability to communicate in English or French, and knowledge of Canada and the responsibilities and privileges of citizenship.

This section only applies to grant applicants under subsection 5(1).

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7.2 Authorities

Citizenship Act

- Paragraph 5(1)(d),
- Paragraph 5(1)(e)
- Section 27

Citizenship Regulations

- Section 14
 - Section 15
-

7.3 Applicants between 18 and 54 years of age are assessed

All adult grant applicants 18 to 54 years of age applying for citizenship are assessed on their ability to communicate in English or French, and their knowledge of Canada and the responsibilities and privileges of citizenship. These requirements can be assessed by a written citizenship test or by an interview with a citizenship judge. An applicant who fails the written test must pass an oral interview with a citizenship judge on the knowledge and language requirements.

7.4 Applicants 55 years of age or older

Applicants 55 years of age or older do not have to write the test. They may, however, write the test if they wish. If an applicant 55 years of age or older writes the test and fails, the language and knowledge requirements are automatically waived. Do not schedule any applicant 55 years of age or older for an oral interview to test knowledge and language. See CP 7 - Waivers.

Note: Applicants 55 years of age and older will still be invited to the local CIC so that identity, residence, and the documents provided to support the citizenship application can be verified.

7.5 Assessment based on the publication *A Look at Canada*

CPC Sydney mails all adult applicants for a grant of citizenship a copy of the study guide *A Look at Canada*. The citizenship test is based on *A Look at Canada*.

7.6 Language, knowledge requirements

Language

Applicants for a grant of Canadian citizenship must have an adequate knowledge of either English or French. This means being able to communicate in everyday situations, such as shopping, using public transport, understanding simple questions, and conveying information reliably.

Literacy not required

Applicants do not have to be literate.

Knowledge

Applicants for a grant of citizenship must show that they have an adequate knowledge of Canada and the rights and responsibilities of citizenship. The citizenship test asks questions about voting, Canada's history, geography, and government; and about the rights and responsibilities of Canadian citizenship. All questions are based on the study guide *A Look at Canada*.

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7.7 Notifying applicants

Applicants scheduled for a written test are sent a Notice to Appear - To Write a Citizenship Test [CIT 0023E], by regular mail, at least 14 days before the test date.

Note: Applicants should be notified about the test at least a week before the date of the test. Mailing notices 14 days before the test date ensures that applicants receive their notices a week before the test date.

The following information is included in the notice to appear:

- the date and time of the test;
 - the place of the test;
 - that the test will be a written test;
 - the identification and supporting documents the applicant must bring to the test.
-

7.8 Applicant does not appear for written test

There is no provision in the *Citizenship Regulations* that allows for abandonment for failure to appear for the written test.

If an applicant is sent a notice to appear for a written test and fails to respond, the local office must, after having sent one or two notices by regular mail (at the discretion of the local office), request that the applicant appear for an oral interview with a citizenship judge.

See CP 13, section 6, Abandonment.

7.9 Language assessment

Policy

CIC officials confirm some of the basic information on the application for citizenship with the client at the time of testing. Where there is an indication that the applicant does not comprehend basic spoken statements and/or questions, this information is to be passed on to the citizenship judge. The judge may then take this information into consideration when determining whether the applicant meets the language requirement pursuant to paragraph 5(1)(d) of the *Citizenship Act*.

Principles

- *Responsibility* - Judges must approve each adult application before it can be granted. The role of the test administrator is to gather information and evidence regarding a citizenship applicant before a file is referred to a citizenship judge for decision. CIC officials do not assess language. The test administrator is, however, responsible for identifying to the judge, any person who appears to have no knowledge of one of Canada's official languages, or appears not to comprehend oral statements.
- *Relevancy* - Questions and statements must be relevant to the task of confirming information provided by the client on their application for citizenship.

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- *Consistency* - What is asked and how it is asked should be consistent across the country.

Language assessment procedures

What?

At the time of testing, test administrators will verify information pertaining to the citizenship application by asking the client to respond to statements and/or questions related to the basic personal information indicated on the application form.

Example: What is your name? What is your address? How long have you been in Canada?

Where possible, it is recommended that test administrators use aids at hand, such as the application form and landing document.

Example: I notice that you were out of Canada several times over the last two years. Can you tell me when you were away? Why were you away? Where were you?

In most cases, verification can be accomplished through the use of three or four questions. If this is the case, and the applicant clearly understood the questions, there is no need to place a note on file regarding language capability.

When?

Gathering information relevant to the judge's file as well as identifying the client can be done at any time in the process but is typically done at *check-in* before the citizenship test is administered or after the client has completed the test.

If a local office chooses to verify information with the client **after** the written test has been completed, it is recommended that applicants be advised of this requirement in the oral instructions given prior to writing the test.

Note: If, at any time throughout the citizenship process, the client is unable to respond to simple statements regarding his or her application, it is the CIC official's responsibility to place that information on file for the judge's consideration (i.e., noted on the File Requirements Checklist CIT 0470). For example: the applicant remained standing when asked to be seated; didn't complete the information requested on the covering sheet of the written test; or didn't respond appropriately during a telephone conversation prior to test or as a result of a quality assurance interview.

How?

Where there is an indication that the applicant does not have a basic command of the language, this information is to be identified on the File Requirements Checklist form CIT 0470. This indicates to the judge that the client has been identified as one who may have difficulty communicating in one of Canada's official languages. It is then up to the citizenship judge to indicate whether he or she wishes to conduct an oral interview with the client. Where a client clearly understood the questions, there is no need to place a note on the file regarding language capability.

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Note: Even if the client has passed the written test, it is up to the judge to determine whether a hearing is necessary to assess the applicant's oral comprehension, ability to respond to oral statements, and knowledge of Canada and the rights and responsibilities of citizenship.

When posing questions, every effort should be made to ensure the applicant's privacy and dignity are respected. Ideally, the room should be set up in such a way that an applicant's responses are not overheard by others.

Note: Language interpreters may not be used during the assessment of a client's ability to speak one of the official languages.

7.10 The written test

Purpose of the test

The written test is a tool to assess if the applicant:

- meets the minimum language requirement for citizenship as paragraph 5(1)(d) of the Act requires;
- has a sufficient knowledge of Canada and of the rights and responsibilities of citizenship as paragraph 5(1)(e) of the Act requires.

Format of test

All citizenship tests are developed by the Citizenship and Multiculturalism Branch. Questions and pass marks are approved by the Minister. Current tests are in multiple-choice format. Tests consist of 20 questions.

7.11 Mandatory citizenship test questions

The *Citizenship Act* requires that all applicants for Canadian citizenship have an adequate knowledge of Canada and of the responsibilities and privileges of citizenship. Paragraphs 15(a), (b) and (c) of the *Citizenship Regulations* set out the criteria to determine whether someone meets these requirements. Paragraph 15(a) includes the right to vote and run for elected office; paragraph 15(b) includes voting procedures and paragraph 15(c) includes a general knowledge of Canada.

Citizenship judges determine whether an adult applicant meets the requirements set out in the *Citizenship Act* and Regulations. To facilitate the evaluation of an applicant's knowledge of Canada and of the privileges and responsibilities of citizenship, adult applicants may be assessed through the use of a written, multiple-choice test, the results of which are provided to a judge. Applicants who receive an overall mark, set by the Minister, are generally considered to pass the test. Once an applicant has passed the test, it remains the judge's decision to approve the application. The applicant's test must be available for review by the citizenship judge before the application can be approved.

Marking methodology for the written test

In order to pass the written test, citizenship applicants must correctly answer a minimum of 12 out of 20 questions. The following mandatory questions must be answered correctly as part of the

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overall score. Two (2) questions related to paragraph 15(a) of the *Citizenship Regulations* and one (1) question related to paragraph 15(b). Paragraph 15(a) requires an understanding of the right to vote and run for elected office. Paragraph 15(b) requires an understanding of voting procedures.

Procedure

Each of the six versions of the citizenship test has five questions pertaining to paragraphs 15(a) and (b) of the *Citizenship Regulations*. These questions have been identified on the tests and are grouped together at the end of each test for ease of marking.

7.12 Administering the test

The following is the procedure for administering the citizenship test:

Step	Action
1	Verify each applicant's identity. If an applicant's identity cannot be verified, the applicant cannot write the test. See CP 3, Establishing Applicant's Identity and File Requirements Checklist CIT 0470 .
2	Experience shows that there should be two monitors for each group of 50 applicants.
3	Make sure that: <ul style="list-style-type: none">• only those taking the test are in the test room;• couples and friends do not sit together;• the tests are pre-sorted so people sitting next to each other receive different versions of the test.
4	After all applicants are seated, distribute the tests. Give applicants their instructions, either orally or with a video. Tell the applicants: <ul style="list-style-type: none">• that language interpretation is not allowed (this does not apply to sign language interpreters for people with a hearing impairment);• that if they talk during the test, copy another applicant's test, refer to notes or books, or otherwise cheat or appear to cheat, you will ask them to leave without finishing the test;• that they have one-half hour to write the test.

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- 6 Answer all questions from the applicants before starting the test.
- 7 During the test, do not interrupt or talk to the applicants unless absolutely necessary.
- 8 When the test period ends, make sure that all copies of the test are collected
.
This step can be taken either before or after the test.
- 9 Follow the instructions as set out in the File Requirements Checklist (CIT 0470) including:
- verifying original documents submitted in support of the citizenship application including original immigration documents;
 - comparing declared absences against all passports and travel documents in applicants' possession.

Cheating

If you suspect cheating, take the test away from the applicant and schedule an oral interview for the applicant.

Passing the test

Citizenship applicants must correctly answer a minimum of 12 out of 20 questions AND correctly answer two questions related to paragraph 15(a) of the *Citizenship Regulations* and one question related to paragraph 15(b) of the Regulations as part of the overall score. Once an applicant has passed the test, it remains the judge's decision to approve the application.

Recording marks

Enter the applicant's mark on the Citizenship Application Review Form (CARF) and indicate if the applicant passed the written test on the File Requirements Checklist (CIT 0470F).

Applicants who pass

If the applicant passes the written test, the applicant's test is placed on file for the judge to review with the CARF. The applicant's test is shredded after citizenship is granted.

Applicant fails

If the applicant fails the test, an oral interview with a citizenship judge is scheduled.

The completed test is placed in the applicant's file for the judge.

The test is not to be reviewed with an applicant, whether the applicant has passed or failed.

The Citizenship and Multiculturalism Branch may ask to see the tests

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The Citizenship and Multiculturalism Branch occasionally asks in advance for tests to sample results. Tests for both approved and non-approved applicants can be requested.

Tests are secure documents

The integrity of the citizenship testing process is compromised when the tests are released in public records. The tests themselves are considered as protected/secret material. Tests must be kept in a secure place and the order of questions must be changed on a regular basis (every 3 to 6 months) depending on the frequency of use. CIC receives many requests from the media, elected officials and members of the public for copies of the tests. Under no circumstances should tests be released. Questions about the content of citizenship tests must be sent to the Citizenship and Multiculturalism Branch at Nat-Cit-Policy@cic.gc.ca. All other questions related to policies, processes and procedures should be sent to Nat-Cit-Operations@cic.gc.ca.

Failed tests for non-approved clients are retained on file so that the actual questions a person was not able to answer can be provided as evidence if an appeal is warranted. However, the tests themselves are meant to be kept exempt from the certified tribunal record. See CP 8, Appeals.

The *A Look at Canada* publication does not refer to specific tests; however, the tests are based on material in the book. The list of questions at the back of the book is not in the same format as the questions on the test. The questions in the book serve as a learning tool for clients.

Citizenship tests and judge question sheet for file retirement

- The citizenship test must be kept (micro-filmed) when the applicant has failed the test.
- When the applicant has passed the test, the test is not to be destroyed until the judge has reviewed the application and the results have been entered in the Global Case Management System (GCMS). The applicant's test is to be shredded after citizenship is granted.
- The judge's question sheet must be kept (micro-filmed), regardless of whether the applicant has failed or passed the test.

See CP 13, section 9, File Retirement.

7.13 “A Look at Canada” and Citizenship tests in Braille

Not everyone who is visually impaired can read Braille. However, most Braille readers prefer their documents in Braille format rather than audio versions. To assist these clients, both the study guide *A Look at Canada* and the citizenship test are available in Braille format.

Clients who are visually impaired should be given every opportunity to demonstrate they meet the requirements of the *Citizenship Act*. In the past, clients who could not use the conventional or the large print test were automatically sent for an interview with a citizenship judge. Clients with visual impairment may, upon request, choose to use the Braille test.

“A Look at Canada”

CPC Sydney sends all citizenship applicants the booklet *A Look at Canada*. This booklet is available in alternative formats. People who are visually impaired can specify in section 2 “Special

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needs” of the form, Application for Canadian citizenship – Adults (CIT 0002E), that they are visually impaired and can request the booklet in various formats:

- audio version;
- large print;
- Braille integral.

Citizenship test

The written test is used to assess applicants' ability to communicate in English or French and their knowledge of Canada and the responsibilities and privileges of citizenship. All the questions in the citizenship test are based on information provided in *A Look at Canada*.

The citizenship test is available for visually impaired persons, on request, in the following alternative formats:

- large print;
- Braille integral.

People who are visually impaired and who are unable to take the conventional written test or test in large print format may be referred upon request for a personal interview with a citizenship officer to take the Braille test if they can read Braille integral.

Personal interview with a citizenship judge

People who are visually impaired and who are unable to take the conventional written test, large print or Braille format, must be referred for an interview with a citizenship judge.

Citizenship test – Braille

The citizenship test has been produced in Braille Integral and, on request, may be administered to people who are visually impaired. The citizenship Braille test should be administered during a personal interview with a citizenship officer. The applicant can circle their response to the questions directly on the Braille test.

Notice to applicants requesting the test in Braille

It is suggested that people who are visually impaired be notified by telephone of the date, time and location of the written test in Braille with the officer and of any documents they must bring. The officer should inform applicants that a regular written notice confirming the appointment will be sent by mail.

The written notice must be sent to the applicant by regular mail at least 14 days before the date of the test in Braille with the officer.

Once notice of the test in Braille has been given, the citizenship officer must e-mail OMC Branch, Citizenship Program Delivery and Promotion Division, to obtain the Braille version of the citizenship test at least 10 days before the written test date, at the following address: Nat-Cit-Operations@cic.gc.ca.

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The OMC Branch will send to the local office the Braille test and the correction sheet by registered mail.

Applicants who do not attend the written test in Braille with the officer

See section 5.8, Applicant does not appear for written test, above.

7.14 Administering the written test - Braille

The procedure for administering the test in Braille to applicants is to:

- ensure that a citizenship officer will be available throughout the test;
- reserve a separate room to administer the test;
- verify the applicant's identity;
- verify original documents and compare declared absences against all passports and travel documents in the applicant's possession;
- accompany and guide the applicant to the test room, as required;
- give the applicant the instructions orally;
- allow for an additional 45 minutes to administer the test in Braille.

Length of the test in Braille

Reading a text in Braille generally takes twice as long as reading the same text in traditional formats. The citizenship officer or test administrator must extend the testing period by 45 minutes to allow people who are visually impaired the time necessary to complete the test.

Presence of a guide dog

The presence of a guide dog is permitted at all times. The guide dog is considered a working tool for the person who is visually impaired. The dog should not be disturbed at any time unless the person who is visually impaired instructs otherwise.

Passing the test

Citizenship applicants must correctly answer a minimum of 12 out of 20 questions AND correctly answer two questions related to subsection 15(a) of the *Citizenship Regulations* AND one question related to subsection 15(b) as part of the overall score.

Recording Braille test or mark

Enter the applicant's mark on the Citizenship Application Review Form (CARF) and indicate whether the applicant has passed or failed the test on the File Requirements Checklist.

Applicants who pass the Braille test

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If the applicant passes the test and the judge reviews the test and approves the application and the applicant is granted citizenship, the applicant's test is shredded.

Applicants who fail the Braille test

If the applicant fails the Braille test, the applicant is scheduled for an oral interview with a citizenship judge. The Braille test should be placed in the applicant's file for the judge.

8. Assessing language and knowledge - oral interview

8.1 This section is about

This section is about the oral interview for applicants.

8.2 Authorities

Citizenship Act

- Paragraph 5(1)(d)
- Paragraph 5(1)(e)
- Section 27

Citizenship Regulations

- Section 14
- Section 15

8.3 Purpose

The oral interview for applicants assesses the applicant's ability to communicate in English or French, and the applicant's knowledge of Canada and the responsibilities and privileges of citizenship.

8.4 Use for residence

If the applicant is also a residence and/or prohibition case, the citizenship judge deals with residence and/or prohibition in the same interview.

8.5 Interview is a new test

If the applicant has already taken the written test, the oral interview is a new test of the applicant's language and knowledge capabilities.

If the applicant has already taken the written test, keep the applicant's written test in his or her file.

8.6 Verifying identity

The applicant's identity is verified before beginning the oral interview.

See CP 3, section 2, Verifying identity.

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8.7 Procedure to notify applicants

Notifying applicants

A notice of the oral interview is sent to the applicant, by regular mail, at least 14 days before the interview date.

Note: Applicants must be notified about the interview at least a week before the date of the test. Mailing notices 14 days before the interview date ensures that applicants receive their notices a week before the interview date.

Information included in the notice

The following information is included in the notice:

- the date and time of the interview;
- the place of the interview;
- that the applicant will be appearing before a citizenship judge for an oral interview;
- the identification and supporting documents the applicant must bring to the interview;
- why an oral interview is necessary.

8.8 If applicant does not appear for interview

If an applicant does not appear for a scheduled oral interview, see the procedures in CP 13, section 6, Abandonment.

8.9 Procedure following oral interview

Applicant passes

An applicant qualifies for citizenship if they meet the language and knowledge requirements as well as all other requirements for citizenship. The judge's decision and the judge's question sheet(s) must remain in the applicant's file.

Applicant fails

If the applicant fails the language and/or knowledge tests in the oral interview, the written test, the judge's decision and the judge's question sheet(s) are placed in the applicant's file.

Waiver

The citizenship judge must decide whether to recommend a waiver of the requirements if the applicant fails either or both the language and knowledge tests in the oral interview. See CP 7, Waivers.