



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 4 (Joint Assistance Sponsorship 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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47 Managing JAS targets

CICs and SAHs are asked to manage JAS targets for their area. Listed below are targets for each province. The JAS target is approximately 8% of the total allocated GAR target for each Resettlement Assistance Program (RAP) centre. This percentage may fluctuate depending on the Resettlement Assistance Program (RAP) budget each year.

CIC & SAHs should try to adhere to their target so that JAS cases may be more evenly distributed. However, it is understood that some areas will do more and some areas less, depending upon their sponsorship base. The target is a goal CICs and sponsors should try to reach.

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Provincial and RAP Centre Targets:

	RAP targets	JAS targets
Newfoundland	155	12
St John's (Nfld.)	155	12
Nova Scotia	178	14
Halifax	178	14
Prince Edward Island	60	5
Charlottetown	60	5
New Brunswick	177	14
Moncton	59	5
Fredericton	59	5
Saint John (N.B.)	59	5
Ontario	2250	180
Windsor	360	29
Ottawa	476	38
London	350	28
Toronto Central	718	57
Kitchener	270	22
Hamilton	76	6
Manitoba	570	46
Winnipeg	570	46
Saskatchewan	470	38
Regina	195	16
Saskatoon	200	16
Prince Albert	35	3
Moose Jaw	40	3
Alberta	840	67
Edmonton	376	30
Medicine Hat	51	4
Calgary	295	24

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Red Deer	59	5
Lethbridge	59	5
British Columbia	800	64
Vancouver	800	64
All Provinces	5800	440

Note: Some regions may restrict destining JAS cases to only RAP centres.

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48 Processing JAS cases

48.1 Who can sponsor a JAS case?

Only Sponsorship Agreement Holders (SAHs) and their Constituent Groups (CGs) can sponsor JAS cases.

48.2 Process for JAS

The following table describes the steps in processing JAS cases. For the overseas processes, please refer to OP 5.

Step	Action
1 Visa Office	The Visa Officer requests a sponsor. For more information please refer to OP 5.
2 Matching Centre	<p>The Matching Centre will</p> <ul style="list-style-type: none"> • review the request for a sponsor and information provided by the Visa Office, • complete a refugee profile, and • contact the Visa Office if information is missing. <hr/> <p>Note: In UPP cases the MC will review inventory of sponsors who are able to respond quickly and will send information, likely without a profile, directly to the sponsor and local CIC.</p> <hr/>
3 Matching Centre	<p>The profile will be translated and posted on the CIC/SAH secure section of the refugee resettlement web site (http://www.cic.gc.ca/ref-protection/) for 12 months.</p> <p>In some cases, short-term extensions may be given. If no sponsor has been found within the time frame, the Visa Office will be informed and the case will likely be refused.</p>

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<p align="center">4 Local CIC</p>	<p>A sponsor may contact the local CIC to request more information regarding the refugee profile. The local CIC should provide additional information on refugee profiles within 10 days from the time a request is received.</p> <p>The Local CICs can print off CAIPS information and provide the sponsors with information excluding:</p> <ul style="list-style-type: none"> • the names of the refugee, • sensitive medical, criminal, and security information, and • information that has been asterisked by the Visa Officer. <p>If officers are unsure they should consult Privacy Manual (PM) and Access to Information Manual (AM) or Public Rights Administration (BMX) (fax: 613-957-6517).</p>
<p align="center">5 Local CIC</p>	<p>CICs should review the profiles carefully to determine if a particular refugee profile may be suited to the community and sponsoring group. The sponsoring group and community should be able to meet the needs of that refugee(s) according to the profile. Some things you may look for in a profile are:</p> <ul style="list-style-type: none"> • Does the refugee's ethnic background exist in the community? • is there is reasonably priced housing to accommodate the family size? • does your community has the proper supports such as trauma counseling, language training etc? • does the refugee(s) have family in your area? • any other pertinent information.
<p align="center">6 Local CIC</p>	<p>Once an application has been received, or a strong commitment that an application for sponsorship will be forth coming from the sponsoring group, the CIC should contact the Matching Centre so that the profile may be taken off the Web site.</p> <hr/> <p align="center">Note: Local CIC should advise the Matching Centre within two working days from the time a sponsorship is received.</p> <hr/>
<p align="center">7 Matching Centre</p>	<p>The Matching Centre will immediately (within two working days) remove the profile from the Web site.</p>

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<p>8 Local CIC</p>	<p>A Notification of Arrival Transmission (NAT) will be provided to the sponsor within 5-8 days. Sponsors should be made a ware of any family travelling with the sponsored refugees because often sponsors are asked to provide support to more than just the sponsored refugees.</p>
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49 JAS under one-year window of opportunity program (OYW)

49.1 General Guidelines

- In cases where the PA was selected under a JAS, the PA will submit a request for the processing of the non-accompanying family members at the local CIC responsible for providing their RAP income support benefits. All steps from stages 1 to 6 in Section 50.2 will apply.
- The local CIC will evaluate the level of support required with the inclusion of the following non-accompanying family members under OYW.

Example: A case may no longer qualify as a JAS if the arrival of the non-accompanying family members will provide adequate care and support to the PA. The reverse could also happen. The circumstances of the non-accompanying family member(s) may be such that the visa officer will recommend the support of a JAS. The local CIC can switch the level of assistance and should consult with NHQ for procedures.

49.2 Procedures for JAS under one-year window of opportunity program (OYW)

For information regarding eligibility under the OYW, please refer to IP 3, Part 1, Section 9, One-year window of opportunity program (OYW).

Stage	Description
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<p>1. Receipt of Notification at the Local CIC</p>	<p>Once the principal applicant (PA) receives information from his non-accompanying family members, he/she will:</p> <ul style="list-style-type: none"> • contact, by mail or in person, the local CIC responsible for providing their Resettlement Assistance Program (RAP) income support benefits and will • submit a Request Form (see Appendix J) for processing their non-accompanying family members. <p>For JAS cases:</p> <p>The sponsor can assist the PA in contacting the local CIC and submit the Request Form (see Appendix J.).</p> <p>A copy of the original undertaking form, which includes the non-accompanying family members, must also be provided to the local CIC.</p> <p>The local CIC will verify that the settlement needs of the non-accompanying family members will be met once they are in Canada. This can be done verbally with a note on file unless there is a change of circumstances that would necessitate a re-assessment of the settlement plan to ensure that it is adequate.</p> <hr/> <p>Note: The PA should be reminded that the non-accompanying family member must submit a permanent resident visa application IMM 0008EGEN within one year from the date of the PA's arrival in Canada". See R141(1)(b).</p> <hr/> <p>The local CIC or the sponsor, where appropriate, should counsel the PA to send the application IMM 0008EGEN to the non-accompanying family members, and advise them to indicate on their application that they are applying under OYW. This will speed up the processing abroad.</p>
<p>2. Local CIC Informs the Visa Office</p>	<p>The local CIC will forward the following information by e-mail or by fax to the appropriate visa office, namely the visa office that serves the area where the non-accompanying family members reside:</p> <ul style="list-style-type: none"> • a notification that the PA sent the IMM 0008EGEN to each non-accompanying family member, where applicable, and • the Request Form (Appendix J) or the information contained therein, or the Non-Computer- Based entry (NCB) 12 General Information entered under the PA's Field Operation Support System (FOSS) ID number. The NCB should include the same information as found on the Request Form. <p>For JAS cases, the local CIC will also inform the visa office that:</p> <ul style="list-style-type: none"> • an adequate settlement plan exists for non-accompanying family members or • that other options must be examined.

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<p>3. Processing at the Visa Office</p>	<p>Please refer to OP 5.</p>
<p>4. Local CIC Calculates the RAP Income Support Benefits</p>	<p>For Government-assisted Refugees (GARs) and Joint Assistance Sponsorship (JAS) cases, the local CIC will:</p> <ul style="list-style-type: none"> • contact the PA and determine the new family structure and needs • calculate the Resettlement Assistance Program (RAP) monthly income support benefits for the following non-accompanying family members and • may advance some funds to the PA, if necessary, to allow for their appropriate settlement arrangements <p>See RAP Guidelines under OYW, Appendix B, Annex 13.</p>
<p>5. Processing of Transportation Loan by Local CIC and Visa Office</p>	<p>If the PA requests a transportation loan for the following non-accompanying family members, the local CIC will:</p> <ul style="list-style-type: none"> • have the PA sign an Immigration Loan and Undertaking to Repay (IMM 0501B) form and • request that the visa officer have the following dependent children (other than minors) sign an Immigration Loan (IMM 0500E) form and fax the local CIC a copy of the signed form. Refer to OP 17. <p>Reminder:</p> <p>Non-accompanying family members would have been included previously in the assessment for loan approval by a visa officer. See OP 5, Section 13.7 and OP 5, Section 13.17.</p> <p>Although the PA can put the dependent children on his own transportation loan; 18-22 years old can also have their own transportation loans.</p>

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<p>6. Processing of Travel Arrangements by Local CIC and Visa Office</p>	<p>Once all the non-accompanying family members have received their permanent resident visa, the visa office will</p> <ul style="list-style-type: none"> • contact the International Organization Migration (IOM) office and or a travel agent, whoever is most appropriate in that country, to make the travel arrangements, or • contact the local CIC who will advise the PA to contact IOM New York or a travel agent to make the travel arrangements. See OP 5, Section 13.17. <p>A Notification of Arrival (NAT) will be sent once the travel arrangements have been made.</p> <ul style="list-style-type: none"> • In cases where IOM acted as the travel agent, IOM or the visa office will send a NAT to the local CIC with copy to the Matching Centre with the date and time of arrival of the non-accompanying family members. • In cases where a travel agent other than IOM was used, the visa officer will send a NAT to the local CIC, copy to the Matching Centre, with the date and time of arrival of the non-accompanying family members.
<p>7. Orientation in Canada</p>	<p>For GARs, the local CIC, in consultation with the PA, the RAP Service Provider Organization and, if applicable the JAS sponsor, will determine the following non-accompanying family members' orientation needs to be provided by the reception centre.</p>

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50 Counselling JAS cases

50.1 Relationship between CIC, sponsor, SPO and refugee

Communication and clarification of roles/responsibilities allows for an improved JAS process. Communication should begin with the selection process and the parties should be kept up to date with new information.

It is important for CIC to help build a relationship between the sponsor and the refugee because sponsors are:

- the refugee's primary point-of-contact, and
- are responsible for their settlement in the community.

Local Designated officers should counsel sponsors to be at the airport for the arrival of the refugee as the first point of contact to initiate the sponsor/refugee relationship.

Services provided by SPOs to refugees on arrival should not interfere with the development of the sponsor/refugee relationship.

50.2 Basic Orientation

It is important that local CICs welcome the sponsors and encourage them to attend orientation sessions with the refugees to:

- maximize their contact with the refugees during their first crucial days, and
- familiarize them with what the refugees do and do not know.

Providing the sponsor, with a schedule of orientation dates and times, well in advance, can facilitate sponsor participation in these sessions.

Basic orientation, similar to that for government-assisted refugees (GAR):

- is usually provided by Service Provider Organizations (SPOs); and
- may be delivered by local CICs in communities outside of RAP centres.

Sponsors should be involved as much as possible in all stages RAP including:

- orientation sessions,
- search for housing,
- accompanying the refugee(s), as much as possible, to appointments etc.

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51 Monitoring JAS sponsorships

51.1 Reviews done by Local CICs

Local CICs must conduct formal reviews of JAS cases approximately 6 to 10 months after their arrival in Canada. Earlier intervention may be undertaken in cases of potential sponsorship breakdown. Refer to Appendix H, Annex 2, Joint Assistance Sponsorship form.

The purpose of the local CIC review is to:

- determine how the refugee is establishing him/herself;
- identify whether the refugee's needs are being met;
- identify if the refugee situation has changed (eg. a woman at risk whose husband has now arrived under the One-year window)
- identify if income support is still required for an extended period of time (over 12 months) based on information from above noted assessment;

A recommendation may be made to:

- replace the sponsorship because of incompatibility or changed circumstances;
- continue the sponsorship and income support beyond 12 months;
- continue the sponsorship in an altered manner (e.g. income support may no longer be required, however, settlement support is still necessary); or
- discontinue the sponsorship due to
 - sponsorship breakdown;
 - a new sponsor being needed;
 - refugee self-sufficiency; or
 - agreement between sponsor, CIC and refugee that assistance is no longer required.

Note: All requests to modify assistance must be done in consultation with the sponsor.

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52 Special Needs Cases

The following table provides policy details for refugees with special needs.

Category	Description	Notes
Orientation and settlement	<p>Basic orientation, similar to that for government-assisted refugees (GAR):</p> <ul style="list-style-type: none"> • is usually provided by Service Provider Organizations (SPOs); and • may be delivered by local CICs in communities outside of RAP centres. <p>The sponsor's role is to provide significant:</p> <ul style="list-style-type: none"> • settlement assistance; • emotional support; and • to connect the refugees to services in their community. 	
Medically inadmissible refugees	New policies are being developed.	<p>For more information, please refer to:</p> <p>OP 15, Medical Procedures</p> <p>ENF 2, Evaluating Inadmissibility</p> <p>IRPA - A38(1)(2)</p>
Elderly refugees	<ul style="list-style-type: none"> • Keeping families together outweighs other settlement factors. • United families resettle much faster. • Allowing a greater number of elderly refugees to meet admissibility requirements has implications on RAP and/or private sponsorship settlement services and assistance. 	

52.1 Unaccompanied minors

The preferred solution for most minor refugees is to reunite them with their immediate family. Reunion with immediate family relatives in Canada is desirable where there are none overseas. The Visa Officer will work closely with the UNHCR to determine whether resettlement is an appropriate

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solution for an unaccompanied minor refugee. In such cases the Visa Officer will ensure that long-term arrangements have been made for the care of the minor refugee in Canada.

Note: CIC is currently working with provinces to develop procedures for the processing of unaccompanied minors. At the time of publication, a moratorium exists excluding truly separated minors from resettlement to Canada. Truly separated minors are defined as those children who have no adult who is capable and willing to care of them either overseas or in Canada.

If the refugee is a minor with no known relatives to support them overseas but has extended family in Canada, the visa office will refer the case to the Matching Centre, which in turn will refer the case to the RHQ. The RHQ will contact the relative(s) to discuss their willingness and ability to provide support to the minor. At the same time, the RHQ will ensure that provincial requirements regarding guardianship are met and, where appropriate, arrange a home visit with the provincial authorities responsible for youth protection. Should the relative be unable to support or assist the minor, the RHQ will seek the assistance of the provincial authorities. As procedures vary from province to province, it is important to consult SRE.

52.2 Provincial age of majority and maximum age for child protection

The chart below shows the provincial age of majority compared with the maximum age for provincial child protection. Where large gaps occur between the age of majority and the maximum age of protection, it should be ensured that the province is flexible in providing support for the minor.

Age of Majority as per child welfare legislation	Maximum age for child welfare protection	Age for Compulsory School Attendance	Age at which Minor can sign for Medical Care	Legislation concerning Custody and Guardianship
British Columbia				

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19 years	18 years	7-15 yrs. Must attend school or parents must provide schooling.	At ages 16, 17, 18 yrs. parental consent not required if reasonable efforts were made to contact the parents; if the minor understands the nature of the illness and treatment if the minor doesn't live at home: or if a second medical opinion is provided.	Family Relations Act
Alberta				
18 years	18 years	16 years	18 years	Domestic Relations Act
Saskatchewan				
18 years	16 years	7-16 yrs is the provincial guideline but actually defined by the school board.	18 years but 16 and 17 where parents are not available.	The Infants Act
Manitoba				
18 years	18 years			The Child Welfare Act
Ontario				
18 years, but a child can voluntarily withdraw from parental care at 16 years.	16 years	6-16 years	16 years	<i>Children's Law Reform Act, part IVI</i>
Quebec				
18 years	18 years	6 years until the June 30th following the 15th birthday		Youth Protection Act

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New Brunswick				
19 years	16 years (19 if disabled)	16 years	16 years	Child and Family Services, Family Relations Act
Nova Scotia				
19 years	16 years	5-16 years	16 years if separated from family, otherwise 18 years.	Children's Services Act, Maintenance of Children Act, Guardianship Act, Infants Custody Act
Prince Edward Island				
18 years	18 years	7-16 years	18 years	Family and Child Services Act
Newfoundland				
19 years	16 years	6-15 years or the June 30th following the 15th birthday	19 years	Child Welfare Act, Custody Jurisdiction and Enforcement Act
Yukon				
19 years	18 years			<i>Children's Act, Part II</i>
Northwest Territories				
16 yrs but guardianship can be extended to 19 years	19 years			Child Welfare Ordinance Domestic Relations Ordinance, Part I

52.3 Process for minor refugees with extended family in Canada

The following table indicates the process that occurs when a case is received involving a minor refugee:

- with extended family in Canada, and
- where resettlement is the only durable solution.

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Stage	Description
1	Visa Office refers a case involving the refugee minor to the Matching Centre.
2	Matching Centre receives the case and refers it to the appropriate local CIC Office.
3	The local CIC <ul style="list-style-type: none"> • seeks the assistance of Provincial authorities, or • contacts RHQ, if necessary.
4	Then the local CIC <ul style="list-style-type: none"> • contacts the relative(s) • discusses their willingness and ability to provide support to the minor IF... <ul style="list-style-type: none"> • the relative is unable to provide support to the minor • the local CIC does not find a sponsor • a sponsor cannot be found THEN... <ul style="list-style-type: none"> • the local CIC seeks a sponsor • the local CIC contacts the Matching Centre, which contacts another local CIC; • the application is not processed. At the same time, the local CIC <ul style="list-style-type: none"> • ensures that Provincial requirements regarding guardianship are met, and • arranges for home visits by provincial authorities responsible for youth protection if required.

Note: Procedures vary from province to province so Visa Offices and Regional Offices should consult with SRE before processing.

52.4 Processing elderly refugees

Local CICs should advise groups wishing to sponsor elderly refugees that an extended period of sponsorship will probably be required.

For more information, please refer to:

OP 5, Section 22, Special Needs Refugees.