



Citizenship and
Immigration Canada

Citoyenneté et
Immigration Canada

PP 4

Processing Protected Persons' in-Canada Applications for Permanent Resident Status

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1 What this chapter is about

This chapter describes the processing of inland applications for permanent residence made by protected persons (including Convention refugees).

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2 Program objectives

The granting of permanent resident status to protected persons helps fulfill Canada's international legal obligations with respect to refugees and affirms Canada's commitment to international efforts in providing assistance to those in need of resettlement.

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3 The Act and Regulations

For More Information About	Refer To
Application for permanent resident status: humanitarian and compassionate grounds	A25(1) 5(1) R66
Authority to make conditions in the Regulations	A26(b) A26(d)
Definition of "family member"	R1(3)(a) to (c)
Entering and remaining in Canada	A20(1)
Fees for applications to remain in Canada as a permanent resident	R301(1)
Identity documents and alternate documents -permanent residents	R50(1)(a) to (h) R178(1) and (2)
Immigration objectives	A3(1)(h) and (i)
Inadmissibility for applying for protection	A112(2)
Inclusion of family members on application to remain in Canada as a permanent resident	R176
Medical examination and inadmissibility	A16(2)(b) A38(1) R30(1)(a) and (b)
Members of the post-determination refugee claimants in Canada class (PDRCC)	R347(3)
Members of the undocumented Convention refugee in Canada class (UCRCC)	R347(2)
Persons inadmissible for reasons of health	A38(1)
Persons who are inadmissible on grounds of organized criminality	A37(1)
Persons who are inadmissible on security grounds	A34(1)
Persons who cannot become permanent residents	R177(a) to (e)
Permanent resident status	A21(1) and (2)
Prescribed period within which a protected person may apply for landing	R175(1)
Requirement that refugee claimants undergo medical examination	A16(2)(b), R29, R30(1)(a)

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Reasons for which people cease to be protected persons	A108(1)(a) to (e)
Report on inadmissibility	A44(1)
Serious criminality	A36(1)
Stay of a removal order	A114(1)(b)
Study permits and work permits	R206(a) and (b) R207(c) to (e) R215(d) and (g)
War crimes, crimes against humanity	A35(1) and (2)

3.1 Forms Required

The forms required are shown in the following table.

Form Title	Form Number
Certificate of Retention of Canadian Citizenship	CIT 0440B
Medical Report - Section A Client identification and summary	IMM 1017E
Medical Surveillance Undertaking	IMM 0535B
Immigrant Visa and Record of Landing	IMM 1000B
Applying for Permanent Residence from within Canada, Protected Persons and Convention Refugees	IMM 5205E
In Canada Application for Permanent Residence	IMM 5202E
Fees Receipt	IMM 5401B
Applying for Permanent Residence from Within Canada Humanitarian and Compassionate Cases	IMM 5291E
Request for Screening Action	IMM 0703B

4 Instruments and Delegations

Nil.

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5 Departmental Policy

CIC recognizes the plight of foreign nationals who have reached Canada in their efforts to escape persecution in their country of nationality. Foreign nationals and their family members who have been granted protected person status in Canada are taking the next natural step, which is applying for permanent resident status.

Note: Our policy is to manage the landing process by ensuring that legislative and regulatory requirements are met before the persons are granted permanent resident status.

Subsection R176(2) is an example of a new provision to allow family members outside Canada who were identified but who were not processed with the principal applicant to apply for landing within one year following the day the principal applicant became a permanent resident in Canada. Subsections R178(1) and (2) reflect recent jurisprudence on the regulatory requirements when an applicant for permanent resident status is without a valid passport or travel document.

Note: The policy intent is to accept other forms of identity documentation when country conditions are such that the applicant is unable to obtain identity documents issued by an authority recognized in subsection 50(1)(a) to (h). This new provision will allow faster landing of protected persons originating from countries that are without central governments.

5.1 Immigrant Settlement and Adaptation Program (ISAP)

Funds are provided to non-government organizations at the community level to deliver direct, essential services to newcomers, including: reception, information and orientation, translation and interpretation, referral to community resources, para-professional counseling, and employment-related services. Immigrant settlement organizations are listed in the yellow pages of the local telephone directory under Social Service Organizations.

ISAP funded agencies sometimes operate job-finding clubs. The job-finding clubs provide intensive three-week courses to assist newcomers in understanding the Canadian labour market and how to fill out a job application, write a résumé, handle a job interview, and approach potential employers.

5.2 Host Program

Non-governmental organizations are funded to recruit, train and monitor volunteers, individuals or groups, who help newcomers adapt, settle, and integrate into Canadian life. Resident Canadians develop friendships with newcomers. As they learn about the newcomers' home countries and cultures, Canadians help newcomers practice English or French, participate in community social events, and find employment opportunities. Immigrant settlement organizations are listed in the yellow pages of the local telephone directory under Social Service Organizations.

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5.3 Transportation Loan Program

Where the protected person chooses to include family members who are outside Canada in their application for permanent residence, the protected person will be responsible for the transportation expenses the family members incur in order to meet immigration requirements. The costs of travel incurred by family members included in the application for permanent residence, to their place of final destination located in Canada using the most direct route and at the most economical rate available, is an example of what transportation expenses are eligible under this program. The Transportation Loan Program is funded by the Consolidated Revenue Fund and is replenished by repayments on the loans. Loans are approved according to need and ability to repay.

5.4 Language training

Language training opportunities are currently provided to adult immigrants through:

- Language Instruction for Newcomers to Canada (LINC) - Through LINC, newcomers learn basic communication skills to help them integrate into the community and to provide them with the language skills they need to pursue more advanced training. LINC training will usually be offered during the immigrant's first year in Canada and course material will introduce newcomers to Canadian values, rights, and responsibilities.
- Labour Market Language Training (LMLT) - Through LMLT newcomers with existing job skills who are trying to enter the labour market will have access to advanced language training. Under LMLT, participants can have access to unemployment insurance, social assistance benefits, as well as training allowances.

Language training is delivered by a variety of service providers across Canada.

5.5 Quebec residents

In Quebec, the services for the reception and the linguistic and cultural integration of permanent residents and refugees are provided by *le Ministère des Affaires internationales, de l'Immigration et des Communautés culturelles*.

Note: Refer the applicants to the nearest office of the MAIICC.

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6 Definitions

Nil.

7 Processing Applications for Permanent Resident Status

7.1 How clients submit an application

The client can obtain application kit [IMM 5205E] *Applying for Permanent Residence from within Canada, Protected Persons and Convention Refugees* from the Immigration and Refugee Board (IRB), by phoning a local CIC Call Centre or from our Web site. The first 12 pages of the kit contain information and instructions on how to complete the application and explain what fees and documents are required before the client can send the application to CPC Vegreville for processing.

7.2 Date of the application

An application is considered to be made on the day it, along with the relevant cost recovery fees, is received at CPC Vegreville.

7.3 Screening the application form for completeness

Applications and the supporting documentation must be reviewed to verify:

1. Proper completion of the application ([IMM 5202E]):
 - that the applicant has signed the application;
 - if any family members in Canada are over 18, that they have completed a separate [IMM 5202E] application.
2. That the applicant has enclosed the following documentation:
 - 2 passport-sized photographs of each family member in Canada (in addition to the photographs that accompany the application);
 - a photocopy of the applicant's identity document; and
 - a photocopy of the letter from the IRB indicating the applicant is a protected person, or of the notice from a PRRA officer indicating the applicant is a protected person.
3. Proof the applicant is a protected person.

Note: The Refugee Protection Division (RPD) of the IRB gives written notice of its decision to the refugee claimant and to the Minister. The applicant is nevertheless asked to provide a photocopy of the Board's decision, at the time an application is made.

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Field Operations Support System (FOSS) should be checked to verify that the applicant has been determined to be a protected person. This information is found in the Refugee Monitoring module under the RPD results screen.

Note: If FOSS does not indicate the person has been found to be a protected person, the responsible IRB office should be contacted to verify the status of the claim prior to landing.

Successful PRRA (Pre-Removal Risk Assessment) applicants will receive a letter from a CIC PRRA officer indicating that their application has been accepted. That letter constitutes valid proof that the person is a protected person.

4. The applicable cost recovery fee has been submitted.

7.4 What to do if the application is incomplete

If the application does not include the required documents or is unsigned:

- enter in FOSS the date the application was made and the reason for the return;
- return the entire package to the client with a letter explaining the reason for the return.

Note: Do not return the application if the only reason for return is the lack of a letter from the IRB or a PRRA officer, unless protected person status cannot be determined in FOSS.

If the client has neglected to complete a portion of the application, (e.g., addresses for the past ten years), the officer at the CPC should try to obtain the information by telephone.

7.5 Tracking the application

FOSS tracks processing of applications for permanent residence made by protected persons through the Case Processing Support (CPS) module.

Applications made by protected persons must be entered in the CPS module when they arrive at the CPC:

- the "approved-in-principle" field should indicate the case has or has not been provisionally approved at the time the eligibility decision was made per [Section 9.1](#) below;
- "Y" should be entered in the "proof of identity" field if a satisfactory document has been submitted;
- "N" should be entered if one has not been provided.

Note: This may be changed to a "Y" later should the applicant provide a document.

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When the requirements listed in [Section 9.3](#) below have been met, the results and the date received should be entered into the CPS module.

Once all requirements have been met, the landing information will be entered into the CPS module by officers at the CPC.

Note: The office of issue will be entered as the closest CIC to where the client lives.

The CIC will, according to local procedure, print landing documents on a regular basis. The CIC will send a call-in notice or letter to the client advising of the time to attend for landing.

7.6 Abandonment: process when applicant in default

CIC can proceed to abandonment when the applicant is in default by not providing information in order to process the application. This includes the applicant's failure to respond to correspondence sent by CIC seeking to obtain necessary information in order to process the application, and failure to appear for required interviews.

Note: The applicant must be given an opportunity to be heard before CIC declares the application abandoned.

To allow this opportunity to be heard, an officer is required to send a letter to the applicant's last known address and forward a copy of the letter to the last known counsel on record for the applicant.

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8 Fees and Proof of Payment

8.1 Processing fees

The following fees apply to protected persons and their family members for the processing of an application for permanent resident status from within Canada:

Category of Applicant	Fees Required
Principal applicant	\$550
Family member, 22 years of age or older	\$550
Family member, less than 22 years of age who is a spouse or partner	\$550
Family member, less than 22 years of age but not a spouse or partner	\$150

8.2 Proof of payment

The only acceptable proof of payment for the processing fees is the "copy 2" portion of the original receipt ([IMM 5401B]).

Note: If an application is not accompanied by the processing fees or if the fees are paid in a method of payment other than [IMM 5401B], return the kit to the applicant with a letter requesting that the fees be paid in the proper method of payment.

9 Assessing Eligibility

9.1 Determining eligibility of the principal applicant

In order to be eligible to apply for PR, the applicant must have been determined to be a protected person by the Immigration and Refugee Board or by CIC.

In order to be eligible to apply for PR, the applicant must **not** be:

- a person who has been the subject of a decision under A108 or A109 or A114(3). These groups include persons who have obtained protected person status by misrepresentation, or persons who have had their protected status vacated or who have acquired a new nationality;
- a permanent resident;
- a person who has been recognized by a country other than Canada as a Convention refugee and who would be allowed to return to that country;
- a person who has permanently resided in a country other than the country of persecution and to which they would be allowed to return.

9.2 Calculation of the 180-day period

In order to be eligible, all applicants are required to apply for permanent resident status within 180 days of having received a written determination from the Immigration and Refugee Board or a written decision of the Minister indicating that they are a protected person (R175).

Note: An additional seven days is provided for mailing. For example, CIC will accept an application for permanent residence on or any time before the 187th day from the date indicated on the written decision confirming protected person status.

In cases where an original application was received within 180 days, but was returned to the applicant, the applicant must be informed that if the kit is not returned within 90 days, they will not be considered for PR as a protected person.

9.3 What to do if a protected person is ineligible to apply

The procedure to follow when it has been determined that an applicant is ineligible to apply for PR depends on the reason for ineligibility. The CPC should send the kit to the applicable CIC for refusal. In all cases of refusal, the applicant must be advised in writing of the decision.

- If an applicant is described in R177(a), the CIC will determine whether an application should be made to have the person's protected person status vacated.
- Protected persons who fail to apply within the 180-day period cannot be granted PR status under R175(1). Clients should be advised that:

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- they must make an application for permanent residence on humanitarian and compassionate grounds under R66;
- they are required to submit an application for PR from within Canada ([IMM 5205E]) accompanied by an H&C application ([IMM 5291E]) with the required proof of payment of the processing fees [R301(1)(b)];
- that ministerial exemptions under A25(1) are considered on a case-by-case basis. The fact that a protected person failed to apply within the prescribed period of time does not affect their protected person status.

Note: If an applicant has not been determined to be a protected person, the kit and fee should be returned to the client with a letter of explanation.

9.4 Eligibility of family members

Once it is determined that a protected person is eligible to apply for permanent residence, their spouse and dependent children in Canada and abroad are also eligible provided that they meet the definition in R1(3) of “family member.”

Note: Family members abroad may apply to an officer outside Canada within one year after the day on which the principal applicant becomes a permanent resident (R176).

Protected persons will be informed that their family members must meet statutory requirements in a general information letter by the CPC.

Although protected persons do not have to seek landing on behalf of all of their family members, they must provide details of all family members in their application for PR.

The protected person may choose which of their family members will be included for PR as part of their application. Family members may be added to the application if done so within the prescribed period of time as outlined in [Section 9.2](#).

Note: If family members are included but cannot be located in order to be examined by the visa office, landing of the principal applicant will be delayed.

A protected person cannot be granted PR status until all dependants for whom PR is sought meet all the requirements of A21(2).

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9.5 Removal of a family member from the application

If protected persons wish to remove a dependant from their application, they may do so at any time up to the point of visa issuance.

Note: Because permanent separation may result, they must be asked to sign a statutory declaration acknowledging this possibility. This may occur if the family member cannot be located and therefore cannot be examined.

Once protected persons become permanent residents, they may apply to sponsor their family members who were not included in their application for PR, provided that they still meet the definition of family member.

Note: As this is a sponsorship, the one-year time limit under R176(2)(a) does not apply to family members who were not included in the initial application for permanent resident status.

9.6 Screening the application for eligibility

The application ([IMM 5202E]) should be screened for the following:

- eligibility of the principal applicant

Questions 1 to 4 in Area "L" of the [IMM 5202E][IMM] pertain to the applicant's eligibility to apply. Review the answers to these questions to determine if the applicant meets the eligibility criteria outlined in [Section 9.1](#).

If the applicant has not been determined to be a protected person or answers yes to any of the questions from 1 to 4 in Area "L", the applicant is not eligible to apply for permanent residence.

- eligibility of family members to [IMM] apply (See [Section 9.4](#) for more information.)

The applicant must provide details of all family members, in Canada or outside Canada, on their application for PR.

Areas "B" and "C" on the [IMM 5202E] provide information on family members. Ensure that the persons included in the application meet the Regulation 1(3) definition of "family member". That is, they are the "spouse", "dependent son" or "dependent daughter" of the principal applicant. (Take note of the relationship to the applicant and age of the dependant.)

9.7 Positive decisions regarding eligibility

Once a protected person is considered eligible to apply for permanent residence, the client should be sent a letter advising that the application has been "approved in principle". This letter will also be used to request any further information required to process the case (e.g., identity documents, supplementary forms for background checks, medical information, etc.).

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If the applicant lives in Quebec, a copy of the [IMM 5205E] and a covering letter must be sent to the Ministère des Affaires internationales, de l'Immigration et des Communautés culturelles (MAIICC).

10 Assessing Admissibility: for Granting Permanent Residence Status to a Protected Person and Family Members

10.1 Adhering to policy intent

Prior to granting permanent residence to any person, it is necessary to be reasonably sure that certain objectives are furthered. These are:

- protection of the health and safety of Canadians, and maintenance of the security of Canadian society [A3(1)(h)]; and the promotion of international order and justice by denying the use of Canadian territory to persons who are criminals or security risks [A3(1)(i)];
- the requirement that all persons undergo medical and security clearances prior to landing is one way that these objectives are met;
- foreign nationals who have been determined to be protected persons and their family members included in the application are eligible to apply for permanent resident status regardless of medical conditions. They may be medically inadmissible under A38(1) but still obtain permanent residence under A21(2).

Note: Protected persons shall not be granted PR status if they, or any of their family members for whom PR status is sought, are inadmissible under A112(3), A34, A35, A36(1), A37.

10.2 Security and criminal screening

Security screening is initiated for all claimants at the time the claim for protection is submitted. FOSS, or more specifically the Front End Refugee Security Screening module will allow officers to enter the information for the purpose of performing the screening process.

- The claimant information is then sent electronically to CSIS using the FOSS/CSIS interface in order to begin the security screening.
- The results of the security screening will be valid for a period of 18 months. It is likely that in most cases the security checks will have expired once the application for PR is submitted. The officer must then request an update of the security checks.

Note: Screening for inadmissibility on criminal grounds is done by the Royal Canadian Mounted Police.

- Initiate both types of clearances by completing Form [IMM 0703B], Request for Screening Action.
- Forward a copy of the application form ([IMM 5202E]) and pages 1 and 2 of the completed [IMM 0703B] to the appropriate security screening officer.

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- Forward to the RCMP a photocopy of the application ([IMM 5202E]) and pages 3 and 4 of the completed [IMM 0703B].
- In some cases, additional forms must be submitted along with [IMM 0703B].

Note: Background checks are done for all applicants and their accompanying family members.

Once these agencies have completed the screening, the results, upon which an applicant's admissibility can be then determined, are sent to the originating office.

- Check the copies of the [IMM 0703B] returned to the CPC to see if either agency has indicated that the applicant may be inadmissible for PR.

10.3 Medical examination

Protected persons and their accompanying family members are required to undergo a medical examination R30(1)(a).

The medical examination is not for the purpose of declaring a protected person or family members to be medically inadmissible; rather, the examination takes place for the purpose of identifying medical conditions so that treatment can occur.

Note: Protected persons and their family members in Canada and abroad can be granted PR even if they do not meet medical requirements.

- Verify in FOSS whether applicants and family members in Canada have completed a medical examination.
- If it is indicated that a medical examination has not been completed, send the applicant medical forms ([CIT 0440B] and [IMM 1017E]) and a list of designated physicians.
- If overseas dependants are included in the application, procedures in [Section 11.1](#) below must be initiated.

Under A26(d), an officer may, when granting landing, impose conditions of a prescribed nature.

- R30(1) combined with R32, allows an officer to impose a condition requiring an applicant who does not meet normal medical requirements to report for medical examination, surveillance, or treatment at times and places specified by the immigration officer.
- An [IMM 0535B], Medical Surveillance Undertaking, should also be completed when required.
- When issuing an immigrant visa to a family member who does not meet normal medical requirements, the visa officer should indicate which of the above conditions should be imposed at the port of entry. An [IMM 0535B] should be completed when required.

Note: If, in the opinion of a medical officer, a family member requires special medical attention, the visa office must advise the Director, Immigration and Overseas Programs, International

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Service Group, who will in turn advise the appropriate provincial health authorities sufficiently in advance of the person's arrival in Canada.

10.4 Requirement for passport, travel document, or satisfactory identity document

Protected persons and their family members shall not be granted PR status until the protected person is in possession of a valid and subsisting passport or travel document described in paragraph R50(1)(a) to (h) which lists the following documents:

- a passport issued by the country of which the PR is a citizen or national;
- a travel document issued by the country of which the PR is a citizen or a national;
- an ID or travel document issued by a country to non-national residents who are unable to obtain a passport or other travel documents from their country of nationality;
- a travel document issued by the International Red Cross to enable emigration;
- a passport or travel document issued by the Palestinian Authority;
- an exit visa issued by the USSR in order to emigrate from that country;
- a British National Passport issued by the UK government to persons born, naturalized or registered in Hong Kong
- a passport issued by the Government of Hong Kong Special Administrative Region of the People's Republic of China.

However, applicants who do not hold a passport or a travel document described in any of the paragraphs R50(1)(a) to (h) may submit with their application:

- identity documents issued outside Canada before the entry of the person to Canada; or
- where there is a reasonable and objectively verifiable explanation related to country conditions for the applicant's inability to obtain identity documents, a statutory declaration made by the applicant attesting to their identity, accompanied by:
 - the statutory declaration of a person who knew the applicant or a family member of the applicant, or the applicant's father, mother, brother, sister, grandfather, or grandmother prior to the applicant's arrival in Canada, attesting to the applicant's identity, or
 - the statutory declaration of an official of an organization representing nationals of the applicant's country of nationality or former habitual residence attesting to the applicant's identity.

10.5 Alternate documents

An officer can accept alternative identity documents in lieu of a document described in any of the paragraphs R50(1)(a) to (h) if they are:

- Genuine;
- identify the applicant; and
- constitute credible evidence of the applicant's identity; and

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- in the case of a statutory declaration, the sworn declaration must be consistent with information previously provided by the applicant to the Department and the Board, and must constitute credible evidence of the applicant's identity.

Note: All rights and appeals and judicial reviews must have been exhausted before the granting of PR can take place.

A protected person may not be granted PR status until there has been a final disposition of any application made by the Minister for judicial review under the *Federal Court Act*.

Note: The Appeals Section NHQ will inform the CPC whenever an application for judicial review is made. These are normally high-profile, contentious cases.

10.6 What to do if applicant or family member is inadmissible

If it is determined that an applicant is inadmissible on criminal or security grounds, the CPC must transfer the file to the applicable CIC for refusal. If the application is refused, the client must be advised of the decision in writing.

Note: If a family member for whom PR is sought is inadmissible, the family member may be removed from the application.

See [Section 9.5](#): Removal of a family member from the application, for instructions regarding removal of a family member from an application for permanent residence.

- If the inadmissible family member is not removed from the application, the principal applicant's application must be refused.
- If the applicant or a family member in Canada is inadmissible on criminal or security grounds, a report under A44(1) must be written and forwarded to the Minister.

Note: Where a person against whom a removal order is made by an officer is determined by a Pre-Removal Risk Assessment (PRRA) officer to be a protected person, the removal order will be stayed A114(1).

Note: Protected persons and their family members may be granted PR status even if they are found to be inadmissible under A38(1). Before being granted PR status, the applicants

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must have received medical treatment in order to eliminate the risk of being a danger to public health and public safety.

10.7 Positive decisions on admissibility

Once protected persons and their family members in Canada and abroad meet the requirements as listed in [Section 10](#), permanent residence can be granted to all applicants.

Immigrant visas are to be issued to family members only if they are able to prove their relationship to the principal applicant, in addition to meeting the requirements of A21(1).

Note: The family member of a protected person in Canada is not automatically a protected person and is not accorded the same protection as a protected person once in Canada.

A family member who is subsequently reported under A44(1) may be removed from Canada.

10.8 Coding

Under construction.

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11 Processing Family Members Overseas

11.1 Processing the application and issuance of visas

If overseas family members are indicated on the application, the CPC will send a facsimile of the application to the appropriate visa office.

- The CPC file number should be indicated on the facsimile.
- It is important to ensure that a complete address is available so that family members can be contacted. If there is no specific address, enough information must be provided to enable the dependants to be contacted (e.g., name of refugee camp, address of friend or relative).

On receiving the information, the visa office will:

- have family members complete an application for permanent residence in Canada;
- have family members carry out the necessary medical examinations and security clearances.

Note: These cases are to be given high priority, the same as for processing the protected person's application for PR in Canada.

Visa officers will advise the CPC as soon as the family members have met all the requirements.

Note: Visas should not be issued to family members abroad until the CIC in Canada confirms that the principal applicant has been granted PR status.

The CPC will then input the PR status information into FOSS so the CIC may proceed to grant PR status to the applicant and any family members in Canada. The PR status information should include:

- the number of overseas family members;
- the name of the post abroad;
- the overseas file number, when available, will be entered in the remarks block of the [IMM 5291E].
- all overseas family members will also be listed in the remarks area in the case processing module in FOSS;

The CIC will, according to local procedure:

- print the documents for PR status within the CPS module of FOSS; and
- send a call-in notice or letter to the client advising of the appropriate time to appear for the granting of PR status.

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Once the applicant and family members in Canada are granted PR status, the CIC will advise the post abroad by telex that PR status has occurred and immigrant visas may be issued to dependants provided relationship has been established.

11.2 Family members whose whereabouts are unknown

Notwithstanding counseling in Canada, cases may arise where a protected person includes on their application a family member who cannot be found and therefore cannot be examined.

When this occurs:

- the visa officer should advise the CPC by telex;
- the CPC will contact the protected person to request a more recent address or, if this is not possible, to have the protected person delete the family member from the application.

Note: PR status under R176(2) applies if the family member makes an application to a visa office within one year after the day the principal applicant becomes a permanent resident.

Once the family member is deleted from the application, immigrant visas may then be issued to those family members who are eligible for PR status.

See [Section 9.5](#) above for instruction regarding removal of family members from applications for permanent residence.

11.3 Coding

Under construction.

PP 4 Processing protected persons' in-Canada applications for permanent resident status

12 Transitional Procedures

12.1 PR status not granted before IRPA

Under the transitional rules, an application for landing submitted before the coming into force of IRPA in which landing had not occurred by June 28, 2002, became an application to remain in Canada as a permanent resident under section A21(2). This includes an application for landing as a member of the Undocumented Convention Refugee in Canada class.

12.2 Undocumented Convention refugees who applied under previous Act

Convention refugees who have applied for landing under the previous Act and who could not provide CIC with a passport, travel document or satisfactory identity document can submit a statutory declaration as prescribed in R178(1).

12.3 Protected persons without identity documents

Protected persons who are without identity documents due to verifiable country conditions can submit alternate identity documents explained in R178 in lieu of a passport or a travel document listed in R50(1)(a) to (h).

12.4 Member of post-determination refugee claimant in Canada class

An application for landing as a member of the post-determination refugee claimant in Canada class (PDRCC) **in which no risk determination was made** before the coming into force of the IRPA is an application for protection (PRRA) under sections A112 to A114 of the IRPA. Applications for landing submitted by members of PDRCC are applications for permanent residence under (2). (coding for this process is being developed)

12.5 Abandoned applications

Where an applicant does not respond to requests for information or refuses to undergo a medical examination, the application can be declared abandoned.

Note: Do this only after giving the applicant reasonable opportunities to respond. Every effort to interview the applicant **MUST** be made.

Abandonment of an application for PR status does not affect protected person status.

13 Responding to Representations

The *Privacy Act* requires that information concerning clients must be released only to the client or the client's designated representative. Prior to responding to a representation, be sure that clients or their representative reasonably verify their identity. This applies if the representation is made in person or by mail.

The decisions on an application for permanent residence made by protected persons are objective and straightforward.

Note: The IRPA does not allow discretion to be used in determining eligibility to apply for admissibility to receive permanent residence.

Thus, reconsideration of a decision should not be frequent. When representations do occur, respond to them by reiterating the grounds of ineligibility stated in sections 33 to 38 of the *Immigration and Refugee Protection Act*.