

FAMILY SPONSORSHIP

Canada recognizes the importance of family reunification and the related economic benefits immigrant families bring to Canada, making it one of the main Canadian immigration goals.

You may be able to sponsor your relatives to live, study and work in Canada when they become permanent residents of Canada.

You may sponsor a relative if you meet the following conditions:

- Eligibility Criteria
- Undertaking obligations
- Not subject to any bars to sponsorship

WHO MAY SPONSOR

- Be at least 18 years or older
- Canadian citizens, permanent residents, and persons registered in Canada as Indians under the Canadian Indian Act
- Reside in Canada except for Canadian citizens working abroad; however, they must guarantee that they will move back to Canada after the completion of the sponsorship. The exception does not apply to a permanent residents.
- Apply to sponsor a family member.
- Sign an undertaking confirming that they will provide the sponsored person with the basic needs and ensure that they do not resort to social assistance from the government
- Must meet the Low Income Cut Off (LICO); that is, they can prove that they can meet the minimum before-tax income necessary to support the number of people in the sponsor's family, including the sponsor.

Exceptions:

The LICO financial Requirements do not apply to all relatives, particularly in situations as set out below:

- a spouse, common-law partner, or conjugal partner with no dependent children
- a spouse, common-law partner, or conjugal partner with dependent child who has no dependent children
- a dependent child of the sponsor who has no dependant children of her own.
- A child under 18 whom the sponsor intends to adopt in Canada.

Although the sponsor is not required to meet the MIN or LICO test in such situations, the sponsor must complete financial evaluation forms to allow Immigration Refugee and Citizenship Canada (IRCC) Officers to assess their sources of income, current and previous undertakings, and Canadian residency.

WHO MAY NOT SPONSOR

A person may not be able to sponsor if the following bars to sponsorship apply:

- You are In receipt of social assistance for a reason other than disability.
- You default on spousal or child support payments ordered by a court in Canada or abroad.
- You are subject to a removal order.
- You are in default of debt owed under the Immigration and Refugee Protection Act
- Have been detained in any penitentiary jail, reformatory, or prison.
- Previously convicted of a specific offence or (attempt to commit such offences) either in Canada or abroad; such crimes include sexual offences and offences resulting in bodily harm.
- You are in default of your previous sponsorship undertaking.
- You are in an undischarged bankruptcy under Bankruptcy and Insolvency Act.
- You have previously sponsored a spouse, common-law partner, or conjugal partner who became a permanent resident less than three years ago.
- You were previously sponsored as a spouse, common-law partner, or conjugal partner and became a permanent resident less than five years ago
- Failed to include a relative to sponsor on your permanent resident application.

WHO MAY BE SPONSORED

You may sponsor the following family members:

- Spouses, Common-Law Partners, and Conjugal Partners
- Dependent children
- Children intended for adoption
- Parents, Grand Parents, and their children
- Brothers, sisters, nephews, nieces, and grandchildren who are orphaned, who are under 18, and who is not a spouse or common-law partners
- Any relative in situations where the sponsor is alone in Canada and has no family members to sponsor.

FAMILY SPONSORSHIP PROGRAMS

Parent and Grand Parent Sponsorship

Spousal Sponsorship

- a) Inland Spousal Sponsorship
- b) Overseas Spousal Sponsorship

ADOPTION

To adopt a child for permanent residence, sponsors must complete the following two processes:

- the adoption process, and
- the sponsorship process for the immigration or citizenship process.

Adopted Family Sponsorship Process

If the adoptive parents were not Canadian Citizens when the adoption took place

The adoption took place before January 1, 1947, or

The adoptive parents were both permanent residents at the time of the adoption

There is a direct grant of citizenship and a separate citizenship process if one of the adoptive parents is a Canadian citizen.

The adoption processes differ depending on whether the sponsor adopts a child from outside or within Canada and whether the child is over age 18.

International Adoption:

There are some complexities of international adoption due to social welfare laws, immigration laws, and laws in the child's country.

The main guiding document for International Adoption is the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, which provides minimum standards and procedures for adoption between countries.

Several countries are a party to the Hague Convention (Hague Country); however, some countries are currently not parties to the Hague Convention (Non-Hague Countries).

Below are the main objects of the Hague Convention:

- Establish safeguards to ensure that intercountry adoptions occur in the child's best interests and with respect for their fundamental rights.
- Establish a system of cooperation between contracting states to ensure that those safeguards are respected, thus preventing the abduction, sale, or traffic of children, and
- secure the recognition in the Contracting States of adoption under the Hague Convention.