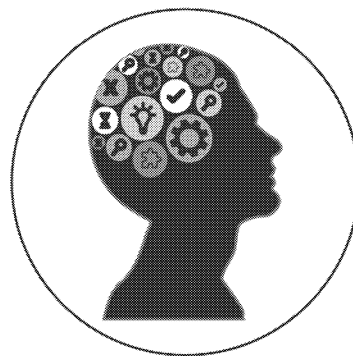


Designed and developed by the
Learning Academy



Unit 6: Processing Guidelines Answer Guide

Permanent Residents • Decision Making (CC7920)



Immigration, Refugees
and Citizenship Canada

Immigration, Réfugiés
et Citoyenneté Canada

Canada
000001

PR Decision Making

Table of Contents

Preface	1
Unit 6: Processing Guidelines.....	2
Activity: Key Points.....	2
Activity: Admissibility Screening Scenarios	5

PR Decision Making

Preface

The Answer Guide contains the activities used in the virtual session together with the answers.

PR Decision Making

Unit 6: Processing Guidelines

Activity: Key Points

#	Questions	Answers
1.	What are the two ways in which IRCC sends and receives correspondence?	Correspondence can be sent and received both online and via mail.
2.	Applicants are required to submit their complete application under R__. Applications not meeting R__ are returned under R__.	<p>Applicants are required to submit their complete application under <u>R10</u>. Applications not meeting <u>R10</u> are returned under <u>R12</u>.</p> <p>Note: <u>R10/R12</u> does not apply to PR public policies, i.e., there is no completeness check. If applications are missing info, the intake or processing office will request.</p>
3.	Who must provide medicals when applying for permanent residence?	Foreign nationals who are applying for a permanent residence as well as their family members, whether accompanying or not must undergo a medical examination <u>A16(2)(b)</u> , unless the foreign national is a protected person.
4.	What kind of application history must be provided for the principal applicant as well as any family member on file age 18 years and over?	<ul style="list-style-type: none"> • work • education • address • organizations/government positions/military • travel (last 10 years only)
5.	All foreign nationals who are applying for permanent residence in Canada, as well as their family members 18 years of age or older must be screened for criminality.	True. Unless the foreign national is a protected person, in which case non-accompanying family members do not need to be examined as they do not render the foreign national inadmissible.

PR Decision Making

#	Questions	Answers
	True or False?	
6.	What are the criminality assessment tools you learned about in the eWorkbook that can assist you in your decision making?	<ul style="list-style-type: none"> • information sharing • RCMP Checks <ul style="list-style-type: none"> ○ Biometrics RCMP ○ RCMP Name Check (only for applicants/dependents without biometrics but who have spent time in Canada) • police certificates
7.	What is the tool that has been created within some branches for decision makers to track and document their decision-making process?	The Assisted Decision Making Macro (ADMM).
8.	Why has triage criteria been developed?	Triage criteria has been developed to determine which applications are referred to other offices as means to help streamline less complex cases
9.	Complex cases require further investigation. True or False?	<p>True.</p> <p>There may be some files that require a more in-depth review due to their complexity. These applications will need to be sent for secondary review (varies depending on the branch and/or office structure) for further investigation. These referrals can occur at any stage in the application process.</p>

PR Decision Making

PR Decision Making

Activity: Admissibility Screening Scenarios

Scenario 1 Applicant's date of birth: January 1972.		
	Address history	Country
	January 2011 – February 2014	Turkey
	February 2014 – July 2017	France
	July 2017 – August 2017	Russia
	August 2017 – August 2020	United States
	August 2020 –August 2023	Canada
What would you request?	Request police certificates from Turkey, France and United States. Note: For United States, applicants need to provide a State Certificate and Identity History Summary issued by the Federal Bureau of Investigation (FBI).	

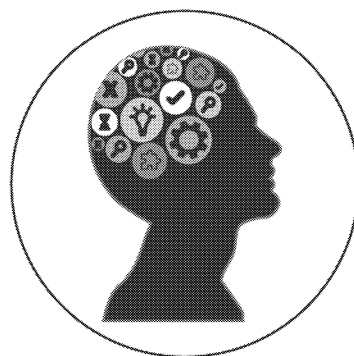
PR Decision Making

Scenario 2 Applicant's date of birth: June 1989		
	Address history	Country
	June 2000 – January 2016	Korea
	January 2016 – April 2016	Philippines
	April 2016 – August 2016	Greece
	August 2016 – March 2019	Korea
	March 2020 – August 2023	Philippines
What would you request?	<p>Request complete address history from March 2019 – March 2020. A complete address history is required to ensure all police certificates are received.</p> <p>Note: You can request police certificates from Korea and Philippines at the same time.</p>	

PR Decision Making

Scenario 3 Applicant's date of birth: September 1996		
	Address history	Country
	October 2007 – June 2013	Pakistan
	June 2013 – October 2014	Philippines
	October 2014 – February 2016	Iran
	February 2016 – August 2023	Japan
What would you request?	Request police certificates from Iran and Japan.	

Designed and developed by the
Learning Academy



Unit 8: Making a Final Decision Answer Guide

Permanent Residents • Decision Making (CC7920)



Immigration, Refugees
and Citizenship Canada

Immigration, Réfugiés
et Citoyenneté Canada

Canada
000010

PR Decision Making

Table of Contents

Preface	1
Unit 8: Making a Final Decision.....	2
Activity: Key Points.....	2
Activity: What Is Your Final Decision?	6
Activity: Can the Applicant Be Granted Permanent Residence?	9
Activity: Course Conclusion	10

PR Decision Making

Preface

The Answer Guide contains the activities used in the virtual session together with the answers.

PR Decision Making

Unit 8: Making a Final Decision

Activity: Key Points

#	Questions	Answers
1.	For a standard PR application that has been approved, what documents must be issued to the applicant?	Confirmation of Permanent Residence (CoPR) Permanent Resident Visa (PRV), if applicable
2.	What must an applicant do to become a permanent resident (to be landed)?	Applicants must either present their CoPR and PRV (if applicable) to an officer at a Canadian POE at a local IRCC office (if required) as per R71.1(2) .
3.	What detail must appear on the refusal letter?	The applicant needs to be informed of the following in the refusal letter: <ul style="list-style-type: none"> immigration class that their application was considered reasons for refusal: both legal and factual if the Right of Permanent Residence Fee (RPRF) has been paid they are entitled to a refund
4.	Who has the right to appeal a refusal of a permanent residence application?	If an application to sponsor a foreign national as a member of the family class has been refused, the sponsor may appeal the refusal of the application to the IAD according to A63(1) .

PR Decision Making

#	Questions	Answers
5.	Can you name some situations where a sponsor does not have the right to appeal?	<ul style="list-style-type: none"> applicant is inadmissible on grounds of security, violating human or international rights, serious criminality or organized criminality A64(1) applicant is refused on the ground of misrepresentation, unless the applicant is the spouse, common-law partner or child of the sponsor A64(3) the sponsor discontinued or withdrew their sponsorship application
6.	Can you name two best practices for equitable decision making?	<ul style="list-style-type: none"> Ensure decisions are based on facts and evidence, not harmful assumptions. Be careful in relying on your own experiences and knowledge in forming assumptions on any particular issue. Ensure that there is evidence to support any implausibility or negative credibility findings. Justify findings of fraudulence with clear reference to the evidence. <p>For more information refer to Best Practices for Equitable Decision Making.</p>
7.	As per R71.1 and R72(1) , what are the required documents to become a permanent resident?	<ul style="list-style-type: none"> valid identity and passport or travel documents R50(1) valid counterfoil permanent resident visa (IMM 1346) affixed in the passport, if from a country that is not visa-exempt (Note: The exception for TRV-exempt clients is not outlined in IRPR) confirmation of Permanent Residence (IMM 5688) proof of settlement funds, when applicable a CSQ (if settling in Quebec)

PR Decision Making

#	Questions	Answers
		<ul style="list-style-type: none"> all the documents relating to conditions imposed by the visa office (if applicable)
8.	Can you name some examples of situations where the holder of a visa may be refused to be granted permanent residence?	<ul style="list-style-type: none"> there has been a subsequent change in the composition of the family or the situation new and unfavourable information has surfaced after a visa was issued such as criminal activity the applicant was unable to produce proof that they had sufficient funds or the documents requested at the POE the period of validity of the permanent residence visa has expired the immigration officer has reasonable grounds to believe that the permanent residence visa was obtained through fraud
9.	Do all foreign nationals require a passport to become permanent residents?	<p><u>R72(1)(e)(ii)</u> requires all foreign national to be in possession of a document described in <u>R50(1)</u>. While most foreign nationals will be in possession of valid passports, some will not. If officers are satisfied of identity and applicant is close to landing, they should strongly consider waiving the passport requirement on H&C grounds. In the case of protected persons, if they do not hold a document described in <u>R50(1)(a) to (h)</u>, an identity document may be submitted as per <u>R178</u> if the document is:</p> <ul style="list-style-type: none"> genuine identifies the applicant

PR Decision Making

#	Questions	Answers
		<ul style="list-style-type: none">• constitutes credible evidence of the applicant's identity

PR Decision Making

Activity: What Is Your Final Decision?

Scenario 1	<p>Hala first met Dalia during high school. Even though it is strongly forbidden in their country, the two women fell in love. They attended the same university and rented the same apartment and lived together for three years. Their respective families believed they were simply roommates. Upon completing university, they returned to their respective hometowns. They stayed in a relationship and secretly kept in touch. Unable to continue living a lie, Dalia disclosed her relationship with Hala to her parents and was immediately thrown out of her home and her parents threatened to report her to the authorities. She was then accepted as a refugee in Canada and became a permanent resident. Dalia and Hala have tried to stay in touch via internet and phone calls since they were separated. Dalia has submitted a sponsorship for Hala as a common-law partner and has provided evidence to support their ongoing relationship. Hala provided copy of her valid passport. GCMS states medicals, criminality and security checks passed last month.</p>	
Is Hala a member of the Family Class?		
Answer:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<p>Yes. The couple has cohabited for one year when they rented the same apartment together for three years. Their ongoing commitment to each other established a conjugal relationship. Hala would meet the definition of common-law partner as per <u>R1(1)</u>; therefore she would be a member of the Family Class under <u>R117(1)(a)</u>.</p>		
Does Hala meet the requirements to get a permanent resident visa?		
Answer:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<p>Yes. Valid passport. Identity established. Medicals, criminality and security checks passed.</p>		
What steps would you take next?		
<p>Approve the application.</p> <ul style="list-style-type: none"> • send an approval letter • enter a record of decision in GCMS • issue the CoPR and PRV (if applicable) 		

PR Decision Making

Scenario 2	Becca who is 29 years old, has applied for CEC. She originally came to Canada on a study permit. After graduation, Becca received a post-graduation work permit and landed a job at the Vancouver Children's Hospital where she has been working full-time as a general practitioner for the past 1.5 years. She scored an overall 9 CLB in all abilities.	
Would Becca meet the requirements of the Economic Class?		
Answer:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<p>Yes. Becca meets the requirements under the CEC program.</p> <p>Qualifications:</p> <ul style="list-style-type: none"> • temporary resident status—on work permit • official language proficiency—9 CLB in all language areas • qualifying work experience - 1.5 years working full time as a doctor 		
<p>Becca then provided submissions relating to a recent conviction. She was convicted in Canada for Aggravated Assault (CC 268) an indictable offence and liable to imprisonment for a term not exceeding 14 years, when she got into a bar fight a several months ago. She explains that she wants to stay in Canada.</p> <p>Does Becca meet the requirements to become a permanent resident?</p>		
Answer:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
No. Becca is inadmissible under A36(1)(a) .		

PR Decision Making

What steps would you take next?

Refuse the application

- ensure to have followed procedural fairness prior to the refusal, where applicable (e.g., inadmissibility), and send a procedural fairness letter
- consider the response to the procedural fairness letter and then make your decision
- send a refusal letter to the applicant
- enter a record of decision in GCMS

PR Decision Making

Activity: Can the Applicant Be Granted Permanent Residence?

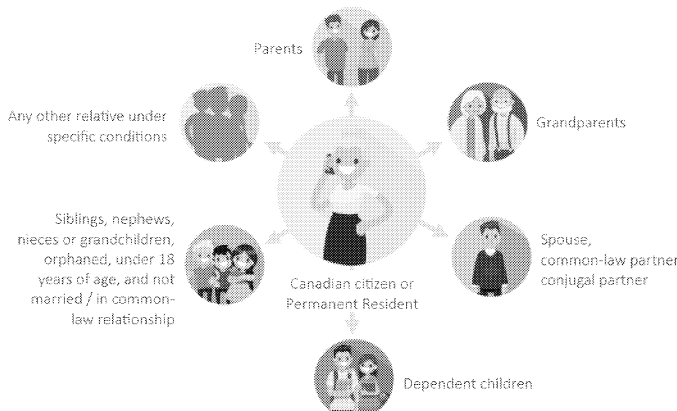
Scenarios	Decision
<p>1. Evan, a Canadian citizen married Sue on July 15, 2016, after a five-year common-law relationship. In October 2020, he applied to sponsor her in the SCLPC. The sponsorship application was approved and the permanent resident application was also approved on December 15, 2021. On February 4, 2022, Sue separated from Evan and went to live on her own. On April 6, 2022, she was scheduled at the local IRCC office to be granted permanent residence.</p>	<p>No, Sue cannot be granted permanent residence status because at the time of her landing appointment, she no longer meets the eligibility requirements of the class as she no longer cohabits with her sponsor in Canada.</p> <p><u>R124(a)</u></p>
<p>2. Judy has applied for permanent residence in the Atlantic Immigration Program. Her application was approved and two months after, she obtained a new employment in a different NOC.</p>	<p>No, Judy cannot be granted permanent residence status because she has a new employment with a different NOC and it may change certain program requirements (language, education, duration of job offer). Judy will therefore need to meet the requirements associated with the new offer of employment.</p>

PR Decision Making

Activity: Course Conclusion

Unit 1—Overview		
	Questions	Answers
1.	What are the two main categories of PRs?	Economic & Non-economic
2.	What legislative documents guide the Immigration programs?	IRPA & IRPR
3.	What tool can you use to identify the types of decisions you have the authority to make?	IL3
4.	What is the standard of proof for making decisions as an administrative decision maker?	Balance of probabilities
5.	This means the persuasiveness of a given piece of evidence. In other words, it means how persuasive is the document, testimony or photo in establishing a fact.	Probative value
6.	IRCC collects biographical data, fingerprints and a photograph for _____ information.	Biometrics
7.	When a foreign national is approved for permanent residence, what documents will you need to issue?	COPR & PVR or ETA
8.	Which regulation outlines the types of travel documents foreign nationals seeking to become a permanent residents must hold?	R50(1)

PR Decision Making

Unit 2—Family Class		
	Questions	Answers
1.	<p>This image represents those who can be _____ as a member of the Family Class?</p> <p>Who Can Be Sponsored?</p> <p>A Canadian citizen or permanent resident can sponsor their relatives:</p> 	sponsored
2.	<p>These are the requirements for a _____</p> <ul style="list-style-type: none"> • Canadian citizen / permanent resident / Status Indian <ul style="list-style-type: none"> ○ is at least 18 years old ○ resides in Canada, exception R130 ○ has filled a sponsorship application in respect of a member • intends to fulfil the obligations in the sponsorship undertaking <ul style="list-style-type: none"> ○ not subject to a removal order ○ not detained (jail, penitentiary, prison) ○ not been convicted of offences outlined in R133(1)(e)(i), R133(1)(e)(i.7) and R133(1)(e)(ii) 	sponsor

PR Decision Making

Unit 2—Family Class		
	Questions	Answers
	<ul style="list-style-type: none"> ○ not been convicted outside Canada of an offence that if committed in Canada would constitute an outlined in R133(1)(e) and R133(1)(f) ○ not subject to a sponsorship default ○ etc. 	
3.	I am a provision under R133(1), that when a sponsor is subject to one of these provisions, it prevents them from submitting a sponsorship application.	Sponsorship bar
4.	Family members are considered in relation to a _____ while members of the family class are considered in relation to a sponsor.	principal applicant
5.	<p>These are the _____ that must be met for the members of the Family Class and the SCLPC Class.</p> <ul style="list-style-type: none"> • they must have an eligible sponsor • they must prove their identity, age and relationship to their sponsor • the applicant and their accompanying and non-accompanying dependents must not be inadmissible to Canada • the relationships between the sponsor, applicant and dependents are genuine • they must have valid and subsisting passports or travel documents • they must be coming to Canada to establish permanent residence • must cohabit with their sponsor in Canada 	requirements
6.	Both the principal applicant and their accompanying family members as well as this type of family member must be examined and meet the requirements of the legislation.	Non-accompanying
7.	Are spouses, common-law partners and their dependents processed inside or outside Canada?	Inside

PR Decision Making

Unit 2—Family Class		
	Questions	Answers
8.	A sponsor who became a permanent resident or a Canadian citizen after being sponsored as a spouse, common-law partner or conjugal partner is barred from sponsoring a spouse or partner within _____ years of becoming a permanent resident.	Five years.

Unit 3—Economic Class		
	Questions	Answers
1.	This is an online system which manages the intake of applications for FSW, FST, CEC and a portion of PNP in the permanent residence program.	Express Entry
2.	Name the following two systems: <ol style="list-style-type: none"> 1. What is the official government system for the classification and description of occupations in the Canadian economy? 2. What is the points-based system used to assess and score a client's profile in order to rank them in the Express Entry pool? 	NOC system & CRS
3.	Name the prescribed class of persons who are skilled workers and are awarded points based on the following six selection factors: <ol style="list-style-type: none"> 1. Age 2. Education 3. Languages 4. Experience 5. Arranged Employment 6. Adaptability 	FSW

PR Decision Making

Unit 3—Economic Class		
	Questions	Answers
4.	Under which two classes must an applicant provide sufficient funds to support their settlement in Canada?	FSW & FST
5.	Name the prescribed class of people qualified in a skilled trade that have the following class requirements: <ol style="list-style-type: none"> 1. Official language proficiency 2. Qualifying work experience 3. Employment requirements 4. Offer of employment 5. Settlement funds 	FST
6.	Name the class for individuals with skilled work experience in Canada that was developed for temporary foreign workers and foreign graduates with qualifying Canadian work experience that have the following requirements. <ol style="list-style-type: none"> 1. Temporary resident status during the period of work that qualifies them 2. Official language proficiency 3. Qualifying skilled work experience in Canada. 	CEC
7.	Name the class designed to enable provinces and territories to support the immigration of people who have expressed an interest in settling in their province or territory (with the exception of Quebec and Nunavut) who have the following requirements: <ol style="list-style-type: none"> 1. Nomination certificate. 2. Intend to reside in province that has nominated them. 	PNP
8.	An applicant under the _____ class who intends to reside in the province that has nominated them is required to obtain a _____	QSW & CSQ

PR Decision Making

Unit 3—Economic Class		
	Questions	Answers
	document that is issued by the Ministère de l'immigration, de la Francisation et de l'intégration (MIFI) which indicates an applicant has been selected by the province.	

Unit 4—Refugee Class		
	Questions	Answers
1.	There are two programs for refugee resettlement. What are they?	GAR & PSR.
2.	Who refers candidates for resettlement to visa offices?	UNHCR
3.	<p>The following persons may apply for permanent residence as a protected person in Canada:</p> <ul style="list-style-type: none"> protected persons recognized by the _____ positive _____ applicants _____ residents 	IRB PRRA protected temporary
4.	<p>According to A95(1), these individuals are _____ persons:</p> <ul style="list-style-type: none"> someone who has been determined to be a Convention refugee or a person in similar circumstances under a visa application a member of the Protected Temporary Residents class (A99(2)) someone who was determined to be a Convention refugee or a person in need of protection by the IRB someone who received a positive Pre-Removal Risk Assessment decision 	protected

PR Decision Making

Unit 4—Refugee Class		
	Questions	Answers
5.	What are the two ways that refugee protection can be removed according to A108 and A109?	Cessation & Vacation
6.	How long does a non-accompanying family member, who is living abroad and who has been included in the protected person's APR have to apply after the principal applicant has become a PR?	One year

Unit 5—Permit Holders Class		
	Questions	Answers
1.	<p>This is issued to foreign nationals who are inadmissible to Canada but whose reason for being in the country outweigh the risks.</p> <p>It allow officers to respond to exceptional circumstances while meeting Canada's social, humanitarian, and economic commitments.</p>	A TRP
2.	An applicant needs to continuously reside in Canada to be eligible for permanent residence under the Permit Holders Class for _____ or _____ years, depending on the inadmissibility.	three five
3.	<p>The eligibility requirements of a TRP holder to apply in the Permit Holders Class are the following:</p> <p>1. They currently hold a _____ TRP</p>	valid inadmissible

PR Decision Making

Unit 5—Permit Holders Class		
	Questions	Answers
	2. They have resided continuously in Canada as a permit holder for three to five years, depending on the nature of their original inadmissibility 3. They have not become _____ on any grounds other than those for which the original TRP was issued.	
4.	This is what occurs when TRP holders: <ul style="list-style-type: none"> • leave Canada without authorization for re-entry • do not apply for a subsequent permit before the expiration of their existing permit • if there is a new inadmissibility a subsequent TRP cannot be issued 	Break in continuity

Unit 6—Processing guidelines		
	Questions	Answers
1.	Which section of the regulations states that a complete application includes all mandatory forms, fees, information and supporting documents?	R10
2.	Foreign nationals as well as their family members, whether accompanying or not must undergo a _____ as per R30(1)(a)(i).	medical examination
3.	All _____ who are applying for permanent residence in Canada as well as their family members (18 years and older) must undergo a criminal assessment.	foreign nationals

PR Decision Making

Unit 6—Processing guidelines		
	Questions	Answers
4.	You must send a letter to the applicant asking them for a complete background history if you identify any _____ when reviewing work, education and address history.	gaps
5.	This is the making available of information by formal or informal methods, notably by one functional group or organization to another.	Information sharing
6.	Serious criminality, medical inadmissibility (M4, M5 or M6), possible misrepresentation and security concerns are situations where a case would be referred for _____ review.	further

Unit 7—Admissibility		
	Questions	Answers
1.	Under which sections of IRPA do we find the inadmissibilities?	Sections A34 – A42
2.	Medicals are valid for ____ months, criminality is valid for ____ months and security is valid for ____ years.	12 months, 24 months, 48 months
3.	Successful refugee applicants, protected persons, spouse, common-law partner or same-sex partners and their dependents are exempted from inadmissibility grounds of _____.	excessive demand
4.	The three types of criminality can be found under what three sections of the IRPA?	A36(1), A36(2) and A36(2.1)

PR Decision Making

Unit 7—Admissibility		
	Questions	Answers
5.	These are cases that involve known or suspected terrorists, individuals involved in espionage, subversion, organized crime, money laundering, war crimes, genocide, or crimes against humanity.	National security cases
6.	If an applicant for permanent residence fails to provide the names of their dependent children on their application they could be _____ from future sponsorships.	excluded
7.	H&C considerations must be reviewed to determine whether there are _____ grounds to justify granting an A25(1) or A25.1(1) exemption from any criteria or obligation under IRPA.	sufficient
8.	What are three delegated authorities when considering H&C considerations?	Assess, refuse, and grant

Unit 8—Making a final decision		
	Questions	Answers
1.	Once you have made your decision to _____ or _____ the application, you must document your decision, generate the appropriate documents and inform the applicant.	approve or refuse
2.	The following are the different ways to document your _____. <ul style="list-style-type: none"> • case notes • interview notes 	decision

PR Decision Making

Unit 8—Making a final decision		
	Questions	Answers
	<ul style="list-style-type: none"> • letters to applicants • short form and long form decisions 	
3.	If you refuse a Family Class application, a refusal letter needs to be sent to the applicant and a copy of the letter with a _____ of _____ needs to be sent to the sponsor.	notice of appeal
4.	Decision makers are required to follow the rules of _____ throughout the decision-making process.	procedural fairness
5.	As per R71.1(2), a foreign national who is a member of a class referred to in paragraph 70(2)(a) and who is a temporary resident in Canada must, to become a permanent resident, present their PRV to an officer at a port of entry or at a local IRCC office. Since April 9, 2020, foreign nationals living in Canada can also be landed virtually through the permanent resident _____.	portal
6.	<p>At the time of landing, to become a permanent resident, a foreign national still needs to meet the _____ of the _____ as outlined below:</p> <ul style="list-style-type: none"> • they have applied to remain in Canada as a permanent resident as a member of the class • they are in Canada to establish permanent residence • they are a member of the class • they meet the selection criteria and other requirements applicable to the class • they hold the required documents 	requirements of the class
7.	<p>If there is a:</p> <ul style="list-style-type: none"> • change in the composition of the family • new and unfavourable information after visa was issued 	refuse

PR Decision Making

Unit 8—Making a final decision		
	Questions	Answers
	<ul style="list-style-type: none"> • criminal activity • PRV has expired, etc an officer can _____ to grant permanent residence.	
8.	When a client becomes a permanent resident, the officer must inform the client of the _____ that have been imposed, how to comply with them and how to apply for their removal. Amongst other things, they are also responsible advising the client of their _____ obligation.	conditions, residency

≡ [Table of Contents](#)