

## Permanent resident

### CANADA

#### Privileges relating to permanent resident status

##### What permanent residents can do

As permanent residents, you have the right to:

- most benefits available to Canadian citizens, including health care coverage;
- live, work or study anywhere in Canada;
- apply for Canadian citizenship;
- benefit from the protection of Canadian laws and the Canadian Charter of Rights and Freedoms.
- permanent residents must pay taxes and obey all Canadian laws at the federal, provincial and municipal levels.

##### What permanent residents cannot do:

You do not have the right to:

- vote or stand for election;
- hold a job that requires a high-level security clearance.

#### Number of days spent in Canada

The applicant must have accumulated at least 730 days of physical presence in Canada in the five years preceding the date on which he signed his application.

- The calculation of the period of effective presence cannot extend beyond the five years preceding the date of the request;
- Each day of physical presence in Canada as a permanent resident is equivalent to one day in Canada;
- Each day the applicant is actually present in Canada as an **authorized temporary resident or protected person** before obtaining permanent resident status counts as half a day, up to a maximum of 365 days, in the calculation of effective presence.
- February 29 (of a leap year) is equivalent to either a day of presence or a day of absence;
- Only full days when the applicant has not been in Canada at all will be considered as days of absence. The day the applicant left Canada and the day he returned to Canada will not be considered days of absence since the applicant will have been present in Canada for a portion of those two days;

- Time spent serving a sentence and days of absence during the five-year period should be subtracted from the total number of days of physical presence.

### Time spent abroad

The time you spend outside of Canada may be counted for permanent resident status in the following situations.

#### 1. You work outside Canada

You must be working full time for:

- a Canadian business or organization, or
- the Government of Canada or a provincial or territorial government.

#### 2. You are traveling with your spouse or common-law partner

Your spouse or common-law partner must:

- be a Canadian citizen, or
- be a permanent resident working full time outside of Canada for:
- a Canadian company, or
- the Government of Canada or a provincial or territorial government.

#### 3. You are a dependent child and are traveling with your parent

Your parent must:

- be a Canadian citizen, or
- be a permanent resident working full time outside of Canada for:
- a Canadian company, or
- the Government of Canada or a provincial or territorial government.

### **Decisive date considering the filing of an application**

- Date of filing of the application;
- Provincial nominee: Date of the request for provincial designation;
- Refugees recognized outside Canada: Date of recommendation of the organization recognizing them as such;
- Refugee in Canada: Date of submission of the asylum application;
- Live-in caregivers: Date of first work permit.

### **Permanent resident card**

- You have 180 days to pick up a card at a local office.

## Permanent resident travel document (PRTD)

### Eligibility criteria

You can apply for a permanent resident travel document if you:

- are a permanent resident;
- do not have a valid PR card certifying your permanent resident status;
- you are located outside Canada;
- will return to Canada by commercial carrier: plane, boat, train or bus.

There are other documents in this case that you can use to enter Canada through a private carrier and establish your identity with the Canadian Border Service Agency CBSA.

### Costs

- CAD 50.00

### Appeal in case of refusal

If we deny your PRTD request, we will send you an explanatory letter in which we will give you other options for getting to Canada. You will have 60 days to appeal the decision to the Immigration Appeal Division (IAD). The letter will tell you how to proceed.

## Ban to become PR and inadmissibility

Persons affected by the following sections of the Immigration and Refugee Protection Act (IRPA) will be banned from obtaining permanent resident status (see the section on inadmissibility):

- Security (34)
- Violations of human or international rights (35)
- Organized crime activities (37)
- Health reasons (unless you present an action plan, in order to demonstrate the ability to financially support health care for at least 5 years, and sometimes up to 10 years - significant expenses for a longer period).
- (In 2018, the value is \$ 99,060 over five years (or \$ 19,812 per year).

For inadmissibility cases requiring an Authorization to Return to Canada (ARC), an ARC will be required before the processing of the PR application can be finalized.

## **Loss of your permanent resident status**

You do not lose your permanent resident status when your permanent resident card expires. You can only lose it through an official process.

You can lose your permanent resident status if:

- an adjudicator determines that you are no longer a permanent resident following an investigation or appeal of a decision on a permanent resident travel document application;
- you voluntarily renounce to your status;
- you are the subject of a removal order that comes into effect;
- you become a Canadian citizen.

Even if you do not meet the residency requirement, you will keep your permanent resident status until an official decision has been taken.

## **Renouncing to your PR status**

“Renouncing to your permanent resident status” means that you voluntarily renounce to your PR status. You may want to renounce to your status if you:

- no longer meet the residency requirement to be a PR;
- do not plan to live in Canada in the future;
- do not wish to keep your PR status.