



Citizenship and
Immigration Canada

Citoyenneté et
Immigration Canada

CP 13

Administration

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Updates to chapter

Listing by date:

2008-01-17

Changes have been made to the following sections:

- 3.8 – Contact information to obtain a visual interpreter has been updated.
- 9 – The section on withdrawals has been completely revised.
- 10.2 – Minor update on urgent policy.
- 14.5 – Procedures on revoking permanent resident cards at ceremonies have been updated.

2007-04-13

The following bullet in section 10.2 has been removed as an example of an urgent situation to reflect changes to the policy concerning minor applicants turning 18 years of age:

- an application for grant of citizenship for a minor about to become 18 years old

2006-11-07

Chapter 13 – Administration has been edited and updated. All previous versions of this chapter should be discarded.

The following operations memoranda, operational bulletins and major changes have been incorporated:

- CP 01-02 Accepting Applications
- CP 01-03 Multiple Applications
- CP 02-01 Updating IMM 1000 at Citizenship Ceremonies
- CP 02-06 Using Interpreters
- CP 03-01 Revocation of Permanent Resident Cards on Granting of Citizenship
- CP 03-05 Updating the IMM 1000 at Citizenship Ceremonies - Revised / Updating the IMM 1000 upon acquisition of Canadian citizenship
- Transfer of files and guidelines on transfer requests
- Consent of custodial parent

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1. Jurisdiction

1.1. This section is about

This section is about determining to which citizenship office applicants and applications should be referred.

1.2. Authorities

Citizenship Act

- Section 27

Citizenship Regulations

- Paragraph 3(1)(b)
- Subsection 3(3)
- Subsection 18(1)

1.3. Address determines closest office

Use the residence address on the application to determine the citizenship office or foreign service post closest to the applicant.

1.4. Business address, post box not acceptable

Do not use the address for a place of business or a post box on an application form to determine which citizenship office has jurisdiction.

If there is doubt about an applicant's address, use the address given in answer to the question about the applicant's residential address during the past four years.

2. Applicant changes address

2.1. This section is about

This section is about what to do when applicants change their address.

2.2. Change of address

CIC is notified of a change in address through the Call Centre, via the Internet, or by fax or mail to a local office or CPC Sydney.

Staff at the CIC office that receives the notice of address change makes changes to the GCMS record to show the new address and telephone numbers.

When a client changes their address via the Internet, CPC Sydney enters the request into GCMS and, where necessary, follows up with the local office concerned.

A change of address can be an advisory change or can result in a file transfer.

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Advisory change of address

An advisory change of residential address is a simple change of address that does not lead to a file transfer. If the local office is notified of an advisory change of address, following the mailing of a notice, they should notify the applicant either by mail or by telephone so that it does not lead to false abandonment of the file.

An advisory change of mailing address does not change jurisdiction and does not lead to a file transfer.

Transfer of files between local offices

A change of residential address by the client may necessitate a transfer of the file to another CIC office. This occurs when the new address falls within the geographic location of another office.

There may be instances where an officer believes that a change of address is not legitimate. Clients may change their address as a result of a perceived leniency in decision-making or quicker processing times at another office. If this is the case, the officer should request from the client more information on the change of address. If the officer is still not satisfied with the additional information, or if the client does not supply the officer with it, the files remain in the original office and the client is notified.

Example: The client who lives in Montreal requests that his file be transferred to his lawyer in Calgary. The request is refused and the client's file remains in the local office nearest the client's home.

2.3. Guidelines on transfer requests

The following guidelines have been developed to assist offices in responding to transfer requests.

Some regions may require specific procedures for their local offices with regard to file transfers among those offices. However, these policies should recognize that some files will need to be transferred from one region to another. Those counselling clients should be aware that different approaches may be taken within regions. Also, if a client has informed CIC of an address change, the file should not be abandoned before the local office has made sure that the person was sent the required number of notices to the right address.

- The local CIC office makes the final decision regarding whether or not the file will be transferred.
- The local office will transfer the file to the new office within six weeks of notification of change of address. If the office is not able to make the transfer within this time for reasons other than waiting on fingerprint results or because the file is with a citizenship judge, the office will make a note in GCMS so that the Call Centre can answer any inquiries. If there is no indication in GCMS that the file was transferred or if there is no case note in GCMS within six weeks, the Call Centre will make a referral to the local office. If a client inquires about a file transfer before the six week period, the Call Centre will advise the client to call back after the six week period for an update, if necessary.
- Transfers should not occur within the Greater Toronto Area, except in exceptional cases.

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Call Centre

File transfers should be processed by the location of the physical file. It is the responsibility of the Call Centre to determine if the file is at CPC Sydney or at a local office and contact the appropriate office to notify them that a file transfer may be necessary.

On-line

Currently a change of address can be made through On-Line Services on the CIC Web site through e-Client Application Status (e-CAS).

On-line changes of address are updated in GCMS by an agent at CPC Sydney. Agents will use a postal code list to determine if a file transfer may be needed. CPC Sydney will notify the local office holding the file that a file transfer may be necessary.

Local Offices

Once a local office is notified of a file transfer it is their responsibility to follow up with the client if necessary. If the officer believes the request may not be legitimate, they are encouraged to request additional documentation to confirm the address change such as a driver's license, lease, etc.

The following points should be kept in mind when considering requests for file transfers:

- Transfer requests should be the result of a change of address or a change in circumstances (working during the week or attending school in another city).
- The determining factor for a transfer is to make it more convenient for the client to attend appointments at a local office.
- The purpose of the transfer is not to give the client a material advantage such as quicker processing times or a perceived leniency in decision-making.
- Transfers should occur only when this does not impede an investigation into that client's circumstances (e.g., residence cases, immigration or RCMP investigations).
- Transfers should not occur when the client is before a judge or has already been called to appear at an event (examination, hearing or ceremony) and the notice has already been mailed. The file transfer should occur after the appearance date.
- Use discretion. In general, ensure that nothing is pending before transferring the file. For example, if the client has passed the exam, ensure that the decision is made and the results entered into GCMS before transferring the file. If fingerprints have been sent to the RCMP, await their return before transferring the file.

2.4. Sending Files

Security is an important factor when transmitting classified mail. **Files should not be transferred by regular mail.** It is CIC policy that restricted and confidential mail transmitted from city to city within Canada must be sent by secure mail, for example by registered mail or priority post.

For more information on transmitting classified mail see: CIC's *Records Services Policy and Procedures Manual* at: http://www.ci.gc.ca/imtb-dggti/policies-politiques/index_e.htm.

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3. Using interpreters

3.1. This section is about

This section explains when interpreters are to be used during the citizenship application process. It covers:

- language interpreters
 - sign-language interpreters
-

3.2. Program objectives

The use of an interpreter is a right enshrined in the *Canadian Charter of Rights and Freedoms* and in the *Bill of Rights*.

The assistance of an interpreter is to ensure language barriers do not impede applications. The assistance of an interpreter during a citizenship interview or hearing is subject to the decision-maker's determination that:

- the request is being made in good faith;
- the interpreter is competent to provide the required assistance.

When an interpreter should be used

An interpreter should be used when applicants have had language requirements waived or when they are not clearly able to understand, read or speak one of Canada's official language during the citizenship process. For example, an interpreter may be used during a hearing with a citizenship judge, during an interview with a citizenship officer, during a citizenship ceremony, during the signature of the oath of citizenship, etc.

Exception to language interpreters at a hearing with a citizenship judge

Language interpreters may not be used during the assessment of a client's ability to speak one of the official languages. An interpreter may be used during a hearing when assessing their knowledge of Canada. While it is possible for applicants to have sufficient knowledge of English or French to meet the language requirement, they may have difficulty either understanding or expressing themselves in response to questions concerning knowledge of Canada and of the responsibilities and privileges of citizenship. For this reason, applicants are permitted to rely on the assistance of an interpreter in order to demonstrate that they satisfy the *Citizenship Act's* knowledge of Canada requirement.

3.3. Acts and Regulations

For information about	Refer to
<i>Citizenship Regulations:</i> Allowing an applicant to be accompanied at a hearing	Paragraph 12(b)
<i>Charter of Rights and Freedoms</i>	Section 14

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Canadian Bill of Rights	Paragraph 2(g)
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Forms

Interpreter's Oath, form CIT 1-0117B:

- <http://www.ci.gc.ca/cicexplore/english/form/cit/cit0117b.pdf>

3.4. Instruments and delegations

The citizenship judge, as the decision-maker at a citizenship hearing, has the authority to determine who may act as an interpreter for an applicant and at what point during a hearing an interpreter may participate.

It is up to the citizenship officer to decide if an interpreter is qualified when an interpreter is used for interviews other than the citizenship hearing with a judge (e.g., during a quality assurance interview).

3.5. Policy

Language interpreter

To uphold a person's right to be heard, a language interpreter may be used to assist an applicant for citizenship during any required interview or hearing. A language interpreter will be allowed to assist applicants to demonstrate at a hearing with a citizenship judge that they meet the requirements of the *Citizenship Act*, except for the requirement of knowledge of one of the official languages of Canada.

Sign-language interpreter

To respond to the situation where a person with special needs may be required to appear at a local office, the application form permits applicants to identify that they require, among other things, sign-language interpretation. When applicants declare on the application form that they are deaf, deafened or hard of hearing, and require a sign language interpreter, CIC will give the applicants the choice of bringing their own interpreter to the citizenship interview, hearing, ceremony, or using the services of a competent and independent sign-language interpreter arranged and paid for by CIC.

3.6. Definitions

Term	Definition
Special Needs	<ul style="list-style-type: none">• indicated in section 2 of the applications for grant or retention of citizenship• includes sign-language interpretation• does not include language interpretation

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3.7. Decision to allow an interpreter

Language interpreter

Language interpreters are not permitted to assist the client during a written test. If the client is unable to take the test without the help of an interpreter, the client must be referred for a hearing before a citizenship judge.

The decision to permit an interpreter at a hearing or to have the citizenship oath interpreted at a ceremony rests with the citizenship judge. A citizenship officer decides if an interpreter is willing and competent when an interpreter is used for meetings other than the hearing with a judge (e.g. during a quality assurance interview).

The citizenship judge, at any time during a hearing or ceremony, or a citizenship officer, at any time during an interview, may decide to suspend the proceedings if the judge/officer feels that the interpreter is not providing a faithful interpretation of the questions asked or the answers provided by the client. The appointment will be rescheduled and the client will be directed to provide a different interpreter.

Where an applicant needs an interpreter but does not have one, the citizenship judge in the case of a hearing or ceremony, or local office staff in the case of an interview or other interactions, may determine if there is someone present who is competent and willing to interpret. The client can be directed to local community organizations that provide interpretation services. If no interpreter is available, the appointment should be postponed and the applicant should be advised to bring an interpreter to the next scheduled appointment. Staff should advise persons who volunteer to act as interpreters that they will not receive compensation from CIC.

In the exceptional case where the applicant cannot find anyone who can act as an interpreter, the local office will provide an interpreter. The local office should enquire within the Region about arranging for an interpreter. Only in this exceptional situation will the local office be responsible for costs associated with providing an interpreter. A list of interpreters (costs assumed by the local offices) can also be found in CIC intranet at the following address:

http://cicintranet/sopu-upso/interpreters-interpretes/list_e.asp

Sign-Language interpreter

A sign-language interpreter may be allowed to interpret the instructions given to applicants at a written test. The instructions can also be given to the applicants in writing, if they have difficulty understanding oral instructions. However, once the instructions have been given, the sign-language interpreter must leave the testing room because the use of a sign-language interpreter during the test is prohibited. If the applicant is unable to take the test without the help of the interpreter, the applicant must be referred for a hearing before a citizenship judge.

The local office contacts the applicant before the scheduled appointment to give the applicant the choice of bringing a sign-language interpreter or using an interpreter supplied by CIC. If the applicant wishes CIC to arrange for an interpreter, CIC makes arrangements for sign-language interpreters through Public Works and Government Services Canada (PWGSC). The local office will contact PWGSC Translation Bureau for visual interpretation services. CIC is not charged for sign-language interpretation services for a hearing with a citizenship judge. CIC carries the cost for sign-language interpretation services at any other appointment (interview with an officer, ceremony). See section 3.8 about Translation Bureau Policy.

If an applicant is successful at a hearing with a judge, the application will follow the regular process towards grant and presentation of citizenship. Applicants requiring a sign-language interpreter are expected to participate in regularly scheduled ceremonies. If requested by the

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applicant, the local office will arrange and pay for a sign-language interpreter to be present at the ceremony.

Note: Many people who are deaf or hard of hearing use a hearing aid to assist them. However, background noise and other sounds can be very bothersome for them if they use a hearing aid during the test period or the hearing. These background noises are sometimes amplified by several decibels and are painful or distracting for the applicant. In some cases, it might be more appropriate to extend the test-period time or to administer the test in a separate room in order to meet the applicant's special needs.

Who can be an interpreter

Subject to the conditions listed in section 3.2 Program objectives:

- the interpreter must be able to speak and understand, write or read English or French fluently
- the interpreter may be the applicant's friend, relative, or any other person
- the interpreter does not have to be a Canadian citizen
- the same interpreter does not have to be used for each occasion
- the interpreter must be an adult (some exceptions apply).

Interpreter evaluation

The interpreter must be able to speak and understand, write or read English or French fluently in order to be able to help the applicant communicate with CIC personnel. The interpreter must agree to provide a faithful and impartial interpretation of the questions asked by the judge or citizenship officer as well as the answers provided by the applicant. The interpreter must neither presume the applicant's answers, nor engage in coaching or guiding the applicant's answers.

In the case of a hearing with a citizenship judge, the interpreter must always be an adult, according to the policy of the Citizenship Commission. In the case of a ceremony, an interview or an appointment with a citizenship officer an adult should act as interpreter. However, where a competent adult is unavailable, an exception may be made to allow a minor child under the age of 18 to act as an interpreter and will be determined on a case-by-case basis. The minor child must be capable of understanding and appropriately translating the questions asked by the interviewer and the answers given by the applicant.

Sample of information sheet to send to applicant before an interview

This information sheet CIT 0469 about language interpreters may be sent to applicants prior to their appearance before a citizenship judge or citizenship officers and may accompany, if necessary, the notice to appear.

Use Interpreter's Oath

An Interpreter's Oath must be completed whenever an interpreter is used. The citizenship officer or Citizenship Judge must ensure the interpreter reads, understands, and signs the oath. The citizenship officer or citizenship judge witnesses and dates the oath. This oath becomes part of the applicant's file.

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3.8. PWGSC Translation Bureau Policy

<p>VISUAL INTERPRETATION</p> <p>CONFERENCE INTERPRETATION SERVICE (CIS)</p> <p>TRANSLATION BUREAU</p> <p>Public Works and Government Services Canada (PWGSC) provides conference interpreting for the federal public service through the Translation Bureau. Services include American Sign Language, Quebec Sign Language, English and French oral interpreting and deaf-blind intervener.</p>
<p>Services provided by the Translation Bureau</p>
<p>Visual interpretation services are provided to hearing, hearing-impaired or deaf federal public servants who, in the performance of their duties, must communicate with each other.</p>
<p>Services are provided to the general public in Canada for public events such as:</p> <p>Committees (provide terms of reference) – public consultations – conferences – seminars – forums – symposiums – hearings – information sessions on legislation, regulations and policies in the federal government</p>
<p>Services provided by federal government departments or agencies</p>
<p>When a hearing-impaired or deaf person from the private sector (non-public servant) requests the services of an interpreter or intervener, it is the responsibility of the federal department or agency to ensure that the client's needs are met. In this case, the Conference Interpretation Service can provide a list of local agencies.</p>
<p>Procedure</p>

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The request for visual interpretation must come from a governmental office. It is important to organize visual interpretation services well before the date of the event, as it is not always possible to respond to last minute requests.

In the event that all or part of the activity is cancelled, or the dates are changed, the Translation Bureau will bill the client for the interpreters' fees unless the client has given notice of the change or cancellation at least *TWO full working* days before the set date.

The interpreters' professional services are provided free of charge to the federal departments and agencies listed in schedules I and II of the Financial Administration Act, although travel and accommodation expenses are recoverable. Other federal organizations must defray all costs: professional fees, travel and accommodation. In order to minimize the travel costs charged to clients, the Conference Interpretation Service has access to rosters of interpreters in cities where the demand is high.

Clients should contact Visual Interpretation Co-ordination, Translation Bureau, by telephone (613-996-3332), by fax (613-996-4460), by TTY (613-992-3056) or by e-mail (<mailto:interpretation-vis@pwgsc.gc.ca>). Before calling with their requests, clients should ensure that they have all the information required to open a file. This information list is available on request.

Updated July 2004 – PWGSC

4. Parental consent

4.1. This section is about

This section is about obtaining parental consent for minors applying for proofs, retention, and grants of citizenship.

4.2. Minor applying for proof

Minors of any age may apply for proof of their citizenship.

When a minor under the age of 14 applies for a proof, citizenship officials must tell the parents that the child has applied for proof of citizenship.

Encourage one parent to make the application on behalf of the child, or to countersign the child's application.

4.3. Minor between 14 and 17 applying for a grant

An application under paragraph 5(2)(a) of the Act for a grant of citizenship made on behalf of a minor between the ages of 14 and 17 must be signed by either parent and countersigned by the minor.

4.4. Oath form for minor under 14 years of age for receipt purposes

If children under the age of 14 are granted citizenship and presented with certificates, the oath form must clearly indicate that it was used for receipt purposes only.

Indicate that the oath form was used as a receipt by drawing a line through the oath or making a note on the form.

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It is not necessary to have an authorized citizenship official countersign the form.

However, one parent should acknowledge receipt of the certificate by signing the child's oath form. Note the date of the receipt. The oath form should show the effective date of citizenship.

4.5. Parent must be Canadian citizen before grant to minor

Paragraph 5(2)(a) of the *Citizenship Act* says it is mandatory for one parent (biological or adoptive) to be a living Canadian citizen before granting citizenship to a minor.

Different citizenship offices have developed different procedures for family presentations to ensure that the *Citizenship Act* requirements are met.

Citizenship offices should use their judgment in determining the best way to handle family presentations so they meet the requirements of the *Citizenship Act*.

4.6. Custodial parent(s) must consent to citizenship applications

In the event CIC becomes aware that there is a custody issue concerning minors for any citizenship application, consent from the custodial parent(s) is required.

CIC will also cancel a certificate of citizenship where a non-custodial parent refuses to forward a certificate of citizenship to a custodial parent.

5. Accepting applications

5.1. This section is about

This section defines when an application is considered a valid application, when it is considered received, the date of filing for an application and procedures to follow for applications which are not signed.

5.2. Policy

The date a person signs the application form is the date of filing. Where the date on an application is more than three months old when received (staledated) or where the date is a date into the future (postdated), the application will be treated as if it is unsigned. An unsigned application is not a duly completed application and will be returned to the applicant.

5.3. Background

Although the Act is silent on what constitutes a filing date, the Regulations provide guidance as to when an application is to be considered as received. In addition, the Federal Court of Canada has emphasized the necessity for a clear "lock-in" date. This jurisprudence, combined with the Regulations and CIC's own need to provide clarity, provides the guidelines to define the filing date for citizenship purposes.

It is generally accepted that an application must be a duly completed application before it can be receipted. Regulations provide the guidelines on what is a duly completed application. In general, a duly completed form is a *signed application* form, which is submitted with the requisite *fee* and mandatory *documents*. Unsigned applications and unpaid applications are returned to the applicant because they are not duly completed applications.

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Even though it could be returned because it is not a duly completed form, CPC Sydney will not return to the applicant a signed and dated application where the fee has been paid, but the documents are not included.

An application may be received by any CIC official in Canada, overseas, or by other officials acting on behalf of the Government of Canada such as a consular official.

For citizenship purposes, the date of filing is the date the applicant signs the application form.

5.4. Guidelines

Determining the date the application is received

The Minister receives the application when:

- received in person or by mail at CPC Sydney,
- received and date-stamped at a CIC office,
- received by a consular official acting on behalf of CIC at overseas missions.

Unsigned and/or undated applications are returned

Unsigned applications are returned to the applicant at the time the kit is received. The application is treated as if it is not an application. The entire form, supporting documents and HPM (handling of public monies) receipt are returned to the applicant with an explanatory letter.

Undated applications are also returned to the applicant at the time the kit is received. CIC official must ensure that the application form has been appropriately signed and dated by the applicant. For legal purposes, the date of the application is the date the application was signed by applicant.

Staledated application

Staledated applications are returned to the applicant at the time the kit is received. An application is staledated when the Minister receives the application 91 days *after* the date indicated on the form.

Postdated applications

Postdated applications are returned to the applicant at the time the kit is received. An application is postdated when the Minister receives the application before the date indicated on the form.

Same application may be used

It is not necessary for the applicant to submit a new application kit. The applicant may update the information on the current kit and re-sign and redate the application.

Application is missing documentation

When an application is sent in without required documents, CPC Sydney will keep the application even though it is not duly completed. CPC Sydney will request missing documentation.

See Section 6 – Abandonment.

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5.5. Procedures

Unsigned and/or undated applications	Staledated applications	Postdated applications
Kit, forms, documents, HPM receipt are returned to applicant with a letter.	Kit, forms, documents, HPM receipt are returned to applicant with a letter.	Kit, forms, documents, HPM receipt are returned to applicant with a letter.
Letter indicates unsigned and/or undated applications cannot be processed and asks applicant to: <ul style="list-style-type: none"> • Sign application and/or • Date application 	Letter indicates applications dated more than 90 days cannot be processed and asks applicant to: <ul style="list-style-type: none"> • Update all the information on the form, including addresses, absences, prohibitions • Verify address • Re-sign application • Redate application 	Letter indicates applications dated after the date of mailing cannot be processed and asks applicant to: <ul style="list-style-type: none"> • Update all the information on the form, including addresses, absences, prohibitions • Verify address • Re-sign application • Redate application
<ul style="list-style-type: none"> • Applicant must sign and date the application 	<ul style="list-style-type: none"> • Applicant must re-sign and redate the application • Applicant must include updated information 	<ul style="list-style-type: none"> • Applicant must re-sign and redate the application • Applicant must include updated information

6. **Abandonment**

6.1. **This section is about**

This section is about guidelines and procedures for abandonment of adult grant, resumption, retention and renunciation applications.

Abandonment procedures do not apply to proof and minor grant applications.

6.2. **Authorities**

Citizenship Act

- Section 14

Citizenship Regulations

- Subsection 3(4)
- Subsection 4(2)
- Subsection 6(3)
- Subsection 7(3)
- Subsection 8(2)
- Section 11
- Section 23

6.3. **Context**

A person applying for Canadian citizenship is responsible for complying with requests for necessary documentation and for other requirements such as appearing, when requested, for an

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interview or citizenship ceremony. Citizenship officers are responsible for ensuring that each applicant is given ample time and opportunity to fulfil these requirements before deeming an application abandoned. Failure on the part of the applicant to respond appropriately within time standards set by CIC will result in abandonment of the application.

There is jurisprudence to support the position that if a person is given reasonable opportunity to be heard, the person has a responsibility to appear when requested. This position is illustrated in the case of *Aubut v. the Minister of Revenue* (1990), 126 N.R. 381 (F.C.A). In this case, Aubut was refused unemployment insurance benefits. Aubut appealed to the Tax Court, but did not show up for his hearing, despite having received proper notification. Aubut's counsel appeared and requested an adjournment but it was denied. Since the appellant had the burden of proof and had apparently not called any other witness, his presence was therefore essential to the success of the appeal. The refusal to adjourn resulted in the dismissal of the appeal. On appeal to the Federal Court of Canada, the Court dismissed the appeal (Marceau J.A. dissenting) on the basis that the applicant had a reasonable opportunity to be heard, was properly notified of date and place of hearing, and that his presence was necessary to the continuance of the application.

6.4. Policy

Generally, decisions concerning abandonment of citizenship applications centre around two scenarios:

- 1) when an applicant does not respond to requests for documents required by legislation;
OR
- 2) when an applicant fails to appear for an oral interview with a judge or a ceremony within the timeframes specified in the notice(s).

If the applicant fails to respond to requests to produce required documents, or to notices to appear when requested and provides no reasonable explanation, abandonment procedures are to be followed.

Consider a file abandoned when:

- the applicant does not provide documents required by legislation at the start of process

Documents Required for	Regulation
Adult Grant of Citizenship	Subsection 3(4)
Resumption of Citizenship	Subsection 8(2)
Retention of Citizenship	Subsection 6(3)
Renunciation of Citizenship	Subsection 7(3)

- the applicant does not appear for an oral interview;
- the applicant does not appear for the oath of citizenship;
- another application has been successfully processed or a decision on a previous application is appealed and the appeal is successful.

6.5. Exceptions

If an applicant provides CIC officials with a reasonable explanation for failure to respond within requested timeframes AND provides proof or evidence to support the explanation, additional time

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may be granted. At the discretion of the citizenship officer and depending on the nature of the circumstance, an applicant may be given up to six months from the date specified on the original notice by which to comply with the request to provide required documents or to appear.

Example: If the date on the original notice was June 5, 2004, the applicant would have up until December 5, 2004 to comply. This means that clients cannot be made unavailable in GCMS for more than six months. Clients should not be given more than six months "grace" to comply with the requirements of the Act.

Acceptable explanations (examples)

Applicant must be away for an extended period to care for a dying parent.

Applicant is unable to appear as a result of health constraints following an illness/accident.

Other extenuating circumstances as deemed reasonable by CIC (e.g., applicant called out of country to sort out family/business affairs as a result of death in the family).

Unacceptable explanations (examples)

Applicant lives or continually travels abroad and wants to wait until next trip to Canada.

Applicant has not prepared for language/knowledge assessment and needs more time to complete classes.

Applicant neglected to appear on scheduled date.

On occasion, there may be reasons put forward by the applicant which are difficult to assess. If a citizenship officer is unsure whether or not to initiate abandonment procedures, advice should be sought from the Integration Branch, Citizenship Division.

6.6. Documents required with citizenship application

The *Citizenship Regulations* define which documents are required, as a minimum, to support applications for **adult and minor grants of citizenship, resumption, retention and renunciation of citizenship**.

For example, subsection 3(4) of the Regulations requires that the following documents be submitted with an application for a **grant of citizenship** under subsection 5(1) of the Act.

(a) a birth certificate or other evidence that establishes the date and place of birth of the applicant;

(b) a record of landing IMM 1000 or a Permanent Resident Card (PR card) or a Confirmation of Permanent Residence IMM 5292 or any replacement document that may be created by the Canadian authorities or other evidence that establishes the date on which the applicant was lawfully admitted to Canada for permanent residence;

(c) two photos of the applicant signed by the applicant of the size and type shown on form Citizenship Photograph Specifications (CIT 0021) prescribed under section 28 of the Act.

For a minor grant of citizenship under subsection 5(2) of the Act, refer to subsection 4(2) of the Regulations.

For resumption of citizenship under subsection 11(1) of the Act, refer to subsection 8(2) of the Regulations.

For retention of Citizenship under section 8 of the Act, refer to subsection 6(3) of the Regulations.

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For renunciation of citizenship under subsection 9(1) of the Act, refer to subsection 7(3) of the Regulations.

6.7. Abandonment procedures

The applicant does not provide documents required by legislation at start of process

(Refer to section 6.6 Documents Required with Citizenship Application for further details).

Please follow this procedure if any of the required documents are missing when the application is received. Note that the timelines referred to below is a guideline for applications from inside Canada. Applications from outside Canada may require more time.

Step	Action
1	CPC Sydney to send letter, by <i>regular</i> mail, to the applicant's most recent known address, requesting required missing document(s) by a specified date.
2	If the applicant does not provide the documents on the date requested, hold the file for 60 days (beyond the list scheduled date).
3	If, at the end of the 60 days, the applicant has not provided the required documents or given a valid reason for not providing them, send a second letter by <i>registered</i> mail, giving a specified date. Warn the applicant that this is the final request and if the documents are not provided, the application will be considered abandoned.
4	Hold the application for 30 days beyond the second scheduled date.
5	If, at the end of 30 days, the applicant has not provided the required documents and no reasonable explanation has been given, declare the application abandoned. Add a case note in GCMS to explain why the application is being closed. (If a valid reason is provided within 60 days after the first notice or within 30 days after the second notice, act accordingly.)
6	CPC Sydney refunds the Right of Citizenship fee, if applicable, and retires the file.

Note: The regulations do not allow abandonment for failure to provide documents other than those required by the Citizenship Regulations.

Example: An application cannot be abandoned for failure to provide personal identification documents or fingerprints. The applicant can, however, be scheduled to appear before a citizenship judge for failure to provide fingerprints since the citizenship judge requires this information to conduct a complete paper review of the file. If the person does not appear, abandonment procedures can be carried out after the second notice to appear for an oral interview.

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The applicant does not appear for a hearing with a citizenship judge

Subsections 11(7) and 11(8) of the Regulations require that an applicant be sent two notices to appear for an interview with a citizenship judge before abandonment procedures commence. Note that the timelines referred to below is a guideline for applications from inside Canada. Applications from outside Canada may require more time.

Step	Action
1	Local office is to send a letter, by <i>regular</i> mail, to client's most recent known address, requesting that the applicant appear for a hearing with a citizenship judge on a specified date.
2	If the applicant does not appear on the date requested, hold the file for 60 days (beyond the first scheduled date).
3	At the end of 60 days, send a second notice by <i>registered</i> mail, giving a specified date.
4	Hold the application for 30 days beyond the second scheduled date.
5	If, at the end of 30 days, the applicant has not provided the local office with a valid reason for not appearing, record the application as abandoned. Add a case note in GCMS to explain why the application is being closed. (If a valid reason is provided within 30 days after the second notice, action accordingly).
6	Send the file to CPC Sydney for a refund of the Right of Citizenship fee, if applicable, and file retirement.
Note	If applicants fail to comply with the notice to appear on a specified date but provide a reasonable explanation for why they were unable to attend, additional time may be given. See Section 6.5 for what constitutes a reasonable explanation.

The applicant does not appear for the written test or for an interview with a citizenship official

Unlike the notice to appear for a hearing with a citizenship judge, there is no provision in the *Citizenship Regulations* which allows for abandonment for failure to appear for the written test or failure to appear for an interview with a citizenship official. If an applicant is sent a notice to appear for a written test or interview and fails to respond, the local office may, 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 hearing with a citizenship judge. If the applicant does not appear for the oral hearing with the judge, follow abandonment procedures as outlined above.

The applicant does not appear for the oath of citizenship

Authority- Subsection 23(1) of the *Citizenship Regulations*

Step	Action
1	Local office is to send a notice, by <i>regular</i> mail, to latest known address, requesting that applicant appear for the oath on a specified date.
2	If the applicant does not appear when requested, hold the file for 60 days.
3	If, at the end of the 60 days, the applicant has not provided the

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	citizenship judge with a satisfactory explanation for not appearing, record the application as abandoned. Enter a case note in GCMS to explain why the application is being closed.
4	If the applicant contacts the citizenship office (or judge) before the 60 day bring forward period expires with an explanation that satisfies the judge, reschedule accordingly.
5	Send the file to CPC-Sydney for a refund of the Right of Citizenship fee, if applicable, and retire file.
Note	If applicants fail to comply with the notice to appear on a specified date but provide a reasonable explanation for why they are unable to attend, additional time may be given. See Section 6.5 for what constitutes a reasonable explanation.

Another application has been successfully processed or a decision on a previous application is appealed and the appeal is successful.

See Section 8.7

6.8. Reactivating abandoned applications

Only reactivate an abandoned application if there is an administrative error by Citizenship officials. If applicants are questioning the abandonment of their file, the Call Centre will advise the client where the information is evident on GCMS or in the case notes. If the Call Centre staff cannot answer the question, they will send a referral to CPC Sydney. CPC Sydney will check the file and, if the reason for abandonment is clear, CPC Sydney will advise the client. If it is not clear, the file will be sent to the manager of the office where the decision to abandon was made. The manager will review the file to determine whether or not the file was abandoned in error. Note: Some requests to review abandonment decisions, such as those received through the Minister's office, go directly to Case Management Branch.

Example: An applicant advised the citizenship office of a new address. The citizenship office sends the notice to take the oath to the applicant's former address, and the applicant does not receive the notice.
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In the case where applicants were granted citizenship but the file was later abandoned due to failure on their part to appear for the oath at the scheduled time or to provide a reasonable explanation within the 60 day allowable timeframe, the file *cannot* be reactivated if the applicants later contacts CIC. This situation is to be treated as a completely new application. Applicants must reapply with a new application, documents, photographs and fee (both the Processing and the Right of Application fee). The application is then reassessed (clearances, tested, judge's decision, granted and scheduled for a ceremony).

7. Suspending applications

7.1. This section is about

This section is about suspending grant, renunciation, and resumption applications because of incomplete information.

7.2. Authorities

Citizenship Act

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- Section 17

7.3. Policy

Citizenship judges must make decisions about applications as soon as all the information is available. Once an application is referred to a citizenship judge for decision, the judge has up to 60 days to make a decision.

7.4. Section 17 allows six-months suspension

Section 17 of the *Citizenship Act* allows the Minister to suspend an application for up to six months, after the 60 day time period, in order to obtain the information needed to make a decision.

The authority to suspend an application is delegated to the manager or director responsible for local citizenship services.

7.5. Use rarely

Suspend an application rarely and only in extraordinary circumstances.

Examples

Example 1: The RCMP, Immigration, or CSIS (Canadian Security and Intelligence Service) need more time to complete a clearance investigation.

Example 2: The applicant must provide information from a foreign government and it is reasonable to expect that it will take a long time to get the information.

7.6. Keep note of suspension

When a citizenship judge requests an extension to the 60 day time period, attach a note to the file indicating the date on which the 60 day decision period expires and the date on which suspension is requested. The note also indicates the expiry date for the suspension. A case note is entered in GCMS. As soon as the relevant information has been received, the file is returned to the citizenship judge for the final decision.

7.7. Do not suspend to gain time

Do not suspend an application to gain time.

Example 1: to give an applicant more time to prepare for the citizenship test or hearing

Example 2: to allow the applicant to complete a probation or a jail term

Example 3: to allow more time to reach a decision when all relevant information is available

8. Multiple applications

8.1. This section is about

This section describes when the processing of an application should be suspended because the client has more than one active application for citizenship.

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8.2. Background

Applicants for citizenship services must submit an appropriate application form with the prescribed fees, evidence and materials in order to be granted citizenship, to obtain proof of citizenship or to retain, renounce or resume citizenship. In some cases, persons may apply for a citizenship service when they already have an earlier application being processed by CIC or which is in litigation. Multiple applications filed by the same client often cause difficulties in processing, resulting in confusion for the client and the local office, and increased status inquiries to the Call Centre.

When an applicant submits more than one application before an earlier application is finally and formally dispensed with, CIC must determine whether the later application should be processed at the same time as the earlier application is being finalized.

8.3. Policy

CIC has an obligation to avoid duplication of work or unnecessary costs in the processing of an application. Unless a client specifically requests CIC to process two or more applications at the same time, all applications will be held by CIC until processing on the initial application is completed. Applicants are encouraged to submit new applications only if they have new facts or evidence.

8.4. Exceptions

Lost applications

There is no need for a client to specifically request CIC to process a second application when the first application has been declared lost by either the CPC or the local office and the client has been asked to submit a second application.

Applicant filed for appeal or judicial review

In cases where the applicant has filed a second application while an earlier application is in litigation, both of them proceed normally through their respective processes until a decision is rendered on one of the applications (see section 8.7).

Proofs

The CPC officer will process the first application but will also consider any additional evidence in the subsequent applications when processing the file.

<p>Example: A person may have filed an application for a child born outside Canada, via a Canadian mission overseas, and then have filed a second application a few weeks later from within Canada. CPC Sydney will process the first application but will consider new evidence presented in the second application.</p>
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8.5. General process

The fact that a person has more than one active application in the system comes to the attention of a CPC Sydney official during the data collection stage when the case is being created in GCMS. In some cases, only CPC Sydney is involved with the subsequent process while in others, the local office or Case Management Branch will be directly involved. Regardless of the route followed, the CPC Sydney official enters the information in GCMS to assist colleagues in CPC Sydney, Case Management Branch, Call Centre and local offices to answer inquiries from clients about secondary applications.

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CPC Sydney involvement

In some cases, the client has simply moved and resubmitted an application to ensure CPC Sydney is aware of the new address. CPC Sydney may be able to resolve these simple cases with the client. The first application is processed to completion and the second application is not processed.

Local office involvement

In certain instances, the two applications are put together and the CPC notifies the local office responsible for the first application that there is a second application in the system. The second application is suspended. The information about the second application is forwarded to the local office so that a comparison of information regarding addresses, absences, prohibitions and other data can be made. The office responsible for the initial application will clarify any discrepancies with the client. The local office will determine the appropriate steps to take depending on the circumstances (refer suspected misrepresentation to Case Management, call client in for a personal interview, transfer file to another office).

Case management involvement

On other occasions, the case may need to be referred to Case Management Branch because the first application is already under investigation or is in the process of being litigated. Where a first application is under investigation, the second application is suspended.

8.6. Procedures for the processing of multiple general applications

There are times when clients decide to file a second application when they already have an active application for the same case type. This can occur, for example, when applicants realize they do not meet the residence requirements in the first application. In general, CPC Sydney will not process more than one application at the same time for the same client and case type. When CPC Sydney receives a subsequent application for a client for the same case type, CPC Sydney will contact the client and offer them the option either to withdraw or to suspend one of the applications. If the office is unable to reach the client or if no response is received from the client within 30 days, the second application will remain on hold pending the outcome of the first application.

Withdrawal:

- If the client chooses to withdraw the first application, CPC Sydney will send a withdrawal form to the client. Once the signed withdrawal form is received, CPC Sydney will inform the local office. The local office will return the first file to CPC Sydney who will close off the file and proceed with any refunds. CPC Sydney will enter the second application into the system and send it to the local office for processing.
- If the client chooses to withdraw the second application, CPC Sydney will send a withdrawal form to the client. CPC Sydney will close off the file and proceed with any refunds once the signed withdrawal form is received.
- If the application is withdrawn before the “capture” stage is completed, the total fee is returned. If the application is closed off after the “capture” stage is completed, then only the Right of Citizenship fee is refunded.

Suspension:

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- If the client does not wish to withdraw an application, the client can choose which application is processed first. A note will be put on the other application and the local office or CPC Sydney will hold it pending the outcome of the chosen application.
- If the application is successful, the application on hold will be designated “incomplete”, the file retired and the appropriate fees returned.
- If the application is unsuccessful, the suspended application is released from hold and processing continued.
- The client should be instructed to advise CIC if their application is unsuccessful in order to ensure that their second application is released from hold and processed promptly.

8.7. Procedures for simultaneous processing of multiple applications with one application in litigation

Clients who are pursuing redress may choose to file a second application while the first is in litigation. In this instance, both proceed normally through their respective processes until a decision is rendered on one of the applications. CPC Sydney will ensure the capture and certificate preparation stages are completed for both applications. The CIC office will inform Litigation Management that a second application has been received.

Once a decision is made on an application, the other application must be finalized. The table below shows the process to follow when processing continues on both applications.

IF	THEN	AND OTHER APPLICATION
If the applicant is successful on the first application (i.e. Federal Court overturns initial decision),	then the first application will be processed to ceremony,	and the second application is considered incomplete.
If the applicant is not successful on the first application (i.e. Federal Court upholds original negative decision),	then the first application is returned to CPC Sydney for retirement,	and the second application continues to be processed.
If the second application is processed BEFORE litigation is completed on the first application, and the second application is successful,	then the second application is finalized through to Oath,	and the local office advises Litigation Management that citizenship has been granted.
If the second application is processed BEFORE litigation is completed on the first application, and the second application is also refused,	then the second application is finalized (a refusal/non-approval letter is sent),	and the litigation process on the first application continues.

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8.8. Refunds

Processing fee

The processing fee is not refundable for citizenship applications. It is the Department's policy that processing revenues be refunded only where a fee has been collected in error, or in excess of the requirements and/or if the client requests that the service is no longer required prior to the processing of the service. In this latter instance, the request to cancel the service must be received before the application has been processed in whole *or in part*. Since in all cases the subsequent application will have been processed beyond the initial stages, there is no refund of the citizenship application-processing fee, even where a file has been suspended, withdrawn or closed off as incomplete.

Right of Citizenship fee

The Right of Citizenship fee (ROC) is refundable for citizenship applications. The ROC is refunded for every application where the clients are not granted the privilege or if after approval they decide not to access the privilege. The ROC for one application is returned after all applications have been finalized. If the applicant is unsuccessful in both applications, the ROC is returned on both.

Examples

Example	Scenario
A	Person submits two applications: <ul style="list-style-type: none">• Both result in refusals.• The Right of Citizenship fee is refunded for both.
B	Person submits two applications: <ul style="list-style-type: none">• First results in refusal.• Second application is successful.• The Right of Citizenship fee is refunded for the first application.
C	Person submits two applications: <ul style="list-style-type: none">• First results in refusal.• Second application is successful.• Client decides not to become a citizen after all.• The Right of Citizenship fee is refunded for both.

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9. Withdrawal of applications

9.1. This section is about

- the process to withdraw an application for a grant, proof, resumption, retention or renunciation of citizenship;
- how an applicant can withdraw an application; and
- the refund policy for withdrawals.

Related topic, see Section 8.8.

9.2. Forms

Form name	Form number
Withdrawal of Citizenship Application for Adult Grant, Resumption, Retention or Renunciation	<u>CIT 0027E</u>
Withdrawal of Citizenship Application for Minor Grant or Proof	<u>CIT 0482</u>

9.3. Policy

The *Citizenship Act* does not specifically address a situation where an applicant decides to voluntarily withdraw their citizenship application. However, because the citizenship legislation does not constrain the applicant's discretion to withdraw their application, CIC policy is to permit the applicant the opportunity to withdraw their application should they decide it is in their best interest to do so. Since it is the applicant who may decide to withdraw their citizenship application, at their discretion, citizenship officials should generally avoid recommending that an applicant withdraw their application to avoid the perception that the decision to withdraw was influenced or made for the benefit of CIC or citizenship officials.

In general, unless the applicant no longer wishes to become a Canadian citizen or continue to pursue their application, the applicant does not benefit from withdrawing their application. An applicant who withdraws their application loses the right to appeal a decision. Whether an application is withdrawn or non-approved, the client is refunded the \$100 Right of Citizenship fee. By withdrawing, the applicant loses an opportunity to be counselled in an in-person setting on when they will be eligible to apply, and also forfeits the opportunity to have their application assessed against the legislative requirements, which may help the applicant identify areas where the applicant is weak and could be better prepared for the next time they apply.

It is possible that an applicant is not aware that withdrawing their application is an option which provides a solution in particular circumstances. Therefore, there may be situations where CIC officials may suggest a withdrawal, such as in the following circumstances:

- the applicant informs the citizenship office that they will not be available to pursue their application and will continue to be unavailable for the foreseeable future (e.g., for the next six months or longer);
- the applicant has changed their mind about becoming a Canadian citizen (for example, the applicant has just realized that they will lose their current citizenship, or they no longer wish to give up their current citizenship).

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9.4. General rules for grant and proof withdrawals

An applicant can withdraw an application for any reason and at any time before the person becomes a citizen by taking the oath of citizenship.

Withdrawals of applications must be done in writing either by using the appropriate withdrawal form, or by sending a letter to citizenship authorities requesting withdrawal of the application.

Withdrawals on behalf of minors must be done by a parent or legal guardian. If the concerned minor is older than 14, the minor should countersign the request for withdrawal, if possible.

Before returning the file to CPC Sydney for file retirement, review the file to assess if it needs to be referred to Case Management for review under Section 29.

9.5. When refunds are paid to grant and proof applicants

Refund the Application Processing fee only if:

- CIC is able to confirm the applicant received incorrect information about applying from either a CIC official or a foreign service officer.
 - the applicant dies before a decision is made or a proof certificate issued. The request for the refund must come from a spouse, parent, or executor and include a copy of the death certificate. The refund is paid to the applicant's estate.
-

Note: If parents and a minor applied at the same time, and the parents were non-approved, the processing fee for the child's application will not be refunded even if the application is withdrawn.

9.6. Refund Right of Citizenship fee to grant withdrawals

Refund the Right of Citizenship portion of the application fee to grant applicants who withdraw their applications before the date the person becomes a citizen.

9.7. All applicants may apply again

All applicants who withdraw an application may reapply.

10. Policy on urgent application cases

10.1. This section is about

This section is about what an "urgent" case is and how to handle them.

10.2. When a case is urgent

Applications for proof of citizenship, search of citizenship records for Canadian citizens, resumptions, and applications for grant of citizenship are expedited if documents support the need for urgency in the following situations:

- a request is received from the office of the Minister of Citizenship and Immigration Canada;
- the applicants need to travel because of death or serious illness in the family and cannot obtain a passport in their present nationality (which includes the Canadian passport);

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- the applicants have been in Canada for **1,095** days or more and face loss of employment or employment opportunity because they are not Canadian citizens;
- the applicants are Canadian citizens and face the loss of employment or employment opportunity because they are not in possession of a document establishing Canadian citizenship;
- an application delayed due to an administrative error;
- an applicant for grant of citizenship whose appeal to the Federal Court is successful;
- any situation in which not expediting the citizenship application harms the applicant, such as the need to renounce foreign citizenship by a certain date;
- the applicants need a citizenship certificate to access certain benefits such as a pension, Social Insurance Number or health care.

10.3. Required documents

Documents must support urgent case requests.

For instance, for an applicant facing the loss of employment or employment opportunity, the applicant must submit a letter from the employer.

The letter should say that the applicants will lose employment or potential employment if they are not Canadian citizens. The letter must also say why Canadian Citizenship is a job requirement, and why the employer cannot make other arrangements.

Note: Even in urgent cases, clients must still demonstrate they meet all the requirements of citizenship and provide all necessary documentation.

11. Application retirement

11.1. This section is about

This section is about documents and information that are kept on record when the application is retired at CPC Sydney.

11.2. Overview

The final stage of processing an application is "application retirement". A case is closed in GCMS and a copy of the physical record is stored. Citizenship records are stored for a minimum of 150 years. Applications that are ready for retirement are micro-filmed at CPC Sydney.

11.3. Policy

The Citizenship program is mandated to maintain all information relevant to the decision or final outcome of an application for proof, grant, resumption, renunciation, retention or revocation of citizenship. It is incumbent upon CIC to maintain complete and accurate records through the most economical means available. Although all files are micro-filmed, it is more economical to micro-film only the information which cannot be stored electronically in GCMS. The official who makes the decision to grant citizenship or approve an application for proof of citizenship, or the official who finalizes the processing for renunciation, revocation or retention of citizenship is the person

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responsible for ensuring a file is ready for file retirement. The local office will remove and destroy the citizenship test and/or test sheet as well as any fingerprints before forwarding the file to CPC Sydney for stripping and retirement.

11.4. Relevant information and documentation

Relevant information includes the documents used by a citizenship judge or officer to come to a decision. Relevant documentation includes the documents used to verify permanent resident status, place or date of birth, parentage, criminal prohibitions, residence in another country or nationality of another country. Correspondences from an applicant and from a CIC official to an applicant, which contain information pertinent to the final outcome of a case are also considered relevant documentation and must be maintained. In the case of abandoned or withdrawn applications, notices to appear, proof of registered mail or letters of withdrawal are part of the relevant documentation.

11.5. How to retain information

Information is retained in two ways: through GCMS data entry and through micro-filming of the records. Where documents are entered in GCMS, they do not need to be micro-filmed. Data entry may occur at either the beginning of the process or at the file retirement stage. A document is considered entered in GCMS when the document is listed by title, country of issue and serial number.

Example: British passport #L0123; United States Birth certificate, New Jersey #4567.

11.6. Documents not entered in GCMS are micro-filmed

Documents that are not entered fully in GCMS are micro-filmed during the file retirement process.

Example: GCMS indicates "all documents seen"- the actual copies of the documents are to be microfilmed unless the data is entered at the file retirement stage.

Correspondence which is relevant to the file but which cannot be entered into GCMS is also micro-filmed.

Example: Non-approval letter, letter of withdrawal, copy of registered mail receipt for abandoned applications and notes to file.

11.7. Documents marked FILM to be micro-filmed

Citizenship officers dealing with unusual or exceptional cases are responsible for ensuring that the documents listed in the tables below are retained for micro-filming.

11.8. Documents which must form part of the permanent record

The following documents form the permanent file and must always be entered in GCMS or micro-filmed at the time the file is retired:

Application	Documentation to be microfilmed		Documents which must be either entered in GCMS or microfilmed
Type	In all cases	If abandoned or withdrawn	Note: Documents used to establish place of birth, name at birth, and/or parentage, and/or immigration status, and/or residence in or out of Canada

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Application	Documentation to be microfilmed		Documents which must be either entered in GCMS or microfilmed
Type	In all cases	If abandoned or withdrawn	Note: Documents used to establish place of birth, name at birth, and/or parentage, and/or immigration status, and/or residence in or out of Canada
Adult Grant Resumption	<ul style="list-style-type: none"> • application form • decision form and/or CARF • citizenship judge’s question sheet • non-approval letter • oath form • request for fingerprints (if the letter was not generated with CRS/GCMS) • RCMP conviction report • court and police documents • guardianship document 	<ul style="list-style-type: none"> • correspondence requesting documentation (if it was not fully generated with GCMS) • notice to appear for test, hearing or ceremony (if it was not fully generated with GCMS) • copy of letter sent by registered mail for final notices or requests for documents (if it was not fully generated with GCMS) • letter of withdrawal • proof of correspondence sent by registered mail (in all cases of abandonment and non-approval) 	<p>Example:</p> <ul style="list-style-type: none"> • IMM 1000, PR card or Confirmation of PR • Passport • Birth Certificate • Marriage Certificate • Any other information relevant to the decision or final outcome of the application.
Minor Grant	<ul style="list-style-type: none"> • application form • oath form • CARF • refusal letter • request for fingerprints (if the letter was not generated with GCMS) 	<ul style="list-style-type: none"> • correspondence requesting documentation (if the letter was not fully generated with GCMS) • copy of letter sent by registered mail for final requests for documents (if the letter was not fully generated with GCMS) 	<p>Example:</p> <ul style="list-style-type: none"> • Passport or Certificate of Identity or Travel Document • IMM 1000, PR card or Confirmation of PR • Birth certificate establishing parentage • Any other information relevant to the decision or final outcome of the application.

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Application	Documentation to be microfilmed		Documents which must be either entered in GCMS or microfilmed
Type	In all cases	If abandoned or withdrawn	Note: Documents used to establish place of birth, name at birth, and/or parentage, and/or immigration status, and/or residence in or out of Canada
	<ul style="list-style-type: none"> RCMP conviction report court and police documents guardianship document 	<ul style="list-style-type: none"> letter of withdrawal proof of correspondence sent by registered mail 	
Retention	<ul style="list-style-type: none"> application form decision form non-approval letter court and police documents 	<ul style="list-style-type: none"> correspondence requesting documentation (if the letter was not fully generated with GCMS) notice to appear for hearing (if the letter was not fully generated with GCMS) copy of letter sent by registered mail for final requests for documents (if the letter was not fully generated with GCMS) letter of withdrawal proof of correspondence sent by registered mail (in all cases of abandonment and non-approval) 	Example: <ul style="list-style-type: none"> Birth Certificate showing parentage Parents' proof of Canadian citizenship Evidence of residence Any other information relevant to the decision or final outcome of the application.
Renunciation	<ul style="list-style-type: none"> application form decision form proof of residence outside Canada 	<ul style="list-style-type: none"> correspondence requesting documentation (if the letter was not fully generated with GCMS) 	Example: <ul style="list-style-type: none"> Proof of residence outside Canada Proof of Canadian citizenship or Canadian Passport

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Application	Documentation to be microfilmed		Documents which must be either entered in GCMS or microfilmed
Type	In all cases	If abandoned or withdrawn	Note: Documents used to establish place of birth, name at birth, and/or parentage, and/or immigration status, and/or residence in or out of Canada
	<ul style="list-style-type: none"> • proof will become citizen of foreign country • non-approval letter 	<ul style="list-style-type: none"> • notice to appear for hearing (if the letter was not fully generated with GCMS) • copy of letter sent by registered mail for final notices or requests for documents (if the letter was not fully generated with GCMS) • letter of withdrawal • proof of correspondence sent by registered mail (in all cases of abandonment and non-approval) 	<ul style="list-style-type: none"> • Any other information relevant to the decision or final outcome of the application.
Proof of Citizenship	<ul style="list-style-type: none"> • application form 	<ul style="list-style-type: none"> • correspondence requesting documentation (if the letter was not fully generated with GCMS) • copy of letter sent by registered mail requests for documents (if the letter was not fully generated with GCMS) • letter of withdrawal • proof of correspondence sent by registered mail 	<p>Example:</p> <ul style="list-style-type: none"> • Birth Certificate or Canadian passport • Any other information relevant to the decision or final outcome of the application.

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Application Type	Documentation		
	In all cases	If withdrawn by Minister	If revoked by O-I-C
Revocation	<ul style="list-style-type: none"> • Notice of Intent to Revoke • Correspondence from subject indicating referral to Federal court • Notice of Application to Appeal to Federal Court • Disposition of Federal Court • Notice to Governor-in-Council • Any other information relevant to the decision or final outcome of the application. 	<ul style="list-style-type: none"> • Correspondence to client • any other information relevant to the decision or final outcome of the application. 	<ul style="list-style-type: none"> • Order-in-Council indicating date of revocation • Copies of correspondence to various agencies (CBSA, Passport) • Any other information relevant to the decision or final outcome of the application.

Related topics: Abandonment policy, withdrawal of application

11.9. Retirement of search applications

A search application constitutes personal information concerning an individual that has been used for administrative purposes. As per section 4 of the *Privacy Act Regulations*, Search Applications shall be retained for at least two years following the last administrative action.

As clients may request a search at any time, it is in the interest of risk management that CIC officials maintain a complete and accurate electronic record of a search application in GCMS.

For more information on search applications, see **Search of Records**.

For more information on establishing identity, see **Establishing Applicants Identity**.

12. Translation of documents for overseas applications

12.1. This section is about

This section is about the policy and procedures for translation of documents submitted at Canadian Embassies by clients living outside Canada.

12.2. Policy

There is no requirement that translated documents submitted by clients living outside Canada be "sworn translations" if the documents have been verified by an Embassy official. The translation may be done by the client, a relative or a friend provided that the document is verified by an

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Embassy official. The Embassy may accept translated documents in plain English or French if it is willing and capable of verifying the documents.

12.3. Procedure

Upon receipt of the translated English or French documents, an Embassy official must:

- thoroughly review the translation to verify that its content conforms to the original document upon which the translation was based;
- affix a stamp (or write) "VERIFIED – TRUE TRANSLATION" and the Embassy wet seal on the document; and
- initial the document.

13. Updating the IMM 1000 upon acquisition of Canadian citizenship

13.1. This section is about

This section is about the Immigration Record of Landing IMM 1000 update.

13.2. Background

Citizenship and Immigration Canada (CIC) has the responsibility to grant or determine the immigration and citizenship status of an individual in Canada. Documents issued by the department should accurately reflect the status of the holder.

The Immigration Record of Landing is a historical document containing personal information, including immigration details of the person to whom it was issued. It assists that person in obtaining access to Canada and a variety of governmental programs and services, but remains the property of the Government of Canada. To safeguard the integrity of the document, CIC updates the Record of Landing at the time the holder becomes a Canadian citizen. CIC staff stamp the document, "The holder is no longer a permanent resident".

Updating the holder's status by stamping the IMM 1000 does not alter the historical character of the document because it does not change or obscure the information imprinted at the time of landing. It is returned to the holder since it contains personal information concerning that person.

13.3. Requirements of the *Immigration and Refugee Protection Act (IRPA)*

The authority under which CIC can update the Record of Landing is found in IRPA, paragraph 2(1):

"permanent resident" means a person who has acquired permanent resident status and has not subsequently lost that status under section 46.

46. (1) A person loses permanent resident status

"(a) when they become a Canadian citizen;"

Therefore, the wording of the stamp accurately reflects the status of the holder.

The Immigration Record of Landing IMM 1000 of permanent residents becoming Canadian citizens will be stamped to update the holder's status.

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13.4. Procedure

Informing the Applicant

Applicants are advised, in writing, on the test, hearing, and ceremony notices to bring their IMM 1000 (and permanent resident card, if applicable) to their scheduled appointments. Local office staff may also verbally advise applicants of the requirement at any point in the process.

For minor non-concurrent grants under 14 years of age, CPC Sydney writes to the client to request the original IMM 1000 and/or PR card before mailing the citizenship certificate directly to the client.

Applicant reports Immigration Record of Landing lost or stolen

Applicants must complete a Solemn Declaration (CIT 0459) when they declare their IMM 1000 is not available for updating because it has been lost, stolen or destroyed. This can be done at any stage in the process. If declared at a ceremony, it is left to the discretion of the local office whether or not the client completes the form at the ceremony or is rescheduled and instructed to return with the completed declaration to a new ceremony.

After the applicant becomes a citizen, the local office updates the electronic Immigration record (FOSS) with the information that the IMM 1000 has been lost or stolen and was not stamped at the citizenship ceremony. If FOSS indicates the applicant is in the process of applying for a certified copy of the IMM 1000 (Verification of Admission), the local office will inform the Query Response Centre (QRC) that the person has become a Canadian citizen so that QRC can stamp the copy before sending it to the client.

Stamping the Immigration Record of Landing

The stamp has been designed to fit all versions of the IMM 1000, including the small "landing cards" (these can be stamped on the back). The Record of Landing original or certified copy issued by QRC (not a photocopy or other reproduction) is stamped as applicants present themselves at the citizenship ceremony, immediately before taking the oath of citizenship. Stamping is done at all ceremonies, including special ceremonies and ceremonies held away from the local office.

If an applicant presents an IMM 1000 that has been laminated or is otherwise impossible to stamp, make a note in FOSS of the condition of the document and the reason for not stamping it. If the document has been laminated, it must be perforated by punching a hole in the document.

Since permanent residence status has been confirmed before the grant of citizenship, it is not necessary to have the applicant obtain a certified copy of the IMM 1000 for the sole purpose of stamping it at the ceremony.

Applicant forgets to bring IMM 1000 to the ceremony

Local office staff will make arrangements with the applicant to return with the IMM 1000 at a later date.

Officers will use judgment in determining whether an exception should be made to allow an applicant to participate in a ceremony with the understanding that they will become a citizen, but receive only the commemorative document at that time. In this case, a declaration CIT 0467 is completed at the time of the ceremony and a copy may be given to the applicant. An envelope with the local office address on it is given to the client for ease of sending the IMM 1000. The applicant's file with the citizenship certificate (card) will be retained at the local office until the applicant brings or sends the IMM 1000 to be stamped or completes a Solemn Declaration

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(CIT0459), if appropriate. Case notes are added to the Global Case Management System (GCMS) to ensure proper tracking of the file.

Query response centre

The Immigration QRC processes applications for Verification of Admission and prepares certified copies of records of landing. When acquisition of citizenship is indicated in departmental systems, the QRC stamps the certified copies of records requested by Canadian citizens with the same stamp used at the ceremonies.

CPC Sydney

In the case of non-concurrent minors under 14 years of age and 5(2)(b) applicants who are permanent residents, the IMM 1000 will be stamped and/or the PR card collected by CPC Sydney. CPC Sydney will write to the applicants asking them to send in the IMM 1000 and/or PR card. CPC Sydney will stamp the IMM 1000 and return it to the applicant along with the citizenship certificate. CPC Sydney will follow the same procedures as the local offices for declarations and FOSS input.

14. Revocation of permanent resident cards upon granting of citizenship

14.1. This section is about

This section is about the policy and procedures related to revoking the permanent resident card (PR card) when the holder becomes a Canadian citizen.

14.2. Background

The PR card was primarily designed to avoid the problem of fraudulent use associated with the IMM 1000. Accordingly, strict regulatory and procedural safeguards have been developed to protect its integrity. These include provisions governing the production, distribution and destruction of the PR card.

Persons who become permanent residents after June 28, 2002, are issued a PR card automatically, pursuant to subsection 31(1) of the *Immigration and Refugee Protection Regulations*, together with a Confirmation of Permanent Residence document (IMM 5292). The IMM 5292 replaces the Immigration Record of Landing for purposes of demonstrating the historical fact of permanent residence, as well as containing personal information formerly captured on the IMM 1000, including immigration details of the person to whom it was issued. It assists that person in obtaining access to a variety of Canadian provincial and federal government programs and services. One of the main differences between the IMM 1000 and the IMM 5292 is that the holder's copy of the IMM 5292 is preprinted with the notation "NOT VALID FOR TRAVEL/NON VALIDE POUR VOYAGER." There is, therefore, no requirement to update the information on the (status of the holder) of IMM 5292, when the holder becomes a citizen, since only the PR card can be used for travel.

It is important to note, however, that CIC will continue to update the Record of Landing of persons who received a PR card on the strength of their IMM 1000 by stamping the document, "The holder is no longer a permanent resident" at the time the holder becomes a Canadian citizen.

14.3. Requirements of the Regulations

Paragraph 60(a) of the *Immigration and Refugee Protection Regulations* states that:

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"A permanent resident card is revoked if (a) the permanent resident becomes a Canadian citizen..." Furthermore, subsection 53(2) states that "A permanent resident card remains the property of Her Majesty in right of Canada at all times and must be returned to the Department on the Department's request."

14.4. Policy

CIC has a statutory obligation, as well as the authority, to revoke the PR cards of clients as part of the Citizenship process. It is practical to do this when the person receives a citizenship certificate (card). This policy should be read in conjunction with the policy on **Updating the IMM 1000 upon acquisition of Canadian citizenship**, section 13.

14.5. Procedure

Informing the applicant

Applicants are advised, in writing, on the test, hearing, and ceremony notices to bring their PR cards and IMM 1000, to their scheduled appointments. Local office staff may also verbally advise applicants of the requirement at any point in the process.

For minor non-concurrent grants under 14 years of age, CPC Sydney writes to the client to request the original IMM 1000 and/or PR card before mailing the citizenship certificate directly to the client.

Applicant reports PR card lost or stolen

The form entitled *Solemn Declaration concerning a Permanent Resident card that was lost, stolen, destroyed or never received* (IMM 5451) is to be given to the applicant at any stage in the process before the ceremony when the applicant informs CIC staff that the PR card has been lost, stolen or destroyed.

If the client informs CIC staff at the ceremony that the PR card has been lost, stolen or destroyed, the local office can decide whether or not the client completes the form entitled *Solemn Declaration concerning a permanent resident card and/or an Immigration Record of Landing (IMM 1000) that was lost, stolen or destroyed* (CIT 0459E or IMM 5451E) at the ceremony, or is rescheduled and instructed to return with the completed CIT 0459E (or IMM 5451E) to the new ceremony.

CBSA - Intelligence needs to be advised when a PR card has been lost, stolen or destroyed and could not be revoked at the citizenship ceremony. As soon as possible after the ceremony (preferably the same day) the local office will send an e-mail to PRC-Sydney-Urgent with the client's name, date of birth, FOSS ID or PR card number and confirmation that IMM 5451E or CIT 0459E has been received. The local office will put the IMM 5451E or CIT 0459E in the applicant's file. CPC Sydney will cancel the card upon receipt of the e-mail, which automatically creates an NCB type 28 in FOSS. It also generates the Lost/Stolen document record in the LSF database in FOSS, which is automatically connected to the Primary Inspection Line at the airport port of entry.

Revoking the PR card

The PR card is obtained from applicants as they present themselves at the citizenship ceremony, immediately before taking the oath of citizenship. Revocation of PR cards is done at all ceremonies, including special ceremonies and ceremonies held away from the local office. The nominal roll or participants' list is to be used as the control sheet and used to record additional

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information if necessary. FOSS will be updated once the card is returned to the PR card Processing Centre in Sydney, Nova Scotia.

Applicant forgets to bring PR card

Local office staff will make arrangements with the applicant to return, with the PR card, to another ceremony. Officers will use judgment in determining whether an exception should be made to allow applicants to participate in a ceremony with the understanding that they will become citizens, but receive only the commemorative document at that time. For example, in case of circuits (remote ceremonies) held only twice a year, it may not be practical for the client to return in person to attend another ceremony the same day. Also, the operational requirements of the office should be taken into account. In this case, the declaration CIT 0468 is completed at the time of the ceremony and a copy may be given to the applicant. An envelope, with the local office address, is given to the client for ease of sending the PR card. The applicant's printed file with the citizenship certificate (card) will be retained at the local office until the applicant brings or sends the PR card.

If the client does not return with or send in the PR card within 30 days, the local office sends a reminder to the client, and again after 90 days a second reminder is sent. After six months, the citizenship file and certificate is returned to CPC Sydney for retirement. The local office should add a client note to GCMS.

Applicant forwarded PR card to CPC-Sydney for renewal

If the applicant does not have the PR card because it was forwarded to CPC Sydney for renewal, the local office must ensure that CPC Sydney will not send a new PR card to the applicant as the applicant will no longer be a permanent resident. The local office must send an urgent e-mail to PRC-Sydney-Urgent and request the cancellation of the application for a new PR card. Information such as the Foss ID number (UCI number in GCMS), the date that the applicant applied for the new card, and the date that the applicant became a Canadian citizen should be included in the e-mail.

14.6. Exceptional procedures for minors

In the case of non-concurrent minors under 14 years of age, the IMM 1000 and/or PR card will be recovered by CPC Sydney. CPC Sydney will write to the client asking them to send in their IMM 1000 and/or PR card. Once the IMM 1000 and/or PR card is returned to CPC Sydney the citizenship card will be mailed to the client. CPC Sydney will be responsible for updating FOSS.

14.7. Disposition of PR cards

PR cards revoked at Citizenship ceremonies should be forwarded for destruction to:

PR card Processing Center
P.O. Box 9000
Sydney, Nova Scotia
B1P 6K7