

Understanding

One Year Window

What is a One Year Window?

One Year Window (OYW) is a provision of the Immigration and Refugee Protection Act that assists with family reunification. It permits resettled refugees in Canada to identify for resettlement, within one year of their arrival, family members abroad who were previously unable to travel with them. Family members identified under the OYW are processed as dependents of the original family member and therefore do not need to have their refugee story examined. However, they must meet all other immigration requirements.

- Visa officers will examine the family member to ensure that they are not inadmissible to Canada. Reasons for inadmissibility include the individual posing a threat to national security, having a history of serious or organized crime, having committed violations of international or human rights, being a danger to public health, or engaging in misrepresentation.¹
- Visa officers will also examine a OYW application to ensure that adequate settlement support is in place. Sponsors commit to providing support for all members of the family even those who are non-accompanying at the time of submissions. This means that sponsors are responsible for supporting all family members, even those who arrive later under One-Year Window.¹



*Eritrean family reunited at Winnipeg Airport.
Winnipeg Free Press Photo by Marc Gallant*

Who is eligible to be processed under OYW?

Eligible family members are: a spouse or common-law partner; dependent children of the resettled refugee or his/her spouse or common-law partner; and dependent children of dependent children.

Generally, dependent children must be under the age of 19 and unmarried, or requiring constant attention as the result of medical condition. The age of dependent children is locked in at the date of the original family member's application for permanent residence. Therefore, someone who has turned 19 since the original application was made, and who meets all other requirements, will still qualify as a dependent child under OYW.

IMPORTANT NOTE!
All family members applying under one-year window must have been listed on the original family member's application for permanent residence or have been added to it before the original family member's departure.

1. De facto dependants are not eligible under the OYW program as they do not meet the definition of family member outlined in R1(3).

The One Year Window does not have definitively specified time for sponsored family members to arrive in Canada under the OYW. The one year is only for the eligibility period where by the principal applicant should submit application for family members left behind.



UNHCR Photo by Marco Dormino

Sponsors Responsibilities under OYW

When someone that you sponsored to come to Canada as a privately sponsored refugee would like to initiate a OYW application, your group will be notified of the non-accompanying family member's application to ensure that you are still able and willing to provide settlement support. Under the sponsorship agreement and the settlement plan, sponsors are responsible for providing support to *all members of a family for the duration of the sponsorship, regardless of the time of their arrival, unless the refugee in Canada is able to provide adequately for their family.*

All family members, accompanying and not, at the time of the original sponsorship application should be included on the sponsorship undertaking.

Are there other options besides OYW?

Alternate Solutions: If an application is refused because it does not meet immigration requirements, there are two alternate solutions. If the family member was refused because of a lack of settlement support, the original family member may seek a different sponsor or file an application under family class (if the individual is in a position to provide for their family).

The only recourse to refusal because of inadmissibility is a Humanitarian and Compassionate application.

More information:

Inland Processing Manual 3 – p.59
available at:

www.cic.gc.ca/english/resources/manuals/ip/ip03-part3-eng.pdf

CIC Application form and guide for processing OYW available online at:

www.cic.gc.ca/english/information/applications/guides/5578ETOC.asp