



Date: July 09, 2013

UCI: 90743258

Application no.: V303130461

Dear Oleks N ,

Following an examination of your application, I am not satisfied that you meet the requirements of the Act and the Regulations for the reasons explained below. I am therefore refusing your application.

- You have not satisfied me that you would leave Canada at the end of your stay as a temporary resident. In reaching this decision, I considered several factors, including:
 - Your history of having contravened the conditions of admission on a previous stay in Canada
 - Your travel history
 - Your immigration status
 - Your family ties in Canada and in your country of residence
 - Length of proposed stay in Canada
 - Purpose of visit
 - Limited employment prospects in your country of residence
 - Your current employment situation
 - Your personal assets and financial status
 - That you have a legitimate business purpose in Canada
 - I am not satisfied that you have answered truthfully all questions put to you.

- I am not satisfied that you have sufficient funds, including income or assets, to carry out your stated purpose in going to Canada or to maintain yourself while in Canada and to effect your departure.

- You have not provided sufficient documentation to support your / your host's income and assets.

- You have made an application for a temporary resident visa in the transit visitor category. As you are planning to remain in Canada longer than 48 hours, you do not meet the requirements of this category. You must make an application for a temporary resident visa in the visitor category and pay the associated cost recovery fees.

- You have submitted documentation which lacks authenticity as part of your application. This has diminished the overall credibility of your submission.

- You have not complied with our request for information, as per section 16(1) of the *Immigration and Refugee Protection Act*. To date, you have failed to comply with our request for:
 - Completion of a medical examination
 - An interview
 - The following documents:

From the documents which you have submitted in support of your application, I am not satisfied that you have answered all questions truthfully, as required by subsection 16(1) of the Act. Specifically, I am not satisfied that the following information is truthful:

Other reasons:

- You are a member of an inadmissible class of persons described in the *Immigration and Refugee Protection Act*. As a result, you are inadmissible to Canada pursuant to the following Section(s):

On security grounds for:

- A34(1)(a): Engaging in an act of espionage or subversion against a democratic government, institution or process as they are understood in Canada;
- A34(1)(b): Engaging in or instigating the subversion by force of any government;
- A34(1)(c): Engaging in terrorism;
- A34(1)(d): Being a danger to the security of Canada;
- A34(1)(e): Engaging in acts of violence that would or might endanger the lives or safety of persons in Canada;
- A34(1)(f): Being a member of an organization that there are reasonable grounds to believe engages or will engage in acts referred to in paragraph (a), (b) or (c).

On grounds of violating human or international rights for:

- A35(1)(a): Committing an act outside Canada that constitutes an offence referred to in sections 4 to 7 of the *Crimes Against Humanity and War Crimes Act*;
- A35(1)(b): Being a prescribed senior official in the service of a government that, in the opinion of the Minister, engages or has engaged in terrorism, systematic or gross human rights violations, or genocide, a war crime or a crime against humanity within the meaning of subsections 6(3) to (5) of the *Crimes Against Humanity and War Crimes Act*;
- A35(1)(c): Being a person, other than a permanent resident, whose entry into or stay in Canada is restricted pursuant to a decision, resolution or measure of an international organization of states or association of states, of which Canada is a member, that imposes sanctions on country against which Canada has imposed or has agreed to impose sanctions in concert with that organization or association.

On grounds of serious criminality for:

- A36(1)(a): Having been convicted in Canada of an offence under an *Act of Parliament* punishable by a maximum term of imprisonment of at least 10 years, or of an offence under an *Act of Parliament* for which a term of imprisonment of more than six months has been imposed;
- A36(1)(b): Having been convicted of an offence outside Canada that, if committed in Canada, would constitute an offence under an *Act of Parliament* punishable by a maximum term of imprisonment of at least 10 years;
- A36(1)(c): Committing an act outside Canada that is an offence in the place where it was committed and that, if committed in Canada, would constitute an offence under an *Act of Parliament* punishable by a maximum term of imprisonment of at least 10 years.

On grounds of criminality for:

- A36(2)(a): Having been convicted in Canada of an offence under an *Act of Parliament* punishable by way of indictment, or of two offences under any *Act of Parliament* not arising out of a single occurrence;
- A36(2)(b): Having been convicted outside Canada of an offence that, if committed in Canada, would constitute an indictable offence under an *Act of Parliament*, or of two offences not arising out of a single occurrence that, if committed in Canada, would constitute offences under an *Act of Parliament*;
- A36(2)(c): Committing an act outside Canada that is an offence in the place where it was committed and that, if committed in Canada, would constitute an indictable offence under an *Act of Parliament*;
- A36(2)(d): Committing, on entering Canada, an offence under an *Act of Parliament* prescribed by regulations.

On grounds of organized criminality for:

- A37(1)(a): Being a member of an organization that is believed on reasonable grounds to be or to have been engaged in activity that is part of a pattern of criminal activity planned and organized by a number of persons acting in concert in furtherance of the commission of an offence punishable under an *Act of Parliament* by way of indictment, or in furtherance of the commission of an offence outside Canada that, if committed in Canada, would constitute such an offence, or engaging in activity that is part of such a pattern;
- A37(1)(b): Engaging, in the context of transnational crime, in activities such as people smuggling, trafficking in persons or money laundering.

On health grounds as your health condition:

- A38(1): Is likely to be a danger to public health or to public safety, or might reasonably be expected to cause excessive demand on health or social services.

For financial reasons:

- A39: You are or will be unable or unwilling to support yourself or any other person who is dependent on you, and have not satisfied an officer that adequate arrangements for care and support, other than those that involve social assistance, have been made.

On misrepresentation:

- A40(1)(a): For directly or indirectly misrepresenting or withholding material facts relating to a relevant matter that induces or could induce an error in the administration of this Act;
- A40(1)(a) and A40(2)(a): You are still inadmissible to Canada as a period of two years has not passed since your prior refusal.