

# DEPARTMENT OF CITIZENSHIP AND IMMIGRATION

## IMMIGRATION AND REFUGEE PROTECTION ACT

### **Ministerial Instructions with respect to the processing of certain new and existing applications for temporary residence to further support Government-wide measures to limit the spread of COVID-19 (Coronavirus)**

These Instructions are published in the Canada Gazette, in accordance with subsection 87.3(6) of the Immigration and Refugee Protection Act.

These Instructions are given, pursuant to section 87.3 and subsections 92(1.1) and (2), by the Minister of Citizenship and Immigration as, in the opinion of the Minister, these Instructions will best support the attainment of the immigration goals established by the Government of Canada over the next 21 days.

These Instructions are consistent with the Immigration and Refugee Protection Act objectives, as laid out in section 3, and are compliant with the Canadian Charter of Rights and Freedoms.

Authority for these Ministerial Instructions is pursuant to section 87.3 of the Immigration and Refugee Protection Act. Instructions are directed to officers who are charged with handling and/or reviewing certain applications for temporary residence.

### **Considerations**

- Recognizing the declaration by the World Health Organization regarding the pandemic of COVID-19 (Coronavirus);
- Recognizing also that the increased spread of the disease would pose an imminent and severe risk to public health in Canada;
- Recognizing also that the entry of persons into Canada who have been in a foreign country may contribute to the spread of the disease in Canada;
- Recognizing how the related response measures have reduced Immigration, Refugee and Citizenship Canada's capacity for processing applications, both in Canada and overseas;

- Noting that Canada’s immigration objectives, as laid out in section 3 of the Immigration and Refugee Protection Act, include the protection of the health and safety of Canadians; and

Recognizing that in order to meet the objective of protecting the health and safety of Canadians, these Instructions are to operate consistently with two emergency orders under the Quarantine Act: Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from any Country other than the United States), and Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the United States), as well as the Interim Order to Prevent Certain Persons from Boarding Flights to Canada due to COVID-19, made pursuant to the Aeronautics Act. These Orders restrict travel to and entry into Canada.

To view the language of the emergency orders issued under the Quarantine Act, including details regarding foreign nationals whose entry into Canada is not prohibited by these orders, please consult the [Orders in Council online database](#). For the text of the Interim Order issued under the Aeronautics Act, please consult the [webpage on the COVID-19 measures, updates, and guidance issued by Transport Canada](#).

This information is also published in the [Canada Gazette](#).

## **Scope**

These Instructions apply for the period of 21 calendar days following the day they come into force.

These Instructions apply to certain applications for temporary resident visas, work permits, study permits, and electronic travel authorizations (eTAs) received by Immigration, Refugees and Citizenship Canada before the coming into force of these Instructions, and in respect of which a final decision has not been made, and to certain new applications received by Immigration, Refugees and Citizenship Canada on or after the coming into force of these Instructions.

Any categories for which Instructions are not specifically issued shall continue to be processed.

## **Applications submitted from outside Canada to be submitted by electronic means — Temporary residence**

All applications for a temporary resident visa (including a transit visa), a work permit, or a study permit submitted by persons who are outside Canada at the time of application must be submitted using electronic means (apply online).

### **Temporary suspension on processing of certain applications for temporary resident visas and electronic travel authorizations for visitors**

Applications for temporary resident visas for visitors that were received before the coming into force of these Instructions and in respect of which a final decision has not been made, and those that are received on or after the coming into force of the Instructions, will not be processed while these Instructions are in effect, unless they pertain to foreign nationals who are not prohibited from entering Canada or from boarding an aircraft for a flight to Canada, per the Emergency Orders under the Quarantine Act, and the Interim Order under the Aeronautics Act, referenced above.

Any eTA applications that require processing by any means other than the electronic automated system will not be processed while these Instructions are in effect, unless they pertain to foreign nationals who are not prohibited from entering Canada or from boarding an aircraft for a flight to Canada, per the Emergency Orders under the Quarantine Act, and the Interim Order under the Aeronautics Act, referenced above.

### **Retention/Disposition**

Applications received prior to the coming into force of the Instructions, and in respect of which a final decision has not been made, and those that are received on or after the coming into force, will be retained and processing fees shall not be returned, as these Instructions are temporary in nature.

### **Repeal**

The following Instructions are repealed, effective April 29, 2020:

- Ministerial Instructions with respect to the processing of certain new and existing applications for temporary residence to further support Government-wide measures to limit the spread of COVID-19 (Coronavirus), entered into force on April 9, 2020.

### **Effective period**

These Instructions have effect for a period of 21 days beginning on April 29, 2020.

Ottawa, April 28, 2020

**Marco E. L. Mendicino, P.C., M.P.**

Minister of Citizenship and Immigration