New Application and forms - Groups of Five

Resettlement Operations Delivery
June 2018
Background

The Privately Sponsored Refugee (PSR) forms and application guides have been updated in support of improved client experience for sponsoring groups.

- More user-friendly forms and guides.
- Better understanding of application requirements by applicants.
- Reduced application returns and refusals.
- Ensure more efficient processing of applications by the Resettlement Operations Centre – Ottawa (ROC-O).
Grace Periods

As of May 1, 2018, new forms and guides have been published for the PSR program.

As of June 1, 2018, new forms with all required documents must be submitted. Applications with incorrect forms will be returned to sponsors without being processed.

Old version of the Schedule 2–Refugees Outside Canada will continue to be accepted until December 31, 2018.
Key changes to requirements/process (as reflected in guides)

- Stale date policy
- Three part document checklist
- Criminality checks
- Financial checks
- Photo requirements
- Email requirements for the sponsors and the refugee overseas
- Community of settlement
Stale date policy

• To ensure that forms are submitted with the most recent information, the **Sponsorship Undertaking (IMM 5670)** form must be signed and dated by all sponsors no more than 90 days prior to the date the application is submitted to ROC-O.

• Applications that do not meet this criteria will be returned to you without being processed. If your application is returned by ROC-O and you wish to re-submit it, you can initial and re-date the undertaking. There is no need to fill a new one.
Three part document checklist

Part 1: Forms required for your application **to be accepted** at ROC-O

- If an application is submitted with Part 1 items missing, it is not considered to be a complete application and **will be returned** in its entirety without being processed. If you wish to re-submit it, you must submit a new and complete application. You cannot simply include the missing documents or updated documents from the previous submission.

Part 2: Documents required for your application **to be assessed** at ROC-O

- Applications submitted with missing items will be processed but will most likely result in a refusal of the application. **If your application is refused, it will not be returned to you.** Remember to make a copy of your application before submitting at ROC-O.

Part 3: Optional forms

- Incomplete or erroneously completed forms will **not be returned** to sponsors but may negatively impact your application.
Part 1: Forms required to accept an application for processing at ROC-O

Common reasons for return:

- Form is not submitted or is invalid
- Form is handwritten—not typed
- The IMM008 is not validated (2D bar code)
- Form is unsigned
- Form is not dated/or outdated (90 days)
- The refugee’s information does not match from one form to another
- Missing personal e-mails for sponsors and the refugee overseas
- Individuals listed on the Sponsorship Undertaking do not meet the definition of a family member under the Immigration and Refugee Protection Regulations (IRPR)
Part 2 : Supporting documents required for officers to make their assessment

• Proof of Canadian Citizenship, Indian Status or Permanent Residence for each sponsor
• Criminal record check for each sponsor
• Proof of funds/income
• Proof of Refugee Status Determination (RSD) of the refugee overseas
Part 3: Optional forms

Use of a Representative (IMM 5476)

- Applying to sponsor a refugee overseas does not automatically authorize you to conduct business on their behalf.
- Use this form if the refugee overseas wants to authorize one of the sponsors to do business with IRCC on their behalf.
- Use this form if you want to appoint a third-party immigration representative to represent you as the sponsor.

Appointment of Representative(s) in Expected Community of Settlement (IMM 5956)

- This form allows you to appoint a representative for each group member that does not reside in the expected community of settlement.
Using the document checklist

• If your application is refused, approved or withdrawn, no documents will be returned to you. **Keep a copy of each application you submit.**

• Do not submit original documents unless otherwise indicated in the document checklist.

• Assemble your application package with all the documents in the order listed in the guide. The first page should be the Sponsorship Undertaking (IMM 5670) and so on.
Criminality checks

Police certificates are now required for all sponsors signing the Sponsorship Undertaking as part of the application package.

- Non-vulnerable sector criminality checks are sufficient.
- Must be issued within 6 months of the submission date.
- If applicable, sponsors must include court and police documents showing the disposition of any previous convictions with their submission.
- If you do not submit a police certificate or does not submit the proper documentation regarding a conviction, your application will most likely be refused.
Financial checks

A ROC-O officer must assess whether a sponsoring group has the financial resources to fulfil the settlement plan for the duration of the undertaking.

As a G5 sponsor, you have three options to demonstrate that you have the necessary funds for your sponsorship:

• funds held in trust in a financial institution.
• sponsors contribute to the sponsorship with their personal income.
• a combination of both.

**The funds cannot come from the refugees**
Proof of funds held in trust

• If submitting multiple PSR applications, sponsors must keep funds **separate and deposit funds to different accounts**.

• A chequing or savings account is sufficient, provided there are a **minimum of two account holders**.

If your group decides to submit funds in trust, **you must**:

1. Provide an **original** letter from a financial institution, issued no more than **six months** prior to submitting your application to ROC-O, indicating the following account details:

   • name of the Canadian financial institution.
   • names of the account holders (minimum of two).
   • account number.
   • current account balance.
   • must be signed and stamped by an employee of the institution.
Proof of funds held in trust (continued)

2. Provide the **most recent account statements** signed and stamped by an employee of the financial institution.
   • The statement must indicate the account number, account holders’ names and branch information.

3. **Explain how you gathered the funds**
   • For example: fund raising activities, whether funds were provided by the sponsors, PA’s family members, etc.

4. **Provide proof of how the funds were obtained** by submitting:
   • Details of deposits, bank statements, statements from fund raising activities, etc.
   
   • If the funds come from a sponsor, family members, etc; you must provide proof of income for these individuals.
Group members contributing personal income

Your group can contribute funds from a group member’s personal income. If your group’s financial support is based solely on contributing funds from your group members’ personal income, at least three sponsors must contribute.

As proof of income, the most conclusive document is a copy of your most recent Notice of Assessment issued by the CRA.

We will also consider the following documents:

- a copy of your most recent T4 Statement of Remuneration Paid form.
- a copy of your most recent T5 Statement of Investment Income form.
- pension statements that confirm your annual revenue for the last 12 months.
- employment Insurance pay stubs that confirm revenue obtained under this program within the last 12 months.
Group members contributing personal income (continued)

The following documents are **not** considered adequate proof of income:

- T1 General Returns, Forms and Schedules.
- T2 Corporation Income declaration form.
- Letters of employment.
- Pay stubs.
- Investment portfolios.
- Letters from a Canadian financial institution attesting to bank account details.
New Group of Five application guide and forms

ROC-O officers individually assess each group member who is contributing funds by using this formula:

Start
The group member’s gross annual income.

Minus
• The group member’s annual cost of living based on family size.
• Family size = answer provided in section B of Financial Profile form + ongoing family sponsorship applications (spouse and/or children).

Minus
• The group member’s financial contributions to other PSR sponsorships including applications being processed and/or refugee arrivals to Canada in the last year.

Minus
The group member’s financial commitment towards the current application.

Remaining income
If the remaining income is higher than zero, then this group member has sufficient income available to contribute towards the sponsorship.
New Group of Five application guide and forms

Refugee Photo specifications

• As per all lines of business at IRCC, photos must be taken by professional photographers.

• New professional photos will be asked when the permanent application of the refugee overseas is approved to issue the Confirmation of Permanent Residence document and permanent resident card.

• If you want to avoid submitting two (2) sets of photos, we suggest that you email your application to ROC-O instead of submitting it via mail.
Email requirements for sponsors and refugee overseas - reminder

• Each sponsor **must provide a personal email address** even though they have an immigration representative on file. If you have a representative, all correspondence from ROC-O will be sent to you and your representative.

• The refugee overseas **must also provide a personal email address** unless it is impossible for them to obtain one (remote refugee camp, refugee is illiterate, etc). If it is impossible, refugee overseas must explain why as part of their permanent residence application. To note, processing of an application will be delayed if a refugee overseas does not have an email address.
Community of Settlement

Each sponsor **must** reside **or have representatives** in the community where the refugees expect to settle. To determine if applicants and sponsors will be residing in the same community of settlement, ROC-O will compare the addresses indicated on the Sponsorship Undertaking and/or the representative’s address on the Appointment of Representative(s) in Expected Community of Settlement form (IMM5956) and question 5 of the refugee’s IMM0008.

**Representative in expected community of settlement:**

- Lives in the PA’s expected community of settlement and represents the sponsor in the community.
- **Is not a party to the sponsorship** (does not sign the Sponsorship Undertaking).
- **Is not liable to fulfill the sponsorship obligations.** Appointing a representative does not diminish the sponsor’s obligations with IRCC.
Concepts

• Family members as per IRPR
• Accompanying vs non accompanying family members
• Proof of Refugee Status Determination (RSD)
• Sponsors who are party to multiple sponsorships
• Timelines for information requests and procedural fairness letters
Which family members can be included in an application?

- Principal applicant (PA) is usually the head of the family
- All other family members are dependents of the PA

**Definition of family members:**

Under IRPR, a family includes:

- the PA
- the PA’s spouse or common-law partner
- the PA’s dependent child
- the dependent child of the PA’s dependent child
- the dependent child of the PA’s spouse/common-law partner
- the dependent child of the PA’s spouse/common-law partner’s dependent child
Principal Applicant

- Spouse or common-law partner
- Dependent child under 22
  - If no spouse or common-law partner
  - Dependent child 22 or over
    - If financially dependent on parent since before they turned 22 and unable to be financially self-supporting due to a physical or mental condition
  - Dependent child of Dependent child (grandchild)
    - If parent is also accompanying on the application
Accompanying family member vs. non-accompanying family member

**Accompanying family member:** A family member who plans to come to Canada at the same time as the PA.

**Non-accompanying family member:** A family member who has been separated from the family and is not able to, or chooses not to, accompany the PA to Canada when the application was processed.

**Why do I need to list non-accompanying family members?**
- Sponsors must be willing to sponsor all family members of the refugee overseas as they will be responsible for all of them whenever they land in Canada.
- Under the One Year Window provision (OYW), the PA can apply to bring their non-accompanying family members to Canada for up to one year after their arrival in Canada, but only if they were declared on the application before the PA departed for Canada.
What about other family members?

You cannot include other relatives in your application other than those who meet the definition of family member. Your application will be returned if you do so.

Other family members (overage children, minor *de facto* child, cousins, etc.):

- Require a separate application.
- Must be refugees in their own right;
- They must meet all statutory requirements.

If other family members are also being sponsored, list both the PA and the other family members in each other’s **Linked/Multiple Sponsorship Undertakings** on the Sponsorship Undertaking form.
You can only sponsor someone who is **recognized as a refugee** by the United Nations High Commissioner for Refugees (UNHCR) or by a foreign state.

After a person has been assessed and recognized as a refugee, they get a document attesting to their Refugee Status Determination (RSD).

A “UNHCR Asylum Seeker Certificate”, a document indicating “UNHCR Registration” or documents issued by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNWRA) are not valid proof of refugee recognition.

Complete applications submitted without a valid RSD will be refused.

For additional questions on RSD, please contact RSTP.
Sponsorship Undertaking/Settlement Plan

• **Be as precise and detailed as possible.** Do not leave any questions blank.

• Each settlement plan must speak to the unique needs of the refugees overseas in each sponsorship application. Your answers should not be copied from other settlement plans.

• The Settlement Plan must address the needs of every refugee applicant including non-accompanying family members. Failure to do will result in the refusal of your application.

• **If any individual group member has previously submitted applications under the PSR program which are in process or for which the sponsorship undertaking is still in effect, the sponsoring group must provide an explanation as to how the group or individual group members will be able to provide settlement support to all the refugees in Canada.**
Timelines for information requests and procedural fairness letters

• If ROC-O requests additional information from the sponsors or sends a procedural fairness letter, we always provide you with **30 calendar days** to answer.

• If you submit information before the expiration of the 30 days and do not advise us that more information will be submitted within the 30 day timeline, ROC-O will make a decision on the day the information was received.

• If you do not answer our request/letter within 30 days, ROC-O will make a decision based on the information we have on file. It will most likely be a refusal of the application.

• If you need more time, you must request it to ROC-O within the 30 day timeline. If your request is reasonable, it will most likely be granted.
Submitting applications

You can submit your application by email or mail – **not both**.

Mailed applications

- IMM008 must be 2D bar coded.
- Sponsors submitting multiple applications in the same envelope must include an itemized list the applications contained therein. Or else the applications will be returned.
- To ensure that your application is received, send it via registered mail.

Emailed applications:

- Email attachments must not include compressed files (such as ZIP or RAR).
- Scanned documents must be legible.
- Attachments cannot be larger than 5MB.
- The email size cannot be bigger than 10MB.
Stage 1: Intake

An Acknowledgement of Receipt (AOR) email is sent by ROC-O. This AOR simply confirms that ROC-O has received the sponsorship application package--but has not yet verified for completeness.

For mailed applications:

• A first AOR email is generally sent within 30 days of receipt by ROC-O to group member #1 on the Sponsorship Undertaking and includes the name of the PA.

For emailed applications:

• An immediate auto-reply is sent to the email address from which the application was submitted.

Tips
• Adjust your junk mail settings to make sure you do not miss important messages.
• If you change your email address while the sponsorship application is being processed, you must notify ROC-O immediately.
ROC-O reviews the application to ensure that all correct forms are submitted and signed by the group members.

- At this stage, there is no verification as to whether the group members submitted all supporting documents necessary to assess the application (such as proof of funds).

**Application is complete:**

- A second AOR is sent via email by ROC-O to group member #1
- You will receive your application number (G number) at this time.
- This also means that the application has been transferred to a ROC-O officer for decision.

**Application is incomplete:**
The application package is returned including information about the reasons for the return.

- mailed applications: the application is returned to group member #1 via mail.
- emailed applications: an email will be sent to all group members and the refugee overseas explaining the reasons for return.
Stage 3: The Sponsorship Application Decision

A ROC-O officer will assess your application by reviewing the application forms and your supporting documents.

If the ROC-O officer is satisfied that you meet the requirements
• The sponsorship application is **approved** and the decision will be communicated to all group members and the refugee overseas via email.
• The entire application is transferred to the appropriate IRCC office abroad.

If the ROC-O officer is not satisfied that you meet the requirements
• The application is **refused** and the decision will be communicated to all group members and the refugee overseas via e-mail. Due to IRCC’s retention rules, the application will not be returned to you. Remember to make a copy of your application before submitting it at ROC-O.
Updating your contact information

During the sponsorship application process, you must notify IRCC of any change in any group member’s contact information (address, phone number, new email address etc). Notify IRCC by filling out the Case Specific Inquiry tool on IRCC’s website.

The refugee overseas must contact the IRCC office abroad to change their or their family members’ contact information (email address) or changes to their personal circumstances (for example, change in your marital status, birth of a child, email address).
Adding a family member

• All family members (both accompanying and non-accompanying) **must** be added to an application for permanent residence **before the PA departs for Canada**.

• Failing to declare a family member is misrepresentation and may result in the refusal of the application. It also prevents the principal applicant to use the OYW process.

• If you wish to add an accompanying *de facto* family member, a separate sponsorship application package is required.
Adding a family member (continued)

If you are adding a newborn biological child

• As per the Sponsorship Undertaking and Settlement Plan (IMM 5670) sponsors are automatically responsible for this child.
• No new sponsorship forms are required.

Required documents:

1. an updated Generic Application Form for Canada (IMM 0008) signed by the PA that includes the PA, previously declared and new family members.
2. a copy of the child’s birth certificate and/or new family UNHCR document.

Option 1: The sponsoring group submits documents to ROC-O (preferably via email)
   or
Option 2: The PA submits the documents to the IRCC office abroad (at the interview or via email).
Adding a family member (continued)

If you are adding a spouse or an adopted child

- If the PA married or if the PA legally adopted a child after the application was received at ROC-O, they must be added to the Sponsorship Undertaking.

The sponsors must submit these documents (preferably via email) to ROC-O:

- Request to Add Family Members to a Private Sponsorship Undertaking form (IMM 5618).
- An updated Generic Application Form for Canada (IMM 0008) signed by the PA that includes all family members.
- Schedule A – Background/Declaration (IMM 5669) signed by the new family member if they are 18 years or older.
- A copy of the marriage certificate, birth certificate, adoption certificate and/or a new family UNHCR document (if available).
Adding a family member: What happens next?

Once we receive these documents, we will add the new family members to the PA’s application and assess whether the sponsorship is still valid.

• If the sponsorship is no longer valid, the sponsorship and the permanent residence applications will be refused.

• If the PA finds a new sponsor, a new sponsorship application will need to be submitted at ROC-O.
One Year Window of Opportunity Provision

Once the principal applicant has landed in Canada, they may request to bring their non-accompanying family members to Canada under the OYW provision.

Main criteria to use the OYW provision:

- The non-accompanying family member was declared to IRCC before the PA departed from Canada.
- The non-accompanying family member continues to be a family member under IRPR.
- The OYW request (IMM5571) was submitted to ROC-O within one year of the PA’s landing in Canada.

All OYW applications must be submitted to ROC-O. We ask that the PA in Canada submits together the OYW request (IMM5571) and the permanent residence application of the family member overseas.

Sponsors are responsible to provide financial and settlement support to the OYW applicant once they land in Canada. Sponsors will be notified when ROC-O approves or refuses a OYW application. For more information, refer to the OYW instructions guides (IMM5578).