



Citizenship and
Immigration Canada

Citoyenneté et
Immigration Canada

ENF 3

Appendix C Direction for Removal Orders

Direction For Removal Orders							
IRPA			Examples from former Immigration Act				
Inadmissibility	Officer POE and Inland	Immigration Division POE and Inland	Inadmissibility	Officer POE	Officer Inland	Adjudicators POE	Adjudicator Inland
Security S.34	N/A	Deportation order	Security A19(1)(d), A19(1)(e), A19(1)(f), A19(1)(g), A19(1)(k) A27(2)(a)	N/A	N/A	Deportation order * Conditional deportation order	Deportation order * Conditional deportation order
Human and international rights violations S.35	N/A	Deportation order	War Crimes A19(1)(j), A19(1)(l) A27(1)(g), A27(1)(h)	N/A	N/A	Deportation order * Conditional deportation order	Deportation order * Conditional deportation order
Serious criminality S.36(1)	Deportation order (foreign nationals convicted in Canada) *Conditional deportation order	Deportation order (permanent residents and all cases with no conviction in Canada) *Conditional deportation order	Criminality A19(1)(c), (c.1) A27(2)(a)	N/A	N/A	Deportation order * Conditional deportation order	Deportation order * Conditional deportation order
Other criminality S.36(2)	Deportation order (foreign nationals convicted in Canada only) *Conditional deportation order	Deportation order (P.R.s and all cases with no convictions in Canada) *Conditional deportation order	Criminality A19(2)(a), (a.1), (b) A27(2)(a) A27(2)(d)	N/A	N/A	Deportation order * Conditional deportation order	Deportation or departure order * Conditional departure order or conditional deportation order
Organized criminality S.37	N/A	Deportation order	Organized criminality A19(1)(c.2)	N/A	N/A	Deportation order * Conditional deportation order	Deportation order * Conditional deportation order

* Denotes refugee claimant

IRPA			Examples from former Immigration Act				
Inadmissibility	Officer POE and Inland	Immigration Division POE and Inland	Inadmissibility	Officer POE	Officer Inland	Adjudicators POE	Adjudicator Inland
Health grounds S.38	N/A	Deportation or exclusion order * Conditional departure order	Health grounds A19(1)(a)/27(2)(a)	N/A	N/A	Exclusion order * Conditional departure order	Deportation or departure order * Conditional departure order or conditional deportation order
Financial grounds S.39	N/A	Deportation or exclusion order * Conditional departure order	Financial grounds A19(1)(b)/27(2)(a) A27(2)(l)	N/A	N/A	Exclusion order * Conditional departure order	Deportation or departure order * Conditional departure order or conditional deportation order
Misrepresentation S.40(1)	Deportation order (if described due to vacation by CRDD – 40(1)c)) *Conditional deportation order	Deportation or Exclusion order – 2 year ban * Conditional order	Misrepresentation A27(2)(g)	N/A	N/A	N/A	Deportation or departure order * Conditional departure order or conditional deportation order
Misrepresentation (loss of citizenship) S.40(1)(d)	N/A	Deportation order * Conditional deportation order	Loss of citizenship 27(2)(i)	N/A	N/A	N/A	Deportation order * Conditional deportation order
Eluding examination S.41(a)	N/A	Deportation or exclusion order * Conditional departure order	Eluded examination A27(2)(f)	N/A	N/A	N/A	Deportation or departure order * Conditional departure order or conditional deportation order

* Denotes refugee claimant

IRPA			Examples from former Immigration Act				
Inadmissibility	Officer POE and Inland	Immigration Division POE and Inland	Inadmissibility	Officer POE	Officer Inland	Adjudicators POE	Adjudicator Inland
Failure to comply S.41(a) -continuation of examination	Exclusion order * Conditional departure order	N/A	Failed to report for continuation of examination A27(2)(k)	N/A	Departure order * Conditional departure order	N/A	Deportation or departure order * Conditional departure order or conditional deportation order
No consent to return S.41(a)/S.52(l)	Deportation order *Conditional deportation order	N/A	No consent to return A19(1)(i)/A27(2)(h)	Exclusion order * Conditional departure order	Departure order * Conditional departure order	N/A	Deportation order * Conditional deportation order
Non compliance no documents. A41(a)/A20(1)(b) (no passport, no visa etc..)	Exclusion order * Conditional departure order	N/A	Non compliance Passport, visa, student, employment authorisation A19(2)(d)-9(1)/A27(2)(a)	Exclusion order * Conditional departure order	Departure order * Conditional departure order	N/A	Deportation or departure order * Conditional departure order or conditional deportation order
Failure to comply (overstay: now-to include ship deserters as well) S.41(a)	Exclusion order * Conditional departure order	N/A	Overstay A27(2)(e)-A26(1)(c)	N/A	Departure order * Conditional departure order	N/A	Deportation or departure order * Conditional departure order or conditional deportation order
Failure to comply S.41(b)/S.27(2) or S.28 Loss of permanent resident status	Departure order *Conditional departure order	N/A	Loss of Permanent residence A19(2)(d)-A9(1) and A24(1)/A27(2)(a)	N/A	N/A	Exclusion order * Conditional departure order	Deportation or departure order * Conditional departure order or conditional deportation order

* Denotes refugee claimant

IRPA			Examples from former Immigration Act				
Inadmissibility	Officer POE and Inland	Immigration Division POE and Inland	Inadmissibility	Officer POE	Officer Inland	Adjudicators POE	Adjudicator Inland
Non compliance (non genuine) S.41(a)	N/A	Deportation or exclusion order *Conditional departure order	Non-genuine visitor A19(1)(h)	N/A	N/A	Exclusion order	N/A
Other non-compliance S.41(a)	N/A	Deportation or exclusion order * Conditional departure order	A19(2)(d) other requirements	N/A	Departure order * Conditional departure order	Exclusion order * Conditional departure order	Deportation or departure order * Conditional departure order or conditional deportation order

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