INTERNATIONAL STUDENT IMMIGRATION REGULATIONS IN CANADA

INSTITUTIONAL RESPONSIBILITY ON IMMIGRATION

A conversation with IO International Student Immigration Advisors and Faculty and Staff at Memorial University, St. John’s Campus

November 7, 2019
INTRODUCTIONS
OBJECTIVES OF THIS SESSION

- Create mutual understanding
- Provide basic information
- Identify challenges
- Develop ways to work together to support international students
SESSION OVERVIEW

1. Who can give advice and what is advice
2. Conditions placed on study permit holders
3. Student responsibility to maintain status and meet conditions
4. Institutional responsibility to support
Who can provide advice?

Section 91 of Immigration, Refugee and Protection Act (IRPA)

91 (1) ...no person shall knowingly, directly or indirectly, represent or advise a person for consideration — or offer to do so — ... 

(2) A person does not contravene subsection (1) if they are 
(a) a lawyer who is a member in good standing of a law society of a province or a notary who is a member in good standing of the Chambre des notaires du Québec; 
(b) any other member in good standing of a law society of a province or the Chambre des notaires du Québec, including a paralegal; or 
(c) a member in good standing of a body designated under subsection (5). - The Minister may, by regulation, designate a body whose members in good standing may represent or advise a person for consideration ... 

What is advice?

Consider:
- Websites contain conflicting information
- Open to interpretation
- Do you know the full student’s situation? Do you know the questions to ask to assess the situation?

Penalties
(9) Every person who contravenes subsection (1) commits an offence and is liable 
(a) on conviction on indictment, to a fine of not more than $200,000 or to imprisonment for a term of not more than two years, or to both; or 
(b) on summary conviction, to a fine of not more than $40,000 or to imprisonment for a term of not more than six months, or to both.
STUDY PERMIT CONDITIONS

• Actively pursue studies and maintain enrollment
  • Part-time ok
  • 150 day approved leave

• Work if eligible
  • Must be full-time
  • Distinction between on and off campus employment
  • Depends on program of study

• Other conditions
  • Field of work

IRCC link
STUDY PERMIT CONDITIONS

• **Extend prior to expiry or leave Canada**
  - Expires earlier of date on document or 90 days from completion of studies
  - If apply prior to expiry and remains in Canada, has implied status—continue to study and work
    - SIN respects implied status
  - Have 90 days from loss of status to remain in Canada and apply for restoration of status—cannot study or work

• **Valid for study at any Designated Learning Institution (DLI)**
  - Can change programs
  - If change institutions, must notify IRCC

• **Comply with IRCC requests for information**
IT IS A STUDENT’S RESPONSIBILITY TO ABIDE BY THE CONDITIONS OF THEIR STUDY PERMIT
IT IS THE INSTITUTION’S RESPONSIBILITY TO SUPPORT, NOT REPORT A STUDENT.
INSTITUTIONAL COMPLIANCE

- Complete bi-annual compliance report
- Respond to periodic compliance request
- Confirm LoA and completion of studies
- Correspondence with IRCC managed by IO in collaboration with units and in compliance with privacy considerations
We DO advise on:

- Study permit applications and extensions
- TRV applications
- eTA applications
- Work permits
  - Co-op Work Permit
  - Post-Graduation Work Permit
  - Destitute Student Work Permit
  - Spousal open work permit
  - Work permits for visiting students
- Visitor record applications and extensions

We DO NOT advise on:

- Citizenship issues
- Permanent resident applications
- Refugee applications
- Passport applications
- Applications for non-Canadian Visas
We do not represent students

We refer
• Provincial Office of Immigration and Multiculturalism (OIM)
• Other consultants and lawyers

We collaborate
• OIM presentations
• IRCC presentations

We have different restrictions and responsibilities related to our designation, including a Code of Ethics we must adhere to
• Cannot represent if not competent
• Confidentiality
To speak with an immigration advisor, students can:
1. Book an appointment for one on one consultation
2. Visit the IO during advertised drop in hours for one on one consultation
3. Attend our workshops

www.mun.ca/international/programming/immigrationadvising/

To refer a student to an immigration advisor, you can:
1. Refer them to the information on our website about the above options
2. Contact Natasha or Arif directly to invite us to a meeting with you and the student
THANK YOU!

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HOW DID YOU FIND THE SESSION?

NEXT SESSIONS:
INTERNATIONAL STUDENTS AND WORK – TUESDAY NOVEMBER 12, 12 - 1PM, CA 2002

ACADEMIC REGULATIONS AND INTERNATIONAL STUDENT SUCCESS – TUESDAY NOVEMBER 26, 12 - 1PM, CA 2002

INTERNATIONALIZATION OFFICE