



Citizenship and
Immigration Canada

Citoyenneté et
Immigration Canada

IP 3

In Canada Processing of Convention Refugees Abroad and Members of the Humanitarian Protected Persons Abroad Classes

Part 3 (Private Sponsorship of Refugees Program)

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Updates to chapter

Listing by date:

Date: 2003-11-14

The major changes that were made to this chapter include:

Part 1 - General

Added definitions for common-law (Section 6.3), community sponsor (Section 6.4), dependants (Section 6.12), durable-solution (Section 6.15), eligibility (Section 6.16), International Organization for Migration (Section 6.24), and Resettlement Assistance Program (Section 6.35).

Deleted definitions for “excessive medical demand” and “Pre-Approved Plan.”

Simplified definition of “family member” in Section 6.17.

Modified definitions of “special needs cases” (Section 6.41), “sponsorship breakdown” (Section 6.46), and “sponsorship default” (Section 6.47).

Repackaged “de facto dependant” information in Section 6.11.

Enhanced Section 7 on “Destining refugees”.

Removed duplicate information re: IFH administration in Section 10.

Part 2 – Resettlement Assistance Program (RAP)

Minor changes to Section 15.4 “Purchase of luxury items”, Section 16.7 “Clothing allowance”, Section 16.8 “School start-up allowance”, Section 16.11 “Basic household needs allowance”, Section 16.17 “Burial expenses”, Section 17.1 “How to calculate the start-up cheque”, Section 17.4 “Sharing of housing”, and Section 18.4 “In-transit expenditures”.

“May be approved” changed to “should be approved” in the first sentence of Section 16.14, of Section 16.15, and of Section 16.16.

Deleted section entitled “Assistance loans for lost cheques.”

Section 22.2, formerly entitled “25% rule” is renamed to “Earning exemptions and employment” and the information is updated.

Part 3 – Private Sponsorship of Refugees Program

Removed sections entitled “Service standards and processing benchmarks”, “Revoking a sponsorship agreement”, “Sponsor responsibilities for following dependants under OYW”, and “Sponsorship revocation”.

Changed Section 30.2 “Release of information without consent”, Section 30.3 “Disclosure waiver”, Section 36.5 “In-kind donations”, Section 45.1 “Sponsorship breakdown versus sponsorship default”, and Section 46.1 “Sponsorship default versus sponsorship breakdown”.

Rewrote Section 31 “Sponsor Eligibility”.

Updated Section 33.3 “Necessary documentation”, Section 40.7 “Completing the Case Processing Support (CPS) Menu”, Section 40.11 “FOSS sponsor information”, Section 41 “One-year window of

opportunity program (OYM)", Section 34 "Sponsorship Agreement Holders (SAHs): Assessment of Undertakings", Section 35 "Constituent Groups (CGs): Assessment of Undertakings", Section 39.3 "Actions for approved sponsorship applications – sponsor-referred cases", and Section 42.1 "Processing extended sponsorships".

Part 4 – Joint Assistance Sponsorship Program (JAS)

Changed Section 52.1 "Unaccompanied minors".

Removed section entitled "Process for minor refugees without family in Canada or abroad".

Part 5 – Appendices

Removed former Appendix A: Global Refugee Resettlement Targets.

Updated Appendix A (formerly Appendix B): CIC Coding for Resettlement Categories.

Added Appendix A (formerly Appendix C) – Annex 2: RAP Change of Status Form.

Minor changes to Appendix B (formerly Appendix C) – Annex 12: Federal Benefits Package.

Updated Appendix C (formerly Appendix E) – Annex 1: List of Sponsorship Agreement Holders (SAHs), and Annex 2: Sponsorship Agreement.

Added Appendix D (formerly Appendix E) – Annex 13: Schedules I and II of the Corrections and Conditional Release Act.

Appendix O – Special Projects has been added to this chapter.

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30 Communication - CICs, visa offices, sponsors

CIC has reaffirmed its commitment to communicate with private sponsors. Effective communication between sponsors, CICs and visa offices is essential to a partnership for private sponsorships. In particular, the regular provision of processing information to sponsors will help ensure that processing problems are resolved quickly and efficiently.

30.1 In-Canada processing benchmark

The first communication benchmark is the approval or refusal of the private sponsorship application. If CIC offices predict that the processing of the application will take longer than 30 days they must:

- provide the sponsors with a receipt of application letter; and
- the letter must indicate the approximate time required to complete the in-Canada processing of the application.

CIC offices will also provide sponsors with a service standard indicating the average time it will take the visa office to complete the processing of a privately sponsored refugee application. This communication will be facilitated by the use of a standard form letter. A copy of this standard letter is contained in Appendix D, Annex 10. For visa office processing benchmarks please refer to OP 5.

30.2 Release of information without consent

The Public Rights Administration (BMX) unit has indicated that the following information can be released to the private sponsor without the express written consent of the applicant:

- application received date (visa office reporting benchmark #1)
- approximate date of interview (visa office reporting benchmark #1)
- acceptance date (visa office reporting benchmark #2);
- medical decision date;
- refusal date (visa office reporting benchmark #2);
- approximate visa issuance date (visa office reporting benchmark #2);
- medical decision date
- departure date.

30.3 Disclosure waiver

Consent is required for the release of any personal information, other than the dates that have been described above. The IMM 6000 application package includes an authority to disclose personal information in part D of IMM 0008Esch2. The applicant does not have to indicate the name of the sponsoring group, but only has to check a box indicating that personal information may be released to their sponsoring group.

The officers will indicate in CAIPS if the refugee has consented to the disclosure of their personal information to their sponsoring group. For JAS and visa office-referred cases, the refugee must

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check the box for potential sponsoring groups before the visa officer can refer the case to the Matching Centre.

To verify if the information can be released to the sponsor, the CIC officer should:

- check CAIPS notes for an indication of whether the applicant signed the release section of the IMM 0008Esch2 form; and
- If it has not been noted in CAIPS it may be necessary to contact the visa office directly.

CIC officers must use discretion when releasing information to sponsors. A complete printout of CAIPS notes must NOT be provided to sponsors. If sponsors wish to obtain the entire CAIPS record, they should be directed to submit an Access to Information request (including the \$5.00 processing fee) to Public Rights Administration Division (PRAD) at NHQ. Access to Information requests should be mailed to Diane Burrows, Director of PRAD, CIC, 360 Laurier Ave. West, 10th floor, Naron Bldg, Ottawa, ON, K1A 1L1. PRAD requires that the access request contain the name, DOB, overseas file number and visa post name. Each access request must include a signed letter of consent from the refugee that designates the sponsor as their representative and grants the sponsor access to their personal information.

In the absence of a formal Access to Information request, CIC's may provide a summary of information found in the CAIPS notes, except for sensitive:

- medical;
- criminal;
- and security information.

If you are unsure what constitutes sensitive information consult your Privacy and Access to Information officer or BMX (BMX fax number is 957-6517).

30.4 Designating one contact person per sponsorship

Sponsors should designate one contact person per sponsorship. The reason for having one contact person identified on the application is to reduce work pressures in CICs and visa offices.

The main contact person should be identified in the sponsorship application submitted to CIC. This person should be the **only** person that requests information on the application. The person identified must be a party to the sponsorship. The identified person, once receiving information on the file, must be prepared to share the information with all other parties to the sponsorship.

While CICs are not able to refuse to provide information to a party to the sponsorship, they can strongly encourage that a single contact person be identified in the sponsorship application.

30.5 Requests for status updates - CAIPS checks

All CICs should now have access to CAIPS. For information on how to access CAIPS see:

- CIC-Explorer
- Working Tools
- Systems User Guides
- Remote

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If sponsors have not been provided with an update from the visa office or CIC within 12 months from the sponsorship being approved they may inquire as to the status of the application through their local CIC.

Included in their request should be:

- the name(s) and DOB(s) of the refugee applicant(s);
- the file number; and
- the nature of their request.

CICs should request an update from the visa office upon request from the sponsor and:

- only when the average processing time for the visa office has lapsed; and
- when information cannot be obtained from CAIPS; and
- should use their judgement as to when to contact the visa office.

Local CICs should

- forward any visa office information to the sponsor immediately; and
- report non-responses for requested information to SRE.

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31 Sponsor eligibility

31.1 “Bars to sponsorship”

In order to be eligible to participate in the Private Sponsorship of Refugees Program, the sponsor must not be “barred” from sponsorship as per R156. In addition, the sponsor must:

- reside in or have representatives in the expected community of resettlement; and
- not be considered in default of a previous sponsorship undertaking.

The purpose of mandating the sponsorship bars is to:

- prevent refugees from being placed in a sponsorship that may be dangerous, highly susceptible to default or that may expose the refugee to harmful exploitation,
- ensure that the privilege of refugee sponsorship is not granted lightly and indiscriminately, and
- enhance the administrative mechanisms in place to ensure that sponsors can legitimately provide settlement services.

31.2 Ineligibility Regulations (see R156)

Persons are ineligible to sponsor if they:

- have been convicted in Canada of the offence of murder or an offence set out in Schedule I or II to the Corrections and Conditional Release Act (refer to Appendix C, Annex 13), regardless of whether it was prosecuted by indictment, if a period of five years has not elapsed since the completion of the person’s sentence imposed under the Criminal Code;
- have been convicted of an offence outside Canada that, if committed in Canada, would constitute an offence referred to in paragraph (a), if a period of five years has not elapsed since the completion of the person’s sentence imposed under a foreign law;
- are in default of any support payment obligations ordered by a court;
- are subject to a removal order;
- are subject to a revocation proceeding under the *Citizenship Act*; and
- are detained in any penitentiary, jail, reformatory or prison.

Note: If a pardon or a final determination of acquittal is granted in respect of the offence in question, the offence shall no longer render the individual ineligible to sponsor refugees.

31.3 To whom do the bars apply?

The bars to sponsorship apply to all persons who are a PARTY to the sponsorship. This is defined by those who SIGN the undertaking and are considered the sponsor(s). These persons must complete a sign and date Sponsor Assessment form (see section 31.4 below).

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To clarify, the bars apply to:

- All members of a Group of Five
- The SAH representative(s) who signs the undertaking
- The Constituent Group representative(s) who signs the undertaking
- The Community Sponsor representative(s) who signs the undertaking
- All Co-sponsors who sign the undertaking

Persons who participate in the sponsorship but who do NOT sign the undertaking are NOT subject to the sponsorship bars and are NOT required to complete a Sponsor Assessment form.

31.4 Sponsor Assessment form

The Sponsor Assessment form (IMM 5492E) is included in all refugee sponsorship kits. It is a set of yes/no questions designed to identify those persons who may be ineligible to sponsor refugees.

31.5 Verifying sponsor eligibility

The Assessment form is the primary means of assessing the sponsor's eligibility and normally officers are expected to accept the self-assessment as is. However, the officer is not prevented from exercising his/her good judgment in exceptional situations where the credibility of the sponsor is in question.

Officers are NOT responsible for checking the accuracy of what each sponsor claims on their Sponsor Assessment form.

Verification is only conducted under certain circumstances, such as:

- the officer has a strong suspicion that the sponsor lied on the Assessment form, or
- a tip is received that claims the sponsor is ineligible to sponsor.

CIC reserves the right to demand that prospective sponsors provide official documentation to prove that they are eligible to sponsor refugees.

31.6 Proof of eligibility

Criminality:

If officer requires proof that sponsor is not ineligible to sponsor for criminality, the sponsor can be asked to obtain certification from the RCMP or the local police. The sponsor may have to pay a fee for this service.

Default on support payment:

Where CIC has valid reason to doubt the genuineness of a sponsor's claim to no current default, the sponsor may be asked to provide a letter of no default from the appropriate provincial social services ministry.

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Removable/citizenship revocation:

A FOSS check can be performed on permanent residents and naturalized citizens (post-1975 arrivals) where it is necessary to determine if they are the subject of an active removal order.

If there is a need to determine whether the sponsor is subject of citizenship revocation proceedings, the local CIC can check with Case Management Branch (BCM) at Nat-Case-Review@cic.gc.ca since FOSS may not yet capture each revocation case. Again, these checks would only be performed in exceptional cases where there is valid concern of misrepresentation.

31.7 Sponsor found to be ineligible

Confidentiality

Ineligibility is PERSONAL information. Officers are to notify the sponsor in a confidential and discreet manner that they are ineligible and the reason(s) for their ineligibility. CIC is not to disclose this information to another individual without the sponsor's written consent. For example, without prior written consent:

- The SAH is not to be informed that the CG representative is ineligible to sponsor.
- A G5 member's ineligibility is not to be disclosed to the other members.
- A co-sponsor's ineligibility is not to be shared with the SAH, CG or Community Sponsor representative.
- A sponsor's ineligibility is not even to be shared with their family members.

Alternative solution

- It may be that the ineligible sponsor was not required for the undertaking to be approved (e.g., ineligible sponsor was only a "Co-sponsor" and undertaking is approved based on a SAH or CG being the other sponsor) In which case, inform the ineligible sponsor that they are ineligible but inform the other sponsor that undertaking is approved.
- However, if undertaking stands to be refused due to sponsor ineligibility, it may be appropriate for the officer to counsel the "barred" sponsor to seek out another sponsor who is willing and able to take responsibility for the sponsorship. For example, this could be appropriate in a Group of Five situation where a "barred" sponsor leaves the group short one sponsor.
- That said, the officer is NOT expected to resolve a failed sponsorship undertaking by recommending alternative arrangements. Sponsors are to take full responsibility for ensuring that they meet regulatory and program requirements.

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32 Approval of Sponsorship Agreement Holders (SAHs)

32.1 Application and approval process for becoming an SAH

Organizations must apply to, and be approved by, CIC to become an SAH. Once approved, SAHs and their Constituent Groups must include a settlement plan with all sponsorship undertakings for the first two years from the date their SAH status was approved.

SAHs who signed their Sponsorship Agreement before June 28, 2002 are permitted to submit sponsorship undertakings *without* having to submit their settlement plans to CIC, unless CIC has advised the SAH otherwise.

CIC, NHQ, may use discretion in approving applications to become an SAH by:

- approving a limited number of cases to be sponsored; or
- limiting the time during which undertakings can be submitted.

The following table describes the application and approval process for becoming an SAH. Once the process is completed, the result is a legally binding contract.

Stage	Description
1	All requests to become an SAH should be forwarded to SRE, NHQ.
2	<p>Applications for a sponsorship agreement are sent from SRE to the interested party. SAHs or local CICs can also obtain the application from the refugee protection Web site.</p> <p>http://www.cic.gc.ca/english/applications/private.html</p> <hr/> <p style="text-align: center;">Note: Interested parties are advised that a sponsorship agreement holder must be incorporated.</p> <hr/>
3	<p>SRE, with the assistance of BFD (Finance and Administration) reviews the returned application package for completeness and financial soundness.</p> <p>The applicant will also be required to complete a sponsor assessment (to determine ensure they are not barred from sponsoring).</p> <p>Once approved, a sponsorship agreement is then prepared.</p> <p>If it is not approved, CIC informs the applicant and tells them if information is missing, what they need to do to reapply or why they were not approved.</p>
4	The Director General, Refugees Branch, NHQ. on behalf of the Minister, signs the sponsorship agreement.
5	The sponsorship agreement is returned to the originating organization for signature.

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6	A copy of the sponsorship agreement, with the organization's signature is then forwarded to CIC.
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33 Receipt of sponsorship applications

33.1 Creating the sponsorship file

Paper file

When a sponsorship application is received by a local CIC, a file is often created by an operational support unit.

The operational support unit date stamps the undertaking indicating when it was received at the CIC and creates a paper file.

A copy of the undertaking is forwarded to the Matching Centre to provide data for the Refugee Tracking System.

Electronic file in FOSS

An electronic file is also created in the Field Operational Support System (FOSS).

For procedures, please refer to Field Operational Support System (FOSS) Instructions for Processing Private Sponsorship Cases (Section 40 below).

33.2 Preliminary review of the sponsorship applications

The review process begins once a local CIC office is presented with a sponsorship undertaking.

Sponsorship undertakings must be processed according to the date they were received at the local CIC office. Each undertaking is given equal priority whether it is from an SAH, Constituent Group, Group of 5 or Community Sponsor.

The first step in the review process is to ensure that:

- the sponsor(s) is/are eligible to sponsor a refugee (refer to Sponsor Eligibility, Section 31 above);
- the sponsorship application is complete; and
- all required documents have been submitted.

33.3 Necessary documentation

The following table lists the documentation that must be submitted in order for a sponsorship application to be considered complete.

Sponsorship Agreement Holders
IMM 5439E Completed and signed Undertaking/Application to Sponsor
IMM 5441E Document Checklist

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<p>IMM 5492E Sponsor Assessment form (from each party to the sponsorship)</p> <p>Check SAH list provided by RHQ to confirm if designated SAH representative submitted IMM 5492E to HQ</p>
<ul style="list-style-type: none"> • **IMM 5440E Settlement Plan (for requirement guidelines, refer to Section 34.2)

Constituent Groups
IMM 5439E Completed and signed Undertaking
IMM 5441E Document Checklist
Approval letter from SAH
IMM 5492E Sponsor Assessment form (from each party to the sponsorship)
<ul style="list-style-type: none"> • **IMM 5440E Settlement Plan (for requirement guidelines, refer to Section 34.2)

Groups of Five
IMM 5373E Completed and signed Undertaking/Application to Sponsor
IMM 5373AE Settlement Plan and Financial Assessment
IMM 5373BE Financial Profile for each group member
<ul style="list-style-type: none"> • IMM 5492E Sponsor Assessment form (from each party to the sponsorship)
IMM 5437E Document Checklist
<p>Financial documents required by group members:</p> <ul style="list-style-type: none"> • copy of most recent T4 or Notice of Assessment (from CCRA) • for employment period not covered by T4 or Notice of Assessment (see above), provide an original letter from current employer stating period of employment, salary and regular hours per week or proof of annotated cheque stubs from employer confirming details of the financial profile • if self-employed, a letter from an accountant confirming annual income • proof of other sources of income declared (pension statement, investments, rental income, etc.) • Employment Insurance pay stubs
<p>Photocopied proof of identification, either:</p> <ul style="list-style-type: none"> • permanent resident status (IMM 1000/IMM 5292B) or • Canadian citizenship (birth certificate, passport or citizenship card)

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<p>If applicable:</p> <ul style="list-style-type: none"> • Documentation supporting: • corporate donations; • money held in trust; • membership pages where membership exceeds five; • signing blocks where members exceed five; • information the group may wish to submit to further outline settlement arrangements; • original letter from third party outlining details of any promise of cash or items.
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<p>Joint Assistance Sponsorship (JAS)</p> <hr/> <p>Note: Only SAHs and their CGs can submit this type of application.</p> <hr/>
IMM 5413 Completed and signed Undertaking/Application to Sponsor
Approval letter (only for CGs)
IMM 5492E Sponsor Assessment form (from each party to the sponsorship)
<ul style="list-style-type: none"> • **IMM 5440E Settlement Plan (for requirement guidelines, refer to Section 34.2, Settlement Plans)
Copy of JAS profile
IMM 5495E Document Checklist

Community Sponsors
IMM 5413 Completed and signed Undertaking/Application to Sponsor
IMM 5492E Sponsor Assessment form (from each party to the sponsorship)
IMM 5515E Settlement Plan and Financial Assessment
IMM 5517E Document Checklist
<p>Financial Documentation</p> <ul style="list-style-type: none"> • T2 return; • income expense statements; • balance sheet; • asset liability statements.

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Co-sponsor Identification

Where an individual is acting as a co-sponsor they require photocopied proof of identification, either:

- permanent resident status (IMM 1000/IMM 5292B); or
- Canadian citizenship (birth certificate, passport or citizenship card)

Co-sponsor Financial Documents

- Where an **individual** is acting as a co-sponsor and is providing funds towards the sponsorship they must submit the same documentation as Group of Five members (see above)

All Sponsoring Groups

If applicable, the sponsor, whether it be any of the below noted groups, may provide:

- Document supporting that the organization is incorporated;
- information where named refugees exceeds six;
- pages for relations of the named persons living in Canada when it exceeds the space provided on the application;
- the completed IMM 0008EGEN application form (including Schedules 1 & 2 - IMM 0008Esch1 and IMM 0008Esch2), and all supporting documentation and photographs;
- additional information regarding the eligibility and admissibility of the refugee applicants.

33.4 Missing information

The following table explains what to do when documentation or information is missing from the submitted application.

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If...	Then...
mandatory information or documentation is missing	contact the sponsor within 30 days of reviewing the application.
the information missing is minor, such as an address or phone number	<p>obtain the information by telephone and insert it on a copy of the original form. Notate on the copy:</p> <ul style="list-style-type: none"> • Time; • date; • officer's initials; and • who provided the missing information. • Attach this to the original application. <hr/> <p>Note: Do <i>not</i> make changes on the original application unless the change is initialed by the sponsor(s). For example, in the case of an additional family member being added under one-year window (OYW).</p> <hr/>

Note: Missing information may be obtained by fax when originals are not required. The faxed copy can expedite processing but the application *cannot* be approved until the original document has been received.

33.5 Distribution guidelines:

IF the sponsor...	THEN...
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<p>has chosen to submit the IMM 0008EGEN application with the undertaking</p>	<p>1. the officer will review the IMM 0008EGEN application for completeness only. The visa office remains solely responsible for assessing all IMM 0008 applications.</p> <p>A complete IMM 0008EGEN means that:</p> <ul style="list-style-type: none"> • all applicable areas of the IMM 0008ESch1 and IMM 0008Esch2 have been filled out; • six photographs and a negative have been provided; • supporting documentation has been included; and • the application has been signed by the refugee applicant. <p>2. Ensure box on page 2 of the undertaking, IMM 0008EGEN application submitted by sponsor, is marked appropriately.</p> <hr/> <p align="center">Note: Incomplete refugee applications must be returned to the sponsor.</p> <hr/>
<p>is sending the IMM 0008EGEN application to the applicant</p>	<p>1. ensure box on page 2 of the undertaking, IMM 0008EGEN application sent by sponsor, is marked appropriately.</p>
<p>is not submitting or sending the IMM 0008EGEN</p>	<p>The visa officer will send the IMM 0008EGEN to the applicant. Check applicable box on page 2 of the undertaking.</p>

33.6 Supporting Information

Sponsoring groups may provide information to the visa office in support of the applicant's need for protection. Information that can be provided should generally be non-personal in nature, written by reputable organizations or individuals that are aware of the current situation in the country(ies) the applicant is fleeing and/or where they are now residing.

Examples of information that can assist the visa officer in making a determination on the applicant's need for protection include:

- written accounts from individuals who have fled similar situations;
- recent media reports involving persecution of the applicant's ethnic group;
- reports of government legislation affecting the status of refugees in countries of asylum;
- any other pertinent documents.

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Supporting information must be directly relevant to the refugee's need for protection. Sponsors should not submit:

- general country condition reports;
- any documentation that is too general in nature; or
- easily accessible by the mission; or
- in any way extraneous to the refugee's situation.

Personal information about the applicant should only be submitted when the sponsor is certain it will not contradict the applicant's story and damage their credibility.

Sponsors are further encouraged to include a copy of their settlement plan (or a summary of the plan) for refugees that might be considered difficult to settle. This is intended to inform the missions that the sponsors are prepared to cope with special needs.

The submission of supporting information is optional and designed to help show why the person being sponsored is in need of resettlement and what arrangements are being made in Canada to help the refugee settle comfortably.

33.7 Address any concerns

When there is doubt that a sponsoring group can fulfil their obligations:

- contact the group for clarification and/or additional information; and
- if concerns remain, contact RHQ for direction.

Example: Example of when an officer would contact RHQ: The officer's review shows that the SAH is submitting an extremely large numbers of cases, or there is doubt as to whether there is a legitimate refugee movement.

Note: Where the group is a CG, also contact the SAH who provided the letter of approval for the undertaking.

33.8 Screen for eligibility

Local CICs can assist sponsoring groups with their own screening process by reviewing the eligibility criteria in order to identify obvious cases of ineligibility (e.g., a case where an individual is still living in their country of permanent residence and that country is not on the source country schedule).

This will result in:

- the visa office increasing the acceptance level of their applications; and

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- less sponsor frustration.

Note: Visa offices decide if sponsor-referred (named) refugees are eligible for resettlement. A local CIC can *not* refuse a private sponsorship application if the only concern is that the person being sponsored may appear to be eligible for another program.

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34 Sponsorship Agreement Holders (SAHs): Assessment of undertakings

34.1 Initial processing

Sponsorship Agreement Holders (SAH) are basically pre-approved sponsors. Local CIC offices must check the SAH list that is provided on a quarterly basis to RHQs to confirm that the group has valid agreement with the Minister and that the proper representative has signed the Undertaking, and confirm that the group has not exceeded the sponsorship limit (if applicable).

34.2 Settlement Plan assessment for SAHs

A Settlement Plan must be included with all sponsorship undertakings submitted by SAHs during the first two years of their agreement with the Minister.

This policy came into effect June 28, 2002.

CICs can also request settlement plans for undertakings signed by **experienced SAHs** (SAHs who are exempt from the requirement to submit Settlement Plans) if they have concerns that:

- the group has not been providing adequate settlement arrangements (this information may be identified by monitoring or from information from the refugee(s) or social welfare);
- the quality of the undertaking is poor (incomplete names and addresses indicating a poorly organized sponsorship);
- the quantity of undertakings is very high and raises concerns over whether the SAH has sufficient funds to cover resettlement costs should a large number of cases arrive in Canada over a short period of time.

When a CIC has a concern with a SAH on one or more of the points listed above the CIC must advise the SAH in writing. In the letter, the CIC should indicate specific reasons for their concerns by addressing:

- particular sponsorship cases where the quality of the applications was poor; or
- the high volume of cases (listing the number and the amount it would cost in resettlement should all the refugees arrive in Canada); or
- the specific case where monitoring or information gathered from the refugee or social welfare indicated inadequate settlement arrangements.
- Once the concerns have been addressed, the CIC must advise the SAH in writing that their settlement plans are no longer required by CIC.

Note: When a SAH has a co-sponsor, the settlement plan should indicate the division of responsibilities between the SAH and the co-sponsor. It is in the SAH's best interest to indicate the division of responsibilities in the settlement plan as the settlement plan forms part of the overall approval of the undertaking and is seen as a binding agreement between the SAH and the co-sponsor.

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35 Constituent Groups (CGs): Assessment of undertakings

35.1 Application and approval process for CGs

It is up to the discretion of the SAH to decide whether to allow a group to sponsor as a CG under its auspices. CIC has no agreement with or recognition of any CG, other than through the review and approval of the undertaking(s) submitted.

CGs must apply to a local CIC to have their undertaking(s) approved. The officer reviews the application to determine that the group:

- resides in expected community of resettlement;
- has not defaulted on a previous undertaking or the payment of immigrant loans;
- Is not ineligible to sponsor refugees.

Note: Constituent Groups are not required to provide CIC with detailed financial statements because the SAH has committed to providing financial support if needed.

35.2 Settlement Plan assessment for Constituent Groups

Requirement Guidelines

A Settlement Plan must be included with all sponsorship undertakings submitted by the Constituent Groups of SAHs whose agreement with the Minister is less than two years old.

This policy comes into effect June 28, 2002.

CICs can also request settlement plans for undertakings signed by the CGs of **experienced SAHs** (SAHs who are exempt from requirement to submit Settlement Plans) if they have concerns that:

- the group has not been providing adequate settlement arrangements (this information may be identified by monitoring or from information from the refugee(s) or social welfare);
- the quality of the undertaking is poor (incomplete names and addresses indicating a poorly organized sponsorship);
- the quantity of undertakings is very high and raises concerns over whether the group has sufficient funds to cover resettlement costs should a large number of cases arrive in Canada over a short period of time.

When a CIC has a concern with a Constituent Group on one or more of the points listed above the CIC must advise the CG in writing. In the letter, the CIC should indicate specific reasons for their concerns by addressing:

- particular sponsorship cases where the quality of the applications was poor; or
- the high volume of cases (listing the number and the amount it would cost in resettlement should all the refugees arrive in Canada); or

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- the specific case where monitoring or information gathered from the refugee or social welfare indicated inadequate settlement arrangements.

Once the concerns have been addressed, the CIC must advise the CG in writing that their settlement plans are no longer required by CIC.

Role of the SAH

The Constituent Group's SAH is responsible for:

- reviewing and approving all Settlement Plans submitted by their CGs;
- approving the overall sponsorship of their CGs; and
- issuing approval letters to their CGs. The original approval letter is to be attached to the sponsorship undertaking presented to CIC (refer to Section 35.3).

The local CIC office should

- deem the SAH's letter of approval as sufficient evidence that the Settlement Plan has been properly assessed and approved.

Note: The Settlement Plan will remain on file with the CG and the SAH and will be available to CIC if requested for monitoring purposes.

35.3 Letter of approval from SAH to their CGs

Every CG wishing to submit undertakings for sponsorship must include with each application, the original letter of approval from their SAH. The letter of approval indicates the SAH's approval of the CG's Settlement Plan and intent to sponsor.

Letters of approval:

- are unique to each sponsorship application;
- indicate that the SAH has approved the sponsorship and is willing to accept responsibility in cases of default or withdrawal; and
- may outline the understanding or arrangement between the SAH and the CG.

To be accepted, each letter of approval must:

- be an original;
- be on the official letterhead of the sponsorship agreement holder;
- be dated;
- state the name of the SAH;
- state the name and address of the CG;
- state the names and dates of birth of the principal applicant and the accompanying dependants; and

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- be signed by one of the persons on file with CIC as authorized to sign for the SAH.

Note: If there is a question as to the authenticity of a SAH letter, officers should contact their RHQ or SRE/NHQ for direction.

For more information, please refer to:

Appendix E – Sample Letter of Approval from SAH to CG

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36 Groups of Five (G5): Assessment of undertakings

36.1 Settlement plan assessments for G5s

G5s are required to provide a plan for the settlement of the refugee applicants they are sponsoring. G5s and community sponsors have a combined settlement plan/ financial assessment form (IMM 5373AE), which should reflect that they:

- have sufficient financial resources; and
- settlement mechanisms to assist the sponsored refugees in becoming self-supporting during the first year in Canada.

CIC must review and approve settlement plans submitted by using the following table of questions as guidelines.

Subject	Questions
Funding	Does the group have the necessary funds or a clear plan of how to raise funds? Has the group drawn up a budget? Is there a back-up plan, such as fundraising, in case circumstances change?
Support	Does the group have a clear plan of how to orient and support the applicant throughout the settlement year? Are there plans to use the settlement services provided by settlement agencies (ISAP, LINC, provincial programs)? Does the applicant live in the same community as the sponsoring group? Are there enough individuals who are willing to provide support? Does the time they plan on providing to the settlement of the refugee seem reasonable? Do they have enough time to commit to the applicant?

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Settlement	<p>Does the settlement plan indicate arrangements for:</p> <ul style="list-style-type: none"> • housing; • interpreters; • settlement services; • transportation; • health care; • education; • schooling; • dealing with crisis or trauma; • other? <p>Has the group determined if the applicant and relatives have resources and can assist in the resettlement?</p>
In-kind donations	<p>Do the in-kind donations seem reasonable?</p> <p>Does the group explain the donation's example, what type of apartment the refugee(s) will be provided with?</p>
Responsibility	<p>Who is the group:</p> <ul style="list-style-type: none"> • leader or representative; and • contact person? <p>Who has responsibility for the group?</p> <p>How is responsibility shared among all members of the group?</p>

The review of the settlement plan and financial profiles by the local CIC could require changes in order to be approved.

For example, greater than anticipated financial requirements to settle the refugees would require the G5s and community sponsor to:

- increase the number of individuals/organizations providing support; and/or
- prepare a new settlement plan or amendments to the existing plans.

Note: Any amendments need to be initialed by the signatories of the undertaking.

36.2 Financial capacity

Unlike SAHs (and their CGs), there is no agreement with the Minister for Groups of Five G5s. Therefore, the local CIC must assess the ability to provide adequate financial assistance to the sponsored refugees.

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36.3 Total financial resources required by G5s

If the group has the total amount of the sponsorship covered either through:

- money held in trust; and/or
- value of in-kind donations;

then the financial assessment of the individuals may not need to be completed.

36.4 Sponsorship Cost Table

The required financial resources indicated in the Sponsorship Cost Table are roughly equivalent to local social assistance rate figures. The following chart should be used to assess the financial capacity of Groups of Five and Community Sponsors.

Sponsorship Cost Table

Family Size	Start- up Costs (\$)	12 Months of Income Support (\$)	Total Cost (\$)
1	2,300	7,200	9,500
2	3,250	11,950	15,200
3	4,550	14,750	19,300
4	5,300	17,100	22,400
5	6,000	19,100	25,100
6	6,800	19,600	26,400
For each additional family member add	700	500	1,200

36.5 In-kind donations

The Group of Five or Community Sponsor can indicate, on their Settlement Plan and Financial Assessment Form, whether or not they have in-kind donations. Having in-kind donations reduces the amount of financial income support required by the group to sponsor a refugee.

The following chart provides an approximate value of in-kind donations. When a group indicates that they have in-kind support to provide the refugee the value of the total in-kind donations must be subtracted from the total cost of the sponsorship (see Section 36.4, Sponsorship Cost Table)

If the officer has concerns regarding the quality/quantity of the in-kind donations the officer may require further clarification as to the standard to which the in-kind donations will be provided. For example: shelter must be provided to an equivalent level of what would be provided to an individual or family receiving social welfare.

For shelter costs the officer can use the actual costs provided by social welfare in the community in which the refugees will reside.

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In-Kind Deduction Table

Family Size	Approximate Value (\$)					
	Shelter	Clothing	Furniture	Household Effects	Food Staples	Bedding & Linens
1	4000	375	700	325	100	75
2	6100	650	1025	350	175	125
3	6650	950	1350	375	350	175
4	7200	1150	1675	400	400	250
5	7800	1350	2000	425	400	325
6	8100	1550	2325	450	400	400
For additional members add	150	200	300	25	Stays the same	75

36.6 Financial profile – G5 member/individual co-sponsor in a community sponsorship

When an individual is using their own income as collateral against the sponsorship the following should be evaluated:

- the income reflected on the financial documents;
- for how many individuals is the person currently the primary source of financial support and how much income would the person require, using the Sponsorship Cost Table, to support these individuals.

Note: Use this assessment as a **guide only** because there may be other factors affecting how much the individual is actually contributing to the support of these individuals, such as, does the person have a spouse or common law partner that is also contributing to their financial support;

- other sponsorships the person currently is required to provide financial support to;
- how much is the person willing to commit to the sponsorship and is this commitment reasonable considering their income, number of individuals they are currently supporting and other sponsorship commitments.

The following procedure is to be employed with some discretion and will help assess a G5's financial capacity.

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Step	Action
1	Compare the taxable income per the notice of assessment and earned income as stated on the T4 with the income shown in box 7(A), to ensure these amounts are reasonably consistent.
2	An interview when a significant disparity between the amounts occurs, to find out <ul style="list-style-type: none"> • why, and • what the impact will be on the ability to sponsor.
3	<p>For G5s</p> <ul style="list-style-type: none"> • Verify whether each member is able to contribute financially to the sponsorship. <p>Use discretion in cases where:</p> <ul style="list-style-type: none"> • members are not contributing equally, but the total monies available are sufficient to support the refugee(s); and • non-financially contributing members have other resources available. <hr/> <p>Note: Married or common-law couples must each submit a financial assessment and will be considered as each a member of the group of five.</p> <hr/>

36.7 Proof of income and documentation required for G5s

The following table explains what documentation is required under specific situations.

When...	Then...
the group has funds set aside for sponsorship	<ul style="list-style-type: none"> • The money should be in a bank account requiring the signature of at least two members of the sponsoring group, and • proof of the bank account must accompany the application to sponsor.

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<p>using the income from group members</p>	<p><i>one</i> of the following is required:</p> <ul style="list-style-type: none"> • a copy of each member's T4/T1; • detailed computer printout of the notice of assessment from the Canada Customs and Revenue Agency (CCRA); or • original letter or proof of annotated cheque stubs from employer confirming details on IMM 5373BE financial profile;. • statement of rental income: income earned and reported to CCRA for rental property; • statement of maternity/disability/parental/sickness benefits; • statement of pension income: from Old Age Security, Canada/ Quebec Pension Plan, other pensions, superannuation and annuity payments from Canadian sources. Do not include Guaranteed Income Supplement (GIS) payments; • statement of investment income: income report to CCRA from dividend payments, interest, stocks, bonds, other investments and interest on savings deposits.
<p>self-employed member</p>	<p>The following is required:</p> <ul style="list-style-type: none"> • a letter from an accountant verifying income; or • T1; and • Proof of other sources of income such as: <ul style="list-style-type: none"> • pension, or • investment income.

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Corporate financial support	<p>When a corporation is providing funds to support the sponsored application, the group must provide proof of the funding.</p> <p>Acceptable proof includes:</p> <ul style="list-style-type: none">• promissory notes of cash signed by the authorized representative of the corporation or the corporation's bank• copies of a recent, audited financial statement for the corporation, and• letters from a registered Canadian financial institution, confirming that sufficient funds are held in an account. <p>Financial statements including:</p> <ul style="list-style-type: none">• T2 return• income expense statements• balance sheet• asset liability statements
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37 Community Sponsors: Assessment of undertakings

37.1 Application and approval process for community sponsors

A community sponsor may be:

- an unincorporated organization or association; or
- a corporation under federal or provincial law.

Community sponsors must apply to a local CIC to become a sponsoring group. The designated officer reviews the following information from the organization and, if applicable, their co-sponsor.

A community sponsor must:

- reside in expected community of resettlement
- have not defaulted on a previous undertaking, and be not barred from sponsorship
- have not submitted more than two undertakings in any one year period, unless the sponsorship would break up a family unit
- have made adequate arrangements in anticipation of the arrival of the sponsored refugee(s), and
- have the financial resources to fulfil the settlement plan for the duration of the sponsorship undertaking

37.2 Assessing community sponsor organizations

Community sponsors are limited in the number of sponsorships they can do per year. Therefore, most organizations will be able to meet the financial criteria quite easily. To do an assessment of the organization the officer should review the following questions in the chart below.

How long has your organization been established?	The longer an organization has been established often reflects how sustainable the organization is.
How many people are in the organization?	Larger organizations often can financially support themselves better due to membership fees, charitable donations from members or financial contributions they receive from many sources. More weight should be given to a branch office of a larger organization that has approval from their head office. This reflects that should the branch office be in financial difficulty there is support from a larger umbrella organization

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Are financial documents available?	The organization should provide proof of their income and the amount that they will commit to the sponsorship (Section E of the settlement plan and financial assessment). If the amount that they are willing to commit, combined with any co-sponsor commitments, funds in trust, in-kind donations seems reasonable, the financial portion of the application should be approved.
Solvency	If the designated officer has any question as to the solvency of the organization the question(s) should be referred to RHQ

37.3 Settlement plan assessments for community sponsors

Community sponsors are required to provide a plan for the settlement of the refugee applicants they are sponsoring. Community sponsors have a combined settlement plan/ financial assessment form, which should reflect that they:

- have sufficient financial resources, and
- have settlement mechanisms to assist the sponsored refugees in becoming self-supporting during the first year in Canada.

CIC must review and approve settlement plans submitted by using the following table of questions as guidelines.

Subject	Questions
Funding	<p>Does the group have the necessary funds or a clear plan of how to raise funds?</p> <p>Has the group drawn up a budget?</p> <p>Is there a back-up plan, such as fundraising, in case circumstances change?</p>
Support	<p>Does the group have a clear plan of how to orient and support the applicant throughout the settlement year?</p> <p>Are there plans to use the settlement services provided by settlement agencies (ISAP, LINC, provincial programs)?</p> <p>Does the applicant live in the same community as the sponsoring group?</p> <p>Are there enough individuals who are willing to provide support? Does the time they plan on providing to the settlement of the refugee seem reasonable? Do they have enough time to commit to the applicant?</p>

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Settlement	<p>Does the settlement plan indicate arrangements for:</p> <ul style="list-style-type: none"> • housing • interpreters • settlement services • transportation • health care • education • schooling • dealing with crisis or trauma • other? <p>Has the group determined if the applicant and relatives have resources and can assist in the resettlement?</p>
In-kind donations	<p>Do the in-kind donations seem reasonable?</p> <p>Does the group explain the donations example, what type of apartment the refugee(s) will be provided with?</p>
Responsibility	<p>Who is the group:</p> <ul style="list-style-type: none"> • leader or representative, and • contact person? <p>Who has responsibility for the group?</p> <p>How is responsibility shared among all members of the group?</p>

The review of the settlement plan and financial profiles by the local CIC could require changes in order to be approved.

For example, greater than anticipated financial requirements to settle the refugees would require the community sponsor to:

- increase the number of individuals/organizations providing support and/or,
- prepare a new settlement plan or amendments to the existing plans.

Note: Any amendments need to be initialed by the signatories of the undertaking.

37.4 Financial capacity

Community sponsors: Approval by CIC is required to determine if the community sponsorship has the financial and settlement capacity to sponsor. Financial statements must be submitted to CIC.

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37.5 Total financial resources required by community sponsors

The financial assessment of the individuals may not need to be completed if the group has the total amount of the sponsorship covered either through:

- money held in trust and/or
- value of in-kind donations.

37.6 Financial profile – individual co-sponsor in a community sponsorship

When an individual is using their own income as collateral against the sponsorship the following should be evaluated:

- the income reflected on the financial document(s)
- how many individuals is the person currently the primary source of financial support and how much income would the person require, using the PSR cost table, to support these individuals.

Note: Use this assessment as a **guide only** because there may be other factors affecting how much the individual is actually contributing to the support of these individuals, such as whether or not the person has a spouse or common law partner who is also contributing to their financial support.

- other sponsorships the person currently is required to provide financial support to.
- How much is the person willing to commit to the sponsorship and is this commitment reasonable considering their income, number of individuals they are currently supporting and other sponsorship commitments

37.7 Proof of income and documentation required for community sponsors

The following table explains what documentation is required under specific situations.

When...	Then...
the group has funds set aside for sponsorship	<ul style="list-style-type: none"> • The money should be in a bank account requiring the signature of at least two members of the sponsoring group, and • proof of the bank account must accompany the application to sponsor.

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<p>using the income from group members or individual co-sponsor to support a submission</p>	<p><i>one</i> of the following is required:</p> <ul style="list-style-type: none"> • a copy of each member's T4/T1 • detailed computer printout of the notice of assessment from Canada Customs and Revenue Agency (CCRA), or • original letter or proof of annotated cheque stubs from employer confirming details on IMM 5373BE financial profile. • Statement of rental income: income earned and reported to CCRA for rental property • Statement of maternity/disability/parental/sickness benefits • Statement of pension income: from Old Age Security, Canada/ Quebec Pension Plan, other pensions, superannuation and annuity payments from Canadian sources. Do not include Guaranteed Income Supplement (GIS) payments • Statement of investment income: income report to CCRA from dividend payments, interest, stocks, bonds, other investments and interest on savings deposits.
<p>A member of the group is self-employed</p>	<p>the following is required:</p> <ul style="list-style-type: none"> • a letter from an accountant verifying income, or • T1 and • proof of other sources of income such as: <ul style="list-style-type: none"> • pension, or • investment income.

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<p>The group has corporate financial support</p>	<p>When a corporation is providing funds to support the sponsored application, the group must provide proof of the funding.</p> <p>Acceptable proof includes:</p> <ul style="list-style-type: none">• promissory notes of cash signed by the authorized representative of the corporation or the corporation's bank• copies of a recent, audited financial statement for the corporation, and• letters from a registered Canadian financial institution, confirming that sufficient funds are held in an account.• Financial statements including:<ul style="list-style-type: none">• T2 return• income expense statements• balance sheet• asset liability statements
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38 Co-sponsor

The Regulations permit more than one entity to act as the sponsor for the purposes of a sponsorship undertaking. A supplementary sponsor or a partner in the sponsorship undertaking is known as a “Co-sponsor”. Subject to the regulatory definitions of “sponsor” and “group”, a Co-sponsor can either be an individual or a corporation, unincorporated organization or association.

38.1 Principles regarding co-sponsors

Co-sponsors are legal parties to the sponsorship undertakings and are therefore “jointly, severally and solidarily liable” for the entire responsibility of delivering settlement assistance and support to the sponsored refugees. With this in mind, Co-sponsors should be counseled to exercise prudence when entering into a sponsorship undertaking with another person or group.

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39 Approval and refusal of applications

39.1 Actions for sponsorship applications that do not meet guidelines

A letter should be sent to the sponsor indicating that the application to sponsor is:

- incomplete,
- incorrect, or
- that there are problems with the undertaking.

The letter should indicate:

- the reasons for a possible negative decision, and
- what actions the group might take to achieve a positive decision.

Consideration could be given to conducting an interview before sending a letter when a relatively minor adjustment to the application is required.

39.2 Actions for refused sponsorship applications

When the necessary changes still result in the refusal of the sponsorship application, the local designated officer must:

- complete FOSS Private Sponsorship screens including “NOT MET” as the decision, and
- send a copy of the undertaking to
 - the Matching Centre, and
 - RHQ (if RHQ requires a copy).

This decision should be communicated to the sponsoring group by letter within 30 working days of receiving the completed application forms. Ensure the sponsor is aware that the applicant overseas must be notified that the sponsorship has been refused.

39.3 Actions for approved sponsorship applications – sponsor-referred cases

The following stages should be completed for approved undertakings for sponsor-referred cases:

Stage	Description
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<p>1 File management</p>	<ul style="list-style-type: none"> • ensure a file has been created in FOSS (refer to Field Operational support System (FOSS) Instructions for Processing Private Sponsorship Cases, Section 40) • enter sponsorship details in FOSS and, if applicable, include either “application IMM 0008EGEN submitted by sponsor” or “application IMM 0008EGEN sent by sponsor” in the “REMARKS” screen • print FOSS file number on sponsorship undertaking • If applicable, retain a copy of the IMM 0008EGEN application form on the sponsorship file.
<p>2 Informing the visa office</p>	<p>The local CIC sends to the visa office by fax or mail:</p> <ul style="list-style-type: none"> • A copy of the sponsorship undertaking and • Any documents included by the sponsor and listed on the document checklist. <p>If the application for permanent residence (IMM 0008EGEN) was submitted by the sponsor along with the sponsorship undertaking, the local CIC forwards by diplomatic bag or registered mail:</p> <ul style="list-style-type: none"> • The undertaking, • The original completed IMM 0008EGEN, including <ul style="list-style-type: none"> • IMM 0008Esch1 • IMM 000Esch2, • Authorization to release form (IMM 5476B), if included • Six photos with a negative • Supporting documents and • Any mission-specific forms.
<p>3 Informing the sponsor and MC</p>	<p>The local CIC forwards a copy of the undertaking and a letter indicating that the sponsorship undertaking has been approved to the:</p> <ul style="list-style-type: none"> • Sponsor • SAH (when submitted by a CG) • Matching Centre, and • RHQ (when requested by regional office)
<p>4 Regular communication</p>	<p>Provide updates to sponsoring groups according to service standards and when visa office advises local CIC of the status of the application</p>

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5 Arrival of refugee	<ul style="list-style-type: none"> the visa office will send a Notification of Arrival Transmission ten days prior to the refugee arrival to the MC the MC will forward to the local CIC. the local CIC will provide the sponsoring group with a copy of the NAT advising the sponsors when the refugees will arrive in Canada. provide contact information of service providers who can offer training and support.
6 First meeting with refugee	<ul style="list-style-type: none"> review the refugee's eligibility for the Interim Federal Health program (IFH). issue IFH document. input IFH details into FOSS. provide information regarding IFH to the refugee and sponsors.

39.4 Processing of visa office-referred cases

All sponsoring groups can submit a Request for a Refugee Profile (IMM 5496E). The Request for a Refugee Profile kit can be obtained through the Call Centre or from the Website at

<http://www.cic.gc.ca/ref-protection/english/ps-pp/forms/index.htm>

The following seven steps are completed for approved undertakings for visa office referred cases:

Step	Action
1 Local CIC	<ul style="list-style-type: none"> After you receive a Request for a Refugee Profile check the refugee protection secure portion of the Web site to see if there are any RA/RS/CR-3 cases that require a sponsor. http://www.cic.gc.ca/ref-protection/english/ps-pp/help-aide/index.htm when reviewing cases on the site ensure that that your community and organization requesting the group would be a good match for the refugee(s) according to their profile.
2 Local CIC	<ul style="list-style-type: none"> if there or no profiles on the Web site fax or send a copy of the request for a refugee profile to the MC Fax or e-mail a copy of the IMM 5439E (application for SAH or CG), or IMM 5373BE (application for G5) along with a copy of the IMM 5438E (form to request cases) to: <ul style="list-style-type: none"> MC, and RHQ (when RHQ as required). request that the MC find a profile of a refugee(s) that the group can review and an MC file number BF the file for one month

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<p>3 Matching Centre</p>	<ul style="list-style-type: none"> • assess information on the request for a refugee profile IMM 5496 to help match sponsors with a refugee. • select candidates that may be acceptable to the sponsoring group from referrals by the visa office. • if there are no referrals the MC will send a request to a visa office • MC will provide the CIC with an MC file number for easy reference for when the CIC requests a follow-up • contact the local CIC with the refugees' profile(see example of the information that will be provided on the refugee profile in Appendix B).
<p>5 Local CIC</p>	<p>Contact the sponsor to determine whether they accept the refugee(s) profile. If accepted,</p> <ul style="list-style-type: none"> • contact the MC immediately to ensure that the profile is taken off the Web site • ensure that the appropriate application form is completed for that group depending on whether or not they are an SAH, CG, CS or co-sponsor of either of those groups or a G5. • A copy of that application should be sent to the:: <ul style="list-style-type: none"> • MC, • RHQ (regional officer as required), and • the visa office (Matching Centre may notify visa office). <p>If refused, go to next table "Refusal of refugee profile" in Section 39.5.</p>
<p>6 Matching Centre</p>	<p>Request an estimated time of arrival, and provide this information to the local CIC, if not included on the profile</p>
<p>7 Local CIC</p>	<p>Provide the estimated time of arrival and other relevant information to the sponsor.</p>
<p>8 Local CIC</p>	<ul style="list-style-type: none"> • the visa office will send a Notification of Arrival Transmission ten days prior to the refugee arrival to the MC the MC will forward it to the local CIC. • the local CIC will provide the sponsoring group with a copy of the NAT advising the sponsors when the refugees will arrive in Canada. • provide contact information of service providers who can offer training and support. <hr/> <p>Note: This information must be given to the sponsoring group as soon as the NAT is received from the MC.</p> <hr/>

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<p>9 Local CIC</p>	<ul style="list-style-type: none"> • Review the refugee's eligibility for the Interim federal health program (IFH). • issue IFH document by inputting IFH details into FOSS. • provide information regarding IFH to the refugee(s) and sponsors.
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39.5 Visa office-referred cases: refusal of refugee profile

When a refugee profile is not accepted by the sponsor, the following four steps should be completed:

Step	Action
<p>1 Local CIC</p>	<p>Advise the MC immediately when the sponsor is not willing or able to sponsor the refugee(s).</p>
<p>2 Matching Centre</p>	<p>Contact the local CIC after 60 days have passed to confirm the status of the sponsoring group's application.</p>
<p>3 Local CIC</p>	<p>Contact the sponsor to determine if they are still interested in sponsoring a refugee. If yes, request another profile from the Matching Centre (MC). If no, close file and advise MC.</p>
<p>4 Matching Centre</p>	<ul style="list-style-type: none"> • locate another sponsor to take the existing case, and • obtain another refugee profile to forward to the original local CIC/ sponsor.

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40 Field Operational Support System (FOSS) Instructions for processing private sponsorship cases

40.1 Performing name queries for applicants

Field Operational Support System (FOSS) queries are performed prior to approving sponsorship undertakings.

Refugee Applicants:

If the persons are named on the application then

- the principal applicant (PA) and
- each related dependant (RD)
- should be name queried in FOSS to determine if an existing Client Identification Number (CID) exists.

If another CID does exist, consideration should be given to whether this existing file impacts on the person's eligibility to be sponsored on this application.

Sponsors:

Each sponsoring group name and each member in the sponsoring group should be name queried in FOSS to ensure that the sponsor is in good standing with CIC.

Querying Sponsorship Agreement Holder (SAH) CIDs

SAH CID numbers and lists are created and distributed by NHQ.

40.2 Performing name queries for individual sponsors

In the case of Groups of Five, or when the co-sponsor is an individual each name should be name queried in FOSS to verify

- that there are no outstanding sponsorship undertakings or defaults, including family class (FCs), and
- if they are involved in sponsoring other refugee cases that
 - are in process, or
 - have arrived in Canada.

When an individual has been involved in other sponsorships, the individual must

- indicate this on their application, and
- have sufficient independent resources available to support each situation.

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40.3 Performing name queries for sponsoring groups

Each group name should be queried in FOSS to determine

- if previous sponsorship documents exist
- the status of those cases
- if there has been a previous sponsorship default and the reason for the default.
- if there has been a previous sponsorship withdrawal and the reason for the withdrawal.

Use the same CID in cases where the membership of the new undertaking to sponsor is identical to a previous one.

40.4 If the query shows a prior sponsor default or withdrawal

Sponsoring undertakings are to be refused when past sponsorships by the group or its individual members have resulted in default or unacceptable withdrawal under the Private Sponsorship of Refugees Program.

40.5 Duplicate CIDs

If you notice a duplicate CID for the same sponsor

- e-mail the Matching Centre, Refugees Branch, at Matching-Centre@8502SRE@CINA
- request that the CIDs be merged, and
- identify the CID to remain.

MC will notify the local CIC by e-mail once these CIDs have been merged.

40.6 Process for creating a registry file

IMPORTANT: The following table describes how to create a file in FOSS registry. ALL files should be created through file registry first. Any new sponsorship should have a new file created through FOSS registry. Do NOT create CIDs through the CPS menu.

Step	Action
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<p>1 For existing clients</p>	<p>The identification number for the file is created when a FOSS query is done and the principal applicant (PA) has an existing Client Identification number (CID). Please refer to Performing name queries for applicants, Section 40.1.</p> <p>If the applicant already has a CID in FOSS verify the information. Example: same date of birth, same spelling of name, etc.</p> <p>Write that ID number on the file.</p> <hr/> <p align="center">Note: Continue to Step 2.</p> <hr/>
<p>2 For new clients</p>	<p>Create a registry file using the Client Identification number (CID) of the Principal Applicant (PA).</p> <p>If a CID does not exist, a non-computer based entry (NCB) must be made.</p> <p>Enter the following into FOSS to create a new CID: "SE, NC,,NCB" (Two commas must be included after NC.)</p> <p>In Remarks, indicate this NCB has been created for client ID purposes only. Code it "12".</p>
<p>3 Entering data in the FC menu</p>	<p>Create the registry file using the PA CID as the file number.</p> <p>Complete the three fields in the File Creation of the FOSS registry:</p> <ul style="list-style-type: none"> • File Number - 8-digit PA CID • Qualifier G5,CS, SAH • Type: enter useful reference information, e.g., whether an admission, PSR-SETTLE which stands for Private Sponsorship of Refugees Settlement
<p>4 Links to other files</p>	<p>Links must be created under FOSS registry between:</p> <ul style="list-style-type: none"> • the PA and the PA's dependants and • the sponsoring groups linked to that sponsorship <p>by indicating whether or not the dependants and sponsors are Existing Secondary (ES have a CID #) or a New Secondary (NS do not have a CID#)</p> <p>These links will have refugee applicants and sponsors cross- referenced so that CICs can have a better picture of who the entire sponsoring group is made up of.</p> <p>Links should be made between the PA and their dependant and, for example,</p> <ul style="list-style-type: none"> • all G5 members and the group name or • SAHs and their CGs and co-sponsors or • community sponsors and their co-sponsors <p>By making these links you will generate CIDs for all refugee applicants and sponsors that currently do not have a CIDs.</p>

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5 Generating CIDs for new clients in File Registry	Input the information for the PA and dependants on the “create primary client and secondary client” screens Ensure that the sponsoring group(s) is entered under the same registry file. <ul style="list-style-type: none">• Sponsoring group(s) should be entered as follows:• Family name (FNME) – indicate the name of the group (do not put “the” in front of the name)• Given name (GNME) – indicate the location of the sponsoring group• Date of Birth (DOB) – star/asterisks (*****) the field• Sex – U for unknown Ensure that you write down the CIDs for all clients as you will need to enter them on the undertaking as well as when completing the CPS menu in FOSS.
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40.7 Completing the Case Processing Support (CPS) Menu

The Case Processing Support (CPS) menu that is found in FOSS allows the user to create a record of the undertaking by:

- calling up and completing a case for clients that have been assigned a CID.

Example: CPS menu

The following screens are examples of the CPS menu

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```

CPS001 CASE PROCESSING SUPPORT   DATE 17JUN94
TIME 13:26

      NC-NEW CLIENT  EC-EXISTING CLIENT  RP-REPORTS

SC-SAME CLIENT ED-EXISTING DOCUMENT M-MAIN Q-QUIT
OPTION:EC

IF "EC" IDENTIFY CLIENT 51445877   CLIENT ID
                                DOCUMENT NUMBER

SPONSOR INFORMATION      >_X<
PRINCIPAL APPLICANT INFORMATION >__<
ASSESSMENT INFORMATION   >__<
LANDING INFORMATION      >__<

IF EXISTING DOCUMENT ENTER DOCUMENT NO.
  
```

```

      SPONSORSHIP INFORMATION   DATE
TIME
ID:  -   SPONS DOC NO           OFFICE FILE NO >           <

FNME >           < GNME > _____ <   _DOB > _____ <
SEX > <   COB >           < CITZ >           < LANGUAGE OF PREFERENCE > <
DATE RECD > _____ < IF 0/S,DATE FWD > _____ < POST > < _TYPE > < _
STATUS >           <           DATE >           <           CIC > _ <
COST RECOVERY: > < AMT > < RECEIPT NO >           < DATE >           <
LGTH OF UNDERTAKE > _____ < DATE DEFAULTED > _____ < _____
ADDRESS: STREET NO >           < STREET >           <
                                     >           <
TELE: H > < > < - > <           CITY >           < _
      B > < > < - > <           PROV > _____ < POSTAL CODE > _____ <
PRINCIPAL APPLICANT   ID > < - > <           FNME > _____ <
  
```

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GNME > _____ < DOB > _____ < SEX > _____ < RELATIONSHIP > _____ <
 COB > _____ < CITZ > _____ < CLPR > _____ < MARITAL STAT > _____ <
 PASSP NO > _____ < CTRY OF ISS > _____ < VALID TO > _____ <
 UNDERTAKING > _____ < UNDERTAKING EXP. DATE > _____ < FEE CODE > _____ <

OPTION > _____ < _____ < _____ <
 RD-RELATED DEP R-REMARKS N-NEXT V-VOID SC-SEE CLIENT INFO DE-DELETE
 OS-OTHER SPONSOR(S) F-FRESHEN M-MAIN Q-QUIT AI-APPLICATION INFO

40.8 Creating a sponsorship document

All CIDs should be created through FOSS registry to ensure that the proper links are made between files. The CIDs generated through FOSS registry will be used to complete the CPS screens.

Step	Action
1	Enter EC in the OPTION field.
2	Enter the existing sponsoring group CID. The CID entered should be for the sponsor who will be the main contact on the file. The sponsoring group must identify their main contact. Most cases it will be the CG of and SAH or a co-sponsor of a community sponsorship. In the case of a G5 enter the CID of the group.
3	Place an X beside the SPONSOR INFORMATION field
4	Press the Enter key. Result: Sponsorship document is created and transmitted.

40.9 Amending a sponsorship document

Step	Action
1	Enter <ul style="list-style-type: none"> • EC in the OPTION field, or • an X beside the SPONSOR INFORMATION field.
2	Enter the document number at the bottom of the screen.
3	Press the Enter key. Result: Document is transmitted.

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40.10 Processing the sponsorship document

The sponsorship document is divided into four parts:

- 1) Sponsor Information
- 2) Principal Applicant (PA) Information
- 3) Related Dependent (RD) Information
- 4) Remarks screen

40.11 FOSS sponsor information

To complete the sponsor information, perform the following four steps.

Step	Action
1	Enter your 4-digit CIC RC Code and 8-digit PA CID number <ul style="list-style-type: none">• in the OFFICE FILE NUMBER field, and• on the application undertaking (the box in the top right corner)
2	The CID number has already been created through FOSS registry; therefore, the information on the sponsoring group will automatically be downloaded into the sponsorship information screen on the CPS menu. Ensure that the information is downloaded correctly <ul style="list-style-type: none">• the official name of the sponsoring group is in the Family Name field (do not put "<i>the</i>" in front of the name); this should be the main contact on the file.• the location of sponsor is in the Given Name field, and• stars/asterisks(*****) are in the Date of Birth field.

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3	<p>The following must be entered into the sponsorship information screen</p> <ul style="list-style-type: none"> • DATE RECD - date sponsorship received is that date that the sponsorship was received at the CIC not the date that the sponsor signed the undertaking • IF O/S, DATE FWD - date sent overseas this is the date the application information was sent to the visa office • POST - visa office code codes for visa offices can be found in the Help Screen under <ul style="list-style-type: none"> • POST1, POST2, etc. (to get to the help screen press ESC and the arrow ► key) • TYPE - field there are currently three options MH – Sponsorship Agreement Holder & Constituent Group GF – Group of Five GR – Community Sponsor • UNDERTAKING – do not fill this field, it is for Family Class • LGTH OF UNDERTAKE - length of undertaking should be <ul style="list-style-type: none"> • 01 for 12 month sponsorship and • 02 for JAS • COST RECOVERY - R01 (this means that the private sponsor is exempt from paying a fee for the undertaking) make sure that you enter the date for cost recovery (the date you processed the application and exempted the fee) • STATUS - should be MET • FEE CODE - landing fee code should be LFX (Landing fee exempt)
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40.12 FOSS Principal Applicant (PA) information

All CIDs should be created for clients through FOSS registry.

To complete the Principal Applicant (PA) information section on the CPS menu for an existing PA, perform the following five steps.

Step	Action
1	Enter the PA CID .
2	Enter SC (see client) at the OPTION field and transmit.
3	Verify the PA details generated automatically by FOSS are the same as on the sponsorship undertaking.
4	<ul style="list-style-type: none"> • Verify any differences with the sponsor. • Do not arbitrarily amend the information. It may be a different client on the undertaking.

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5	Enter the PA CID in the FOR CIC USE ONLY box on the sponsorship undertaking.
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40.13 FOSS Related dependant (RD) information

To complete RD, perform the following six steps.

Step	Action
1	If there are additional related dependants on the undertaking: <ul style="list-style-type: none"> • Enter RD in the OPTION field, and • Transmit to enter additional dependants in the document.
2	Complete in the same way as you did for the PA.
3	Enter SC at the OPTION field and transmit.
4	Enter the RD CIDs generated by FOSS in the FOR CIC USE ONLY boxes relating to each RD.

40.14 FOSS Remarks (R) information

5	<p>Enter REMARKS (R). Remarks may include:</p> <ul style="list-style-type: none"> • If the application IMM 0008EGEN was submitted by sponsor or application IMM 0008EGEN sent by sponsor • All the names of the sponsors who are party to the sponsorship, for example, the SAH or co-sponsors and their contact information • if the sponsorship is a visa office-referred case, JAS, blended or UPP • information when a default or withdrawal occurs. <hr/> <p style="text-align: center;">Note: Listing the SAHs related to the CG or members of the G5 would be useful to the Telecentre.</p> <hr/>
6	<p>Enter MAIN at the OPTION field.</p> <p>Results: Standard processing requirements are now complete.</p>

40.15 Inputting data into FOSS on sponsorship defaults, withdrawals and revocations

If it has been determined that a default has occurred:

- enter the date the default occurred under **Date Default** field,; and

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- provide information on the default in the remarks screen

If the sponsor has withdrawn the case then:

- in the CPS sponsorship screen under status when it should say PENDING indicate WITHDRAWN; and
- provide information on the withdrawal in the remarks screen

Currently there is no way to enter a sponsorship revocation in FOSS. This function should be available in the next FOSS release. Until such time complete the FOSS screen the same as you would for a withdrawal and input remarks regarding the reasons for CIC revoking the sponsorship.

For more information, please refer to:

Section 44 - Sponsorship withdrawal

Section 46 - Sponsorship default

40.16 Inputting data into FOSS on sponsorship monitors

Monitoring statistics should be updated in FOSS at the end of every month. To enter sponsorship monitoring statistics in FOSS, perform the following three steps.

Steps	Action
1	Go to FOSS/EIIS Data screen
2	Enter FE
3	Under " Mon spons grp agree " Update , enter the total monitors for that month. Note: "Mon spns grp agree" is an abbreviation referring to the number of monitors done on sponsoring group agreements.

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41 One-year window of opportunity program (OYW)

For more information regarding eligibility under OYW, please refer to One-year window of opportunity, IP 3, Part 4, Section 6.28.

Stage	Steps
<p>1</p> <p>Local CIC is notified of OYW case</p>	<ul style="list-style-type: none"> • a privately sponsored refugee locates non-accompanying family member who wishes to be resettled in Canada • the refugee or sponsor will submit a request form to the local CIC for processing non-accompanying family member (see Appendix I)
<p>2</p> <p>Will non-accompanying family member's financial and settlement assistance needs be met in Canada?</p>	<ul style="list-style-type: none"> • local CIC will determine if head of family (HOF) is financially self-sufficient and whether support of the sponsor is still necessary. • if sponsor's support is not required, inform sponsor that they must be prepared to assist non-accompanying family member if required at some point during the sponsorship period (length established for original undertaking). • if sponsor's support is required, inform sponsor that they are responsible to provide care, lodging and settlement assistance and support to the non-accompanying family member upon their arrival in Canada for the duration of the sponsorship period or until they or the rest of the family is self-sufficient, whichever is less. • if non-accompanying family member was not listed on the original sponsorship undertaking, amend the undertaking to include name (SAH's approval is required). • if sponsor cannot or will not provide support to non-accompanying family member upon arrival in Canada, then proceed to <i>stage 2(A)</i>. • otherwise proceed to <i>stage 3</i>.

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<p>2 (A) Sponsor will not support non-accompanying family member</p>	<ul style="list-style-type: none"> inform the sponsor that they are responsible to provide settlement assistance and financial support to the non-accompanying family member for the duration of the original undertaking or until the family is financially self-sufficient, whichever is less. Also mention that non-accompanying family member may be refused if support of sponsor is not provided. If sponsor agrees to provide support, proceed to <i>stage 3</i>. give sponsor opportunity to find a new sponsor to takeover the case. If a new sponsor is found, complete an undertaking for the new group, enter FOSS details and proceed to <i>stage 3</i>. if sponsor will not provide support and a new sponsor could not be found, deal with the sponsor separately under the breakdown and default guidelines (Section 45, Section 46) and proceed to <i>stage 3</i>.
<p>3 Visa office is notified / application is sent</p>	<ul style="list-style-type: none"> the local CIC forwards the information by e-mail or by fax to the visa office that serves the area where the non-accompanying family member resides. The information will include: <ul style="list-style-type: none"> the details of the non-accompanying family member from either the request form (Appendix I) or an NCB entered under the PA's FOSS ID number notification, if applicable, that the sponsor or family in Canada opted to send the IMM 0008EGEN directly to the non-accompanying family member indication whether support of sponsor is necessary and whether or not it is available. if IMM 0008EGEN not sent by sponsor/refugee, visa office will mail application to non-accompanying family member.
<p>4 Is non-accompanying family member eligible for OYW?</p>	<ul style="list-style-type: none"> IMM 0008EGEN received at visa office visa office will confirm that non-accompanying family member was included on the principal applicant's (PA) IMM 0008EGEN. If name not on IMM 0008EGEN, proceed to <i>stage 4(A)</i>. visa office will ensure that application for permanent residence under OYW was made within 12 months of HOF's arrival in Canada. If application made after 12 months, proceed to <i>stage 4(A)</i>. if applicant is otherwise eligible for OYW but support from a private sponsor is required but not available, proceed to <i>stage 5</i>. if applicant is eligible under OYW, proceed to <i>stage 6</i>.

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<p>4 (A) non-accompanying family member is not eligible for OYW</p>	<ul style="list-style-type: none"> • visa office will assess them as refugees in their own right, and if they meet either CR/RA/RS definition, visa office will process as a separate private sponsorship case. • if they do not qualify as a refugee, visa office may consider recommending an H&C application or counsel applicant to pursue a Family Class sponsorship.
<p>5 Visa office makes alternate arrangements</p>	<ul style="list-style-type: none"> • Visa office will contact local CIC to arrange for family in Canada to arrange for a sponsorship by another group. • if another sponsorship group cannot be found, the local CIC can request that the visa office submit the case profile to the Matching Centre for posting on the secure Web site. • once arrangements are complete, proceed to <i>stage 6</i>. • if a sponsoring group cannot be found, the case will be refused.
<p>6 OYW case is processed</p>	<p>Determining admissibility</p> <p>The visa officer will:</p> <ul style="list-style-type: none"> • review each application and any other relevant documentation submitted in support of the application to determine that there is no information submitted or omitted that would give cause to inadmissibility. • interview each non-accompanying family members, only if necessary to verify the validity of relationships or if there are admissibility issues; • issue medical forms to be completed • request security & criminality checks where appropriate. <p>If the non-accompanying family members meet the eligibility criteria but do not meet the statutory requirements, the visa officer may:</p> <ul style="list-style-type: none"> • consider issuance of Temporary Resident's Permit, or • send a refusal letter to the non-accompanying family members with a copy to the local CIC, the Head of Family (HOF) and the sponsor (where applicable).

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<p>7 Finalize OYW Case</p>	<p>Determining the final decision</p> <p>If the HOF requests a transportation and admissibility loan covering travel and medical costs for the following non-accompanying family members, the local CIC will:</p> <ul style="list-style-type: none">• have the HOF sign an Immigration Loan and Undertaking to Repay (IMM 0501B) form and• request that the visa officer have the non-accompanying family member (except minors) sign the Immigration Loan/Travel Warrant (IMM 0500E) form and fax the local CIC a copy of the signed form. Refer to OP 17. <p>Reminder: Non-accompanying family members would have been included in the original assessment for loan approval by the visa officer. See OP 17, Section 13.7 & OP 17, Section 13.17.</p> <p>The visa officer will inform the local CIC of the anticipated date of their arrival (NAT).</p>
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42 Extended sponsorships

In exceptional cases and prior to the arrival of the refugee, the sponsorship period may be extended for up to a maximum of **36 months** when the:

- visa office feels additional assistance is required, and
- sponsoring group is willing to provide assistance for the extended period.

42.1 Processing extended sponsorships

To extend a sponsorship, complete the following four steps:

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Steps	Description
1	After seeking and receiving SRE concurrence, the visa office will contact the local CIC to request an extended sponsorship and will indicate the requested duration and the reasons for the request.
2	The local CIC will communicate to the sponsoring group that: <ul style="list-style-type: none"> • the applicant cannot be approved on the basis of a sponsorship of 12 months, and • the applicant will be approved if the group agrees to provide support for the extended sponsorship period that is recommended.
3	<p>If the sponsoring group agrees to provide support for the extended sponsorship period, they must either:</p> <ul style="list-style-type: none"> • amend the undertaking so that it clearly indicates the new sponsorship period. The person who signed the original undertaking must initial the amended period of time. • OR • sign a new undertaking that clearly indicates the new length of time of the sponsorship. • OR • the sponsor may submit a signed statement that indicates that the group agrees to the extension of the sponsorship period identified on the original undertaking. <p>Please note that Constituent Groups will also require an approval letter from their respective SAH indicating approval for the extended sponsorship period.</p> <p>If the sponsoring group refuses to provide support for the extended sponsorship period, the local CIC officer must explain that</p> <ul style="list-style-type: none"> • the refugee applicant's application will be refused.
4	<p>The local CIC communicates the final decision of the sponsor to the visa office, with a copy to the Matching Centre. The Matching Centre will use this information to update RTS.</p> <p>The local CIC office keeps on file a copy of the signed undertaking and updates FOSS accordingly.</p>

Note: For JAS 36-month sponsorships, see Joint assistance sponsorship (JAS), IP 3, Part 1, Section 6.25.

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43 Monitoring guidelines for sponsorship undertakings

43.1 What to monitor

Following the arrival of the refugee in the community of destination, local designated officers should monitor some sponsors and refugees to verify that the sponsoring group is fulfilling its responsibilities including:

- financial support
- moral support, and
- settlement assistance as outlined in the settlement plan and in the sponsorship undertaking.

Note: If the settlement plan of a CG is not on file, the local CIC may request it from the SAH in order to monitor the CG.

For more information, please refer to:

Appendix D, Annex 2 - Sponsorship Agreement

Appendix F, Annex 1 - Monitoring Privately Sponsored Refugees

Appendix F, Annex 2 - Monitoring Private Sponsors

43.2 When to monitor private sponsors

Local designated officers should:

- develop a monitoring plan for new and existing sponsors
- meet with sponsors as issues arise, and
- act when situations come to their attention that requires improvement.

If the local CIC has a...	Then the local CIC should monitor...
small number of sponsors	all sponsors
large number of sponsors	<ul style="list-style-type: none">• all new sponsors, and• approximately 10% of experienced sponsoring groups.

Note: Where issues or problems have been identified with a sponsor, that sponsor should be monitored.

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43.3 Monitoring new sponsoring groups

Local CICs should conduct monitoring interviews with new sponsoring groups to provide them the opportunity to:

- address concerns;
- ask questions;
- make comments.

43.4 Monitoring privately sponsored refugees

The monitoring of privately sponsored refugees should be done

- by the local CIC on selected cases, or
- within four months of the refugee's arrival (or as required) using the questionnaire in Appendix E, Annex 1 - Monitoring Privately Sponsored Refugees.

Monitoring of a privately sponsored refugee:

- is a resource intensive process
- is best performed by personal interviews with the refugee whenever possible, and
- should include an interpreter when needed, as many refugees are not fluent enough in one of Canada's official languages.

Note: The questionnaire was developed based on requirements for monitoring GARs and may be tailored to better fit a local situation, as required. Guidance may be sought from SRE.

For more information, please refer to:

Appendix F, Annex 1 - Monitoring Privately Sponsored Refugees

43.5 Questionnaire for monitoring sponsoring groups

The questionnaire in Appendix F, Annex 2, Monitoring Private Sponsors, has been developed to:

- assist with the interview process;
- address the sponsor's point of view, and
- be sent to all new sponsoring groups within four months of the refugee's arrival to
 - facilitate sponsor comment on the program;
 - assist in providing a follow-up process for the sponsors; and
 - augment sponsor confidence in the program.

The local designated officer should note any suggestions by sponsors that may improve the program and forward them to:

- RHQ

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- SRE

For more information, please refer to:

Appendix F, Annex 2, Monitoring Private Sponsors

43.6 Monitoring other existing sponsorships

The local CIC office may find it necessary or advisable to monitor refugees arriving under the responsibility of the same sponsoring group. This is done to verify that there are no additional resettlement problems.

When problems are apparent with these sponsorships, they must be investigated and brought to resolution. If defaults or problems are occurring with a number of undertakings for one sponsor, and that sponsor is an SAH, the sponsorship agreement may be considered for review, which could result in its suspension or cancellation.

43.7 Results of monitoring privately sponsored refugees/JAS cases

The results of the refugee monitoring interview or returned questionnaire should be reviewed to:

- verify that proper settlement assistance is being provided
- take action where proper assistance is not being provided
- note any trends within particular groups, and
- note any suggestions by the refugee on improvements for the program.

Once reviewed, the local CIC should prepare a short summary which includes:

- whether or not proper assistance is being given
- what action is proposed, and
- any trends or comments.

Also:

- Send a copy of the summary report to RHQ and SRE, and
- keep a copy of the questionnaire on file.

43.8 Resolving problems

In all cases where there are problems involving a CG, their SAH should be included in any meetings or correspondence.

When issues cannot be resolved, RHQ should be notified.

For more information, please refer to:

Section 44 - Sponsorship withdrawal

Section 46 - Sponsorship default

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44 Sponsorship withdrawal

The local CIC will examine the reasons for requesting a withdrawal to assess whether the circumstances are acceptable or unacceptable.

44.1 Acceptable and unacceptable reasons for sponsorship withdrawals

The following table illustrates acceptable and unacceptable reasons for the withdrawal of a sponsor. This table only provides examples and is not inclusive.

Acceptable reasons for withdrawal of a sponsor but where a new sponsor must be found	Unacceptable reasons for withdrawal
unexpected changes in the financial status of a sponsoring group that make the group unable to financially support the refugee(s), such as a member losing their job	withdrawing an application for a named refugee in order to sponsor another refugee
loss in the member of members so great that the group is not able to fulfil the obligations of the sponsorship	change in leadership in the sponsoring group
a change in the relationship between an SAH and CG that makes the original undertaking to sponsor not feasible	loss in number of members that does not necessarily impact the group's ability to sponsor
the sponsoring group being unable to meet its obligations after gaining new information about: <ul style="list-style-type: none"> • the refugee; • the family in Canada; or • family needs. 	citing delays in processing that do not result in a change of conditions affecting the ability of a group to sponsor; or
delays in processing that result in a major change of conditions affecting the ability of a group to sponsor, such as <ul style="list-style-type: none"> • loss of a member • termination of a group, etc. 	when a group has overextended their ability to support all submitted undertakings, including both <ul style="list-style-type: none"> • financial, and • in-kind assistance.

44.2 Need to locate a new sponsor

In cases of withdrawal, sponsors are expected to locate a new sponsoring group. However, there are instances where it is not feasible to do so.

Examples of where it is not feasible to locate a new sponsor include:

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- the refugee has found another durable solution, such as::
 - local integration, or
 - acceptance by another country for resettlement, or
 - repatriation,
- new personal information gained about the refugee that makes the sponsorship no longer viable, such as:
 - the refugee's real identity
 - involvement in crimes against humanity
 - addition of new family members that would put undue strain on the sponsor's resources, or
- the refugee has made no contact with the visa office to return requested information, or to respond to subsequent efforts by the visa office to contact the refugee.

The following are procedures for withdrawal due to unacceptable reasons.

If the sponsor is a...	And it is their...	Then...
SAH	first withdrawal	the local CIC may meet with the SAH to discuss the issue.
SAH	second withdrawal for unacceptable reasons within one calendar year	the local CIC notifies SRE and may recommend a review of the SA.
CG	first withdrawal	the local CIC counsels the SAH that future sponsorships with the CG may require a review.
CG	second withdrawal for unacceptable reasons within one calendar year	the local CIC may request the SAH to review the relationship with the CG. The SAH assesses whether a review of the relationship with the CG is needed.
G5/ community sponsor	first withdrawal	the local CIC counsels the G5 or the community sponsor that future sponsorship undertakings will be reviewed.

Note: Depending on the circumstances and reasons for the withdrawal, sponsorship agreements can be either cancelled or suspended. Withdrawals that are determined not to have been the fault of the SAH will not result in suspension or cancellation of the SA.

Note: The relationship between the SAH and CG is outside the scope of CIC's responsibility as the sponsorship agreement is between CIC and the SAH. As such, withdrawals can only be

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actioned by SAHs. If a CG attempts a withdrawal, the SAH must be notified so that they can make alternative arrangements.

44.3 Processing withdrawals

See the following table for references to the appropriate sections for procedures about processing withdrawals.

For information about	See
What happens when there is no contact made by the refugee	Section 44.4
The common stages for processing withdrawals	Section 44.5
Withdrawals where the SAH is the sponsor and reasons are unacceptable	Section 44.6
Withdrawal where the SAH has severed all ties with the CG sponsor	Section 44.7
Withdrawal by a CG	Section 44.8
Withdrawal by a G5 and community sponsor	Section 44.9

44.4 No contact by refugee

The visa office should contact the local CIC and the sponsoring group when the refugee:

- fails to return a completed IMM 0008EGEN to the visa office within three months
- misses two scheduled interviews after the visa office receives the completed IMM 0008EGEN, and
- there has been no further contact by the refugee with the visa office or the sponsoring group.

If the sponsor wishes to continue with the sponsorship, they must provide the visa office with updated and correct contact information for the refugee within 30 days.

44.5 Common stages for processing withdrawals

The following table lists the common stages for processing withdrawals. Specific processes for SAHs, CGs, G5s and community sponsor follow.

Stage	Description
1	The sponsor/SAH notifies the local CIC in writing (as outlined in Appendix F, Annex 2 - Details Outlined in Letter of Notification of Sponsorship Withdrawal Where a New Sponsoring Group Has Not Been Located) of their intention to withdraw the sponsorship.

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2	The local CIC reviews the reasons for withdrawal to assess whether they are acceptable.
3	The sponsor attempts to locate a replacement sponsor, as required.
4	<p>If a new sponsor is found:</p> <p>The local CIC:</p> <ul style="list-style-type: none"> • prepares a new undertaking • enters the new sponsorship information into FOSS • notifies the Matching Centre, visa office, and RHQ (if there's a regional requirement to do so). <p>The Matching Centre (MC):</p> <ul style="list-style-type: none"> • enters the sponsorship change information into the Refugee Tracking System (RTS). <p>The visa office:</p> <ul style="list-style-type: none"> • notes the changes in CAIPS, and continues processing the refugee <p>If a new sponsor is not found or is not required:</p> <p>The local CIC:</p> <ul style="list-style-type: none"> • gives written notice to all groups involved to acknowledge the withdrawal of sponsorship • notifies the following parties of the withdrawal visa office, Matching Centre, and RHQ (if there's a regional requirement to do so) • closes the file, and • notifies the sponsoring group of the file closure. <p>The Matching Centre:</p> <ul style="list-style-type: none"> • updates RTS, and closes its file.

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5	<p>The visa office reviews the reasons for the withdrawal.</p> <p>If there are no eligibility or admissibility concerns, then the visa office:</p> <ul style="list-style-type: none"> • processes the case under another refugee category (e.g., CR1) where possible • notifies the local CIC and Matching Centre <p>If the refugee:</p> <ul style="list-style-type: none"> • is no longer eligible or admissible (e.g., refugee has found another durable solution), or • does not qualify under any other refugee category, and • there is no other sponsor <p>Then the visa office:</p> <ul style="list-style-type: none"> • refuses the case • provides copies of the refusal letter to all groups involved • updates CAIPS notes to indicate the reasons for the refusal
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44.6 Withdrawals where the SAH is the sponsor and reasons are unacceptable

The SAH must:

- attempt to locate another SAH
- inform the local CIC in writing, whether or not a new sponsorship group could be located.

The following table outlines what information the SAH should provide to the local CIC in writing.

If a new sponsoring group...	Then the SAH provides...
was located	information per Appendix F, Annex 1 (Details Outlined in Letter of Notification of a Change in Sponsorship).
could not be located	information and reasons per Appendix G, Annex 2 (Details Outlined in Letter of Notification of Sponsorship Withdrawal Where a New Sponsoring Group Has Not Been Located).

Note: If the reasons for withdrawal are unacceptable, the local CIC is to review the status of the SAH.

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44.7 Withdrawal where the SAH has severed all ties with the CG

In cases where there is a CG, but the SAH severs ties with that CG, an agreement as to which party will continue with the sponsorship and any other existing sponsorships, must be reached among the:

- SAH
- CG and
- local CIC.

Note: The local CIC may wish to consult with SRE for guidance.

The following table outlines the steps to take in cases where the relationship between the SAH and CG is severed.

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When...	Then...
<p>the SAH assumes responsibility for the sponsorship</p>	<p>The SAH must:</p> <ul style="list-style-type: none"> • take <i>direct</i> responsibility for the sponsorship, or • arrange for another CG to continue with the sponsorship, and • advise the local CIC and CG in writing (per Appendix F, Annex 1 - Details Outlined in Letter of Notification of a Change in Sponsorship). <p>The local CIC:</p> <ul style="list-style-type: none"> • prepares a new undertaking • enters the new sponsorship and changes into FOSS, and • advises the Matching Centre, and visa office. <p>The Matching Centre :</p> <ul style="list-style-type: none"> • updates RTS.
<p>the CG wishes to continue with the sponsorship</p>	<p>the CG must:</p> <ul style="list-style-type: none"> • apply to become a G5 • apply to become a SAH, or • locate a new SAH. <p>the local CIC:</p> <ul style="list-style-type: none"> • prepares a new undertaking • enters the new sponsorship and changes into FOSS, and • advises the Matching Centre, visa office and RHQ (if it's a regional requirement to do so) <p>the Matching Centre:</p> <ul style="list-style-type: none"> • updates RTS.

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<p>neither the SAH nor the CG is able or willing to assume responsibility for the sponsorship</p>	<p>the SAH must:</p> <ul style="list-style-type: none"> • look for another SAH to take over sponsorship • advise the local CIC and CG in writing <p>the local CIC:</p> <ul style="list-style-type: none"> • provides written notice acknowledging withdrawal of the sponsorship to all groups involved • enters the withdrawal information into FOSS, including reasons in the remarks box. • sends the details and reasons to the Matching Centre, visa office, and RHQ (if it's a regional requirement to do so) • may recommend that SRE via the Regional Office, conduct a review of the status of the SAH if reasons for withdrawal were unacceptable. <hr style="width: 50%; margin: 10px auto;"/> <p style="text-align: center;">Note: The local CIC may consult with SRE for possible solutions.</p> <hr style="width: 50%; margin: 10px auto;"/> <p>the Matching Centre</p> <ul style="list-style-type: none"> • updates RTS, and • closes its file.
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Note: If the SAH assumes responsibility for the case, this change in circumstances should not negatively affect other undertakings initiated by the SAH and the other CGs of the SAH.

44.8 Withdrawal by a CG

The following table outlines the steps to take when a CG or co-sponsor withdraws sponsorship.

Stage	Description
1	<p>The CG notifies the SAH that they cannot meet the terms of the sponsorship.</p> <hr style="width: 50%; margin: 10px auto;"/> <p style="text-align: center;">Note: If the CG notifies the local CIC instead of the SAH, the local CIC will refer the CG to the SAH before initiating any action.</p> <hr style="width: 50%; margin: 10px auto;"/>

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2	<ul style="list-style-type: none"> • the SAH will assume responsibility, • the SAH and CG will attempt to find a new CG, or • the SAH will find a new SAH.
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The following table outlines what to do based on the ability to locate a new CG

If...	Then...
a new CG is located	<p>the local CIC:</p> <ul style="list-style-type: none"> • prepares a new undertaking • enters the new sponsorship and changes into FOSS, and • advises the Matching Centre, visa office, and RHQ (if it's a regional requirement to do so). <p>the Matching Centre</p> <ul style="list-style-type: none"> • updates the RTS.
a new CG is not located, and the SAH cannot assume responsibility for the sponsorship	<p>the SAH:</p> <ul style="list-style-type: none"> • informs the local CIC in writing (per Appendix F, Annex 2 - Details Outlined in Letter of Notification of Sponsorship Withdrawal Where a New Sponsoring Group Has Not Been Located) of its intention to withdraw from the sponsorship. <p>the local CIC:</p> <ul style="list-style-type: none"> • provides written notice acknowledging withdrawal of the sponsorship to all groups involved • enters the withdrawal information into FOSS, including reasons in remarks box • sends the details and reasons to the Matching Centre, visa office and RHQ (as required), and • may recommend that SRE via the regional office, conduct a review of the status of the SAH if reasons for withdrawal were unacceptable. <p>the Matching Centre:</p> <ul style="list-style-type: none"> • updates RTS, and • closes the file

44.9 Withdrawal by a G5 or community sponsor

The following process outlines the stages in a G5 or community sponsors withdrawal.

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Stage	Description
1	The G5 or community sponsor <ul style="list-style-type: none"> • notifies the local CIC in writing of its intention to withdraw, and • provides reasons for withdrawal (per Appendix F, Annex 2 - Details Outlined in Letter of Notification of Sponsorship Withdrawal Where a New Sponsoring Group Has Not Been Located).
2	The local CIC <ul style="list-style-type: none"> • assesses the reasons given, and if unacceptable, counsels the G5 or community sponsor of possible negative implications of sponsorship withdrawal on any future plans to sponsor.
3	The local CIC <ul style="list-style-type: none"> • provides written notice acknowledging withdrawal of the sponsorship to all parties involved • enters the withdrawal information and reasons into FOSS • sends details and reasons by e-mail to the Matching Centre, visa office, and RHQ (if it is a regional requirement to do so)
4	Matching Centre updates RTS.

44.10 Reporting requirements for withdrawals

The following table shows the reporting requirements for withdrawal of sponsorship undertakings.

Group	Requirement
SAH	Reports withdrawals of sponsorship undertakings by the SAH and their CGs: <ul style="list-style-type: none"> • to the local CICs as the withdrawals occur • in the SAH's annual report to CIC.
Local CIC	Reports withdrawals to the: <ul style="list-style-type: none"> • Matching Centre, and visa office.

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45 Sponsorship breakdown

45.1 Sponsorship breakdown versus sponsorship default

A breakdown is declared if the sponsor in any way does not fulfil the terms of the sponsorship agreement. Responsibility for sponsorship breakdown may rest with the refugee, with the sponsoring group or it may not be attributable to either party. If the breakdown is determined to be the responsibility of the sponsoring group, it may result in the declaration of a sponsorship default. A breakdown will be declared rather than a default if the terms of the sponsorship are not being fulfilled due to circumstances beyond a sponsor's control (for example, a change in the refugee's personal situation, a refugee relocates to another community, or the refugee opts to go on social assistance and does not inform the sponsor).

For a more detailed explanation, please refer to the definition of "sponsorship default" in IP 3, Part 1, Section 6.47.

45.2 Potential breakdowns

Local CICs may learn about problems and potential breakdowns from:

- the sponsor
- the refugee
- a service provider organization, if financial assistance is sought, or
- the local municipal and provincial welfare authorities, if financial or housing subsidization is sought.

All potential sponsorship breakdowns require intervention by CIC.

45.3 Refugee relocation

When a refugee relocates to another community efforts should be made to continue the sponsorship. If this is not possible then the designated officer should try to find a new sponsor or obtain alternative support.

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In situation where a refugee has relocated to another city, the receiving local CIC should:	The original CIC should:
inform the original local CIC and liaise with them until a resolution is found.	meet with the sponsoring group (where CG is the sponsoring group, the SAH should also be involved).
set up a meeting with the refugee: <ul style="list-style-type: none"> • to counsel the refugee on their options, • to record their reasons for relocation. 	Advise that they are still financially responsible for the refugee until their sponsorship period has ended.
make efforts to find another sponsoring group where the original sponsoring group is no longer providing financial assistance.	
refer the refugees to resettlement assistance, where necessary.	
update databases and report the situation to the regional program manager and Matching Centre.	

Note: Where they are not willing/able to continue financial support, determine whether or not to declare the sponsorship group in default.

45.4 Refusal of refugee to return to original destination location

A sponsorship breakdown should be declared when:

- a refugee refuses to return to the original destination, and
- the original sponsoring group does not wish, or is unable to continue to support the refugee in the new location.

The receiving CIC will assess whether the refugee is in need of continued support by:

- interviewing the refugee and
- exercising flexibility in assessing the situation.

45.5 Breakdown due to marital/ couple separation

In cases of marital separation and relationship problems within a sponsored refugee family, the local CIC should:

- notify the sponsoring group if a separation has come to their attention

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- request the sponsor continue to support the household with the largest number of people, and
- declare a partial default so that sponsored refugees who are no longer the responsibility of the sponsoring group may be referred elsewhere for resettlement assistance.

The group of separated refugees without sponsorship will be treated in the same manner as those that have had a sponsorship default:

- SAH and CG sponsorships will be referred to a RAP coordinator, and
- G5s will be referred to local, municipal or provincial welfare authorities.

45.6 Roles of regions and NHQ

See the following table for references to the appropriate sections for roles and responsibilities.

For the responsibilities of	See
Regional program manager or delegate	Section 45.7
Role of Regional Director or delegate, RHQ	Section 45.8
Role of Director of Resettlement (SRE)	Section 45.9
Role of Director General, Refugees Branch, or delegate	Section 45.10

45.7 Regional program manager or delegate

The regional program manager or delegate should perform the following seven steps when the local CIC recommends in their sponsorship default report:

- suspension of sponsorship privileges for any group, or
- cancellation of a sponsorship agreement.

Step	Action
1	Review sponsorship default report provided by the local CIC
2	Provide a written recommendation of suspension or cancellation to the Regional Director, RHQ. for signature. Include: <ul style="list-style-type: none"> • any details of the case (and of previous defaults, if applicable), and • a list of all outstanding cases managed by the same sponsor.
3	Advise the concerned local CIC to cease taking sponsorships from the identified sponsoring group.
4	<ul style="list-style-type: none"> • review any outstanding sponsorships where there is a refugee or refugee family in Canada. • prepare a list of sponsorships in process (i.e., not yet arrived). • forward this list to SRE for review along with recommended next steps.

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5	Make recommendations to the Regional Director, RHQ, as to the sponsorship's viability and any action the department should take
6	<p>If the group is a CG inform the SAH of the following:</p> <ul style="list-style-type: none"> • the reasons given by the local CIC in recommending suspension of the SAH • why the CG did not fulfil its obligations, and • why the relationship between CIC and the SAH may be jeopardized if steps are not undertaken to prevent future problems.
7	<p>IF a group is</p> <ul style="list-style-type: none"> • under recommendation for suspension, and • has sponsorships in place for eligible refugees who have yet to be issued their visas <p>THEN notify the visa office to suspend processing until</p> <ul style="list-style-type: none"> • alternate sponsorship arrangements are made, or • until the visa office can consider the case for processing under another refugee category.

45.8 Role of Regional Director or delegate, RHQ

The Regional Director or delegate will perform the following two steps in response to recommendations on cancellation/suspension.

Step	Action
1	Review the recommendation of the regional program manager.
2	<p>If in agreement, proceed as follows:</p> <p>If a SAH case:</p> <ul style="list-style-type: none"> • forward the case with documentation and recommendation to the Director of Resettlement, Refugees Branch, NHQ. <p>If a CG case, send a letter to the SAH, with copies to the:</p> <ul style="list-style-type: none"> • CG • Local CIC manager • Matching Centre, NHQ. <p>If a G5 case or community sponsorship:</p> <ul style="list-style-type: none"> • send letter(s) to members of the G5 with copies to the: <ul style="list-style-type: none"> • Local CIC manager, and • Matching Centre, NHQ.

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45.9 Role of Director of Resettlement (SRE)

The Director of Resettlement, Refugees Branch, NHQ, or delegate will perform the following five steps upon receipt of a recommendation on the status of a sponsorship agreement holder.

Step	Action
1	Review the recommendation of the Regional Director, RHQ.
2	Recommend to the Director General, Refugees Branch, or delegate that the SAH be informed in writing that its sponsorship agreement is suspended or cancelled until it can be reinstated as per the sponsorship agreement.
3	Consult the Legal Department to determine if the <ul style="list-style-type: none"> • Resolution of the issue should be determined through legal processes, and • sponsoring group has clearly acted against the spirit of the agreement.
4	Provide written notice to the SAH of the: <ul style="list-style-type: none"> • difficulties that may lead to suspension or cancellation of their sponsorship agreement, and • give the opportunity to respond to this notice, rectifying the situation as per the sponsorship agreement.
5	Has the SAH requested reinstatement? If so: <ul style="list-style-type: none"> • review any submission for reinstatement from the SAH and • make a recommendation to the Director General as per the sponsorship agreement.

45.10 Role of Director General, Refugees Branch, or delegate

The Director General, Refugees Branch, or delegate, will perform the following four steps in the case of a recommendation regarding the status of a sponsorship agreement holder (SAH).

Step	Action
1	Review the recommendation of the Director of Resettlement.
2	Issue a letter to the SAH representative confirming the action taken, when in agreement with the recommendation to: <ul style="list-style-type: none"> • Suspend • cancel, or • reinstate the sponsorship agreement.

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3	Copy the Matching Centre on the letter and direct them to amend RTS and FOSS entries to reflect the Director General's decision.
4	Copy the local and regional CIC on the information provided to the Matching Centre.

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46 Sponsorship default

46.1 Sponsorship default versus sponsorship breakdown

Sponsorship default may be declared if a government makes a payment that the sponsor has promised in the undertaking to pay or if a sponsor does not respect their obligations as outlined in the sponsorship undertaking and/or settlement plan. This applies to both financial and/or emotional/social support.

Sponsorship default differs from breakdown in that once a sponsoring group has been determined to be in default, they are not permitted to submit further sponsorships until the default is resolved.

Sponsorship breakdown is reserved for situations where the terms of the sponsorship are not being fulfilled due to circumstances beyond a sponsor's control (for example, a refugee relocates to another community, the refugee opts to go on social assistance and does not inform the sponsor).

46.2 Potential defaults

Local CICs may learn about problems and potential defaults or breakdowns from:

- the sponsor
- the refugee
- a service provider organization if financial assistance is sought, or
- the local municipal and provincial welfare authorities, if financial or housing subsidy is sought.

All potential sponsorship defaults require intervention by CIC. The following steps are to be performed by the local CIC in the event of a suspected sponsorship default.

Step	Action
1	Investigating potential problems and default situations (see Section 46.3).
2	Preparing an emergency plan (see Section 46.4)
3	Holding a meeting (see Section 46.5)

46.3 Investigating potential problems

It is important at this stage to gain enough information to make proper decisions (assess the gravity of the situation, i.e., is the problem a simple misunderstanding).

Note: Where the potential default is the result of a conflict situation, it is important to remain neutral and non-accusatory, to avoid escalating the problem. Let each party explain the situation.

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To investigate the potential default, follow the steps in the table below.

STEP	ACTION
1	<p>The designated officer should refer to the:</p> <ul style="list-style-type: none"> • undertaking, • financial records, and • settlement plan. <hr/> <p>Note: Where the SAH is keeping the settlement plan on the file, CIC should request a copy.</p> <hr/>
2	<p>The designated officer should contact all parties involved in the situation which might lead to a default (sponsors, co-sponsors, sponsored refugee). Where a CG is involved, the SAH must also be contacted.</p> <p>The designated officer should:</p> <ul style="list-style-type: none"> • identify issues that may be leading to a sponsorship default, • remind the sponsoring group of their responsibilities pursuant to their undertaking, • suggest solutions to the situation, and • explain the process when a default is declared. <p>If contacting by phone, a report should be written of the call. Identify and record issues that may be leading to a default.</p> <p>If written notices are being sent, the letter should be signed by the CIC manager or delegate. The party may respond in writing or by phone to explain the situation.</p> <p>Where the situation is resolved, follow up with both parties at a later date to ensure that the problem has not resurfaced.</p> <p>Where the situation cannot be immediately resolved, book an emergency meeting. The refugee may be invited to this meeting or may be met with separately.</p>
3	<p>Where applicable, the CIC should monitor other sponsorships under the sponsoring group's responsibility to ensure that they are not experiencing similar problems.</p>

46.4 Preparing an emergency plan

At the same time as the local CIC prepares to meet the parties, the officer should assess the refugee's continuing need of financial assistance.

If the refugee is found to be in need of financial assistance, develop an emergency plan.

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An emergency plan:

- ensures the refugee continues to receive the necessary assistance
- fills the gap before a resolution is found to the problem
- should not generally extend beyond two weeks.

Note: At this point, while a CIC is investigating the problem, a default has not occurred.

46.5 Holding the meeting

Where meetings are advisable, these should preferably be conducted face to face. Where this is not feasible, teleconference calls may take place.

In preparation for the meeting, the designated officer should:

- identify who will attend
- where possible, try to ensure a level playing field (i.e., one sponsoring group representative and the sponsored refugee)
- invite SAHs where CGs are involved
- identify a translator if necessary and
- ensure ahead of time that the refugee understands and feels comfortable with the translator.

For more information, see:

- Identify who will mediate, Section 46.6
- Determine when to meet, Section 46.7

46.6 Identify who will mediate

This may be the CIC counselor, with possible assistance from the CIC manager, or a professional mediator. Clarify the role of mediator. Mediators:

- are impartial
- do not impose solutions
- use active listening skills
- help disputants understand each other's perspectives
- help maintain an atmosphere of respect
- foster communication
- help decide on settlement terms

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46.7 Determine when to meet

Ideally, a meeting should be conducted within two weeks after the conflict situation comes to the attention of the local CIC.

If the conflict is recent and emotions are very high, it may be advisable to wait until the feelings have subsided a little before meeting.

Explain to the parties that the purpose of the meeting is to:

- help the parties to the conflict come to their own resolution on how the sponsors may fulfil their commitments and relationships may be restored

46.8 Resolving potential defaults

The sponsor will not be declared in default if:

- after meeting with the sponsoring group, the sponsor continues its settlement obligations as set out in the undertaking and settlement plan,
- unforeseen circumstances affected the sponsoring group's capacity to fulfil its obligations as set out in the undertaking and settlement plan, and the sponsoring group successfully located another replacement group,
- the obligations of the sponsorship are not being fulfilled due to reasons beyond the sponsor's control. (for example, the refugee moves out of the original community of resettlement). Refer to Sponsorship breakdown, Section 45,
- irreconcilable differences between sponsor and refugee exist that impede the ability of the sponsor to provide social/emotional settlement assistance, or
- another sponsorship group is located in the community within 2 weeks. Where an SAH is involved, they are expected to take over the settlement obligations themselves or locate another Constituent Group. When a new sponsoring group is located, they should sign a new undertaking and draw up a settlement plan.

The sponsor will be declared in default if:

- they are unwilling or unable to fulfil the obligations of the sponsorship agreement. For procedures please refer to Defaults involving a sponsorship agreement holder (SAH), Section 46.9.

46.9 Defaults involving a sponsorship agreement holder (SAH)

SAHs are considered to be in default if they meet the definition of default or if one its Constituent Groups is considered to be in default. SAHs are bound by their sponsorship agreements to:

- assist their CGs in maintaining their sponsorships and
- provide for the refugees sponsored under their CGs if the CG cannot fulfil its responsibilities

When a SAH is declared to be in default their sponsorship agreement will be cancelled.

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If a SAH meets one of the conditions for ending the default and wishes to sponsor again, it will be required to sign a new sponsorship agreement with CIC, after a financial and settlement assessment has been made by NHQ. Please refer to Section 46.19, Ending default status.

Note: Default status is declared on SAHs by the Director of Resettlement at the recommendation of the CIC manager.

46.10 Defaults involving a Constituent Group (CG)

Where the sponsoring group is a CG, the SAH must be:

- contacted where CIC is aware of a problem which might lead to a default situation and
- involved in meetings between CIC and the CG

Where no resolution is found and the CG is unable/unwilling to continue the sponsorship, the SAH:

- must be consulted in determining whether to declare default status on the CG,
- is responsible for finding an alternative solution to enable the refugee to continue to receive settlement support, i.e., the SAH may find another CG to continue support, or
- may take on settlement support themselves

Where the SAH is unable/unwilling to find an alternative, they may also be declared in default

Note: Default status is declared on a CG by the CIC manager at the recommendation of the CIC Officer and SAH.

46.11 Defaults involving a group of five (G5)

Where defaults by the G5 occur, default is declared on the group as a whole.

Although legally possible, it is not expected that CICs will declare defaults on only one individual to the G5. Situations where this might occur include:

- after complaints by group members and after an investigation by CIC, the individual is found to be in clear breach of settlement duties outlined in the settlement plan;
- where one individual is not able to meet their obligations, attempts should be made to locate another member to join the group. If it is not possible to find another member, the other individuals must find an alternate solution to ensure that the refugee continues to receive settlement support the group committed to provide in the undertaking and settlement plan.

Note: Default status is declared on a G5 by the CIC manager at the recommendation of the CIC Officer.

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46.12 Defaults involving a community sponsor (CS)

The organization or association is considered to be in default.

Under certain circumstances, CIC may also declare the organization's signing authority to be in default, where it is suspected that the individual may submit future sponsorships under different associations

Note: Default status is declared on a CS by the CIC manager at the recommendation of the CIC Officer.

46.13 Defaults involving partnerships

Where settlement responsibilities are shared through a sponsorship partnership between co-sponsors, any one sponsor may be considered in default independently of the other sponsors.

When one co-sponsor is declared in default:

- the other parties to the undertaking are legally bound to cover the first party's responsibilities, including financial and/or emotional and social support.

Where the other parties will not or cannot cover the responsibilities, inform them they may also be declared in default.

Note: Default status is declared on a co-sponsor by the CIC manager at the recommendation of the CIC officer.

46.14 Declaring a sponsorship default

All attempts should first be made to resolve a situation which may lead to a default situation. Please refer to Potential defaults, Section 46.2

To declare a sponsor in default, please follow the steps in the table below.

STEP	ACTION
1	Designated officers should meet with parties involved to try to resolve the issues. Explain that if no solution is found, the sponsor may be declared in default.

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2	<p>If no solution is found, a report should be prepared including:</p> <ul style="list-style-type: none"> • events leading to default • efforts made at resolving default • recommendation (default be declared/not be declared) • reasons for recommendation.
3	<p>A letter should be sent to the sponsor (and the SAH where the CG is involved) in question:</p> <ul style="list-style-type: none"> • summarizing the information contained in the report, • outlining the recommendation, and • stating that the sponsor has two weeks to respond to the letter.
4	<p>Designated officers should send to the authority responsible for making the default determination:</p> <ul style="list-style-type: none"> • the report • a letter of response from the sponsor, if applicable and • a list of the sponsor's existing and outstanding cases (see Managing existing and outstanding cases in Section 46.16 below) <hr/> <p>Note: In the case of CGs, G5s, CSs, and partnerships the CIC manager makes the determination; for SAHs it is the Director of Resettlement, SRE-NHQ.</p> <hr/>
5	<p>The authority will make a decision on default status and issue a letter to the sponsor to reflect the decision.</p> <p>Copies will be sent to the local CIC and regional CIC.</p>

46.15 Ensuring refugees receive support

If after two weeks of declaring a default a new sponsoring group cannot be found, it is important to ensure that the refugee receives continued support.

SAH or CG sponsored refugees are to be referred to:

- RAP until they become self-supporting or until the end of the sponsorship term.

G5 or CS sponsored refugees are not eligible for RAP: they should be:

- provided a letter from CIC indicating that the sponsorship has officially been declared a default (regardless of who is responsible), and
- referred to the local municipal or provincial welfare authority.

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46.16 Managing existing and outstanding cases

Where a sponsor has been found to be in default of a particular sponsorship, the local CIC should prepare a list of cases:

- currently under the sponsor's care,
- where a visa has been issued, but the refugee has not traveled to Canada (since processing has been completed), and
- where a visa has not yet been issued

For cases under the sponsor's support currently, and for cases where visas have been issued:

- assess whether or not the sponsor is able to fulfil their obligations to these cases,
- where they are not, follow steps above to find alternate solutions to ensure refugees continue to receive support.

Where a visa has not been issued notify the visa office, copying the Matching Centre of the default and to suspend processing until:

- alternate arrangements are made, or
- the case is processed under another refugee category.

46.17 Updating electronic records

It is important to update databases and to send all needed reports of the case.

Update FOSS by entering the details in the sponsorship information screen, including:

- the date of default
- the reasons for the default
- how the situation was resolved (i.e., new group found)

Where a new sponsoring group is found:

- create a new sponsorship screen, and
- enter the details of the new sponsoring group and refugee.

Ensure RTS is updated by sending the following information to the Matching Centre:

- information on the sponsorship default
- the original sponsoring group
- if applicable, the new sponsoring group, and
- if applicable a copy of the new sponsorship undertaking

46.18 Reporting

Final Reports should be:

- sent to the regional program specialist,

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- sent to the Matching Centre, and
- kept on file at the local CIC

Final reports should contain:

- reports used by the CIC authority to make a determination on default status
- the recommendation of the delegated authority, and
- how existing and outstanding cases were managed.

46.19 Ending default status

Defaults will cease to be declared on a sponsor when the sponsor meets one of the following conditions:

- five years have passed since the sponsor was deemed to be in default (applies to sponsoring organizations only, not individuals acting as an individual co-sponsor or as part of a G5)
- the sponsor ceases to be in breach of the obligations set out in the undertaking.
- settlement obligations were breached for a period of less than one month and the sponsor made every reasonable attempt to prevent the default from occurring.
- the sponsor reimburses the government concerned in full, or in accordance with an agreement with the government.
- the sponsor has reimbursed the co-sponsor concerned in full or in accordance with an agreement with the sponsor, for amounts paid by it.