



# IMMIGRATION Canada

## Applying to Change Conditions or Extend Your Stay in Canada - Visitor

- Extension of Temporary Resident Status
- Restoration of Temporary Resident Status (due to loss of status as a visitor, student or worker)



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### Forms:

Application to Change Conditions or Extend My Stay in Canada (IMM 1249)  
Statutory Declaration of Common-law Union (IMM 5409)  
Use of a Representative (IMM 5476)  
Document Checklist (IMM 5558)  
Receipt (IMM 5401)

This application is made available free by  
Citizenship and Immigration Canada and  
is not to be sold to applicants.

**Cette trousse est également  
disponible en français**

## Contact Information

### Web site

For more information on the programs offered by Citizenship and Immigration Canada, visit our Web site at [www.cic.gc.ca](http://www.cic.gc.ca). For some types of applications you can inform us of a change of address and find out what is happening with your application through [on-line services](#) on the Web site.

### Within Canada

If you are in Canada, you can also phone our **Call Centre**. An automated telephone service is available seven days a week, 24 hours a day and is easy to use if you have a touch-tone phone. You can listen to pre-recorded information on many programs, order application forms, and for some types of applications the automated service can even update you on the status of your case.

When you call, have a pen and paper ready to record the information you need. Listen carefully to the instructions and press the number for the selection you want. At any time during your call, you may press \* (the star key) to repeat a message, **9** to return to the main menu, **0** to speak to an agent, or **8** to end your call. If you have a rotary phone, wait for an agent to answer your call.

If you need to speak to an agent, you must call Monday to Friday between 8 a.m. and 4 p.m. local time.

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**From anywhere in Canada, call**

**1-888-242-2100 (toll-free)**

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### Using a text telephone?

Call our TTY service from Monday to Friday between 8 a.m. and 4 p.m. local time at: **1-888-576-8502** (toll-free).

### Outside Canada

If you are outside Canada, you can contact a Canadian embassy, high commission or consulate. Consult our [Web site](#) for addresses, phone numbers and Web site addresses of our visa offices.



**This is not a legal document.** For legal information, refer to the *Immigration and Refugee Protection Act and Regulations* or the *Citizenship Act and Regulations*, as applicable.

**This publication is available in alternative formats upon request.**

# Overview

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This guide is designed to help you determine if you are eligible to apply for an extension or change conditions of your stay in Canada as a visitor. It provides all the necessary information, instructions, and application forms for you to complete and submit.

You **cannot** apply for an **initial** Temporary Resident Visa (TRV) using this application guide. Application for an initial TRV is always made outside Canada and the TRV is issued outside of Canada. For further information on applying for a TRV, refer to the guide *Visiting Canada - Applying for a Temporary Resident Visa Outside Canada* (IMM 5256) on our [Web site](#) or contact the Canadian consulate, embassy or high commission responsible for your area of residence.

## Determining Eligibility

Visitors are a class of temporary resident who are legally authorized to enter Canada temporarily to holiday, visit family, conduct business, etc. They are restricted in **length of stay** and are subject to various other **conditions**.

This application guide is for temporary residents who are already in Canada and wish to

- extend their stay,
- change conditions of their stay,
- correct problems in their status,

If your current temporary resident status is still **valid** you can apply for an extension of your stay providing you apply at least **30 days** before the expiry date of your current status. Your original temporary status as a visitor continues under the same conditions until your application is finalized and you have been notified of the decision.

**Note:** The validity of your temporary resident status cannot exceed the validity of your passport. Therefore, you should ensure that your passport will be valid for at least the same amount of time as your requested extension.

Each member of your immediate family (spouse or common-law partner, dependent children) who wishes to remain longer in Canada must apply for permission to do so. If you all apply at the same time for an extension, each person will not have to submit a separate application form. Instead, fill in one form including your details and those of your immediate family. All appropriate documentation and the required fee for each person must also be included.

If your status has expired or if you did not respect one of the conditions of your permit or you have worked or studied without a required permit, you have committed an offence under the *Immigration and Refugee Protection Act*. You may be subject to an admissibility hearing that could lead to removal from Canada. If your temporary resident status has expired, **do not** apply for an extension as you are not eligible. However, if you wish to stay in Canada after your status has expired you may apply for restoration of status within 90 days of your offence (loss of status) or you must leave Canada. If you wish to apply for restoration, complete the enclosed application providing full details of how you came to commit the offence. **There is no guarantee that your application will be accepted.** See the section [Restoration of Status](#).

**It is illegal to remain in Canada beyond the validity of your status in Canada.**

**It is illegal to work without a required work permit.**

**It is illegal to study without a required study permit.**

After reading this guide, if you believe you are eligible to apply then you should proceed as instructed below:

- Gather all the necessary documents. They are listed on the *Document Checklist*.
- Calculate and pay the fees.
- Photocopy the blank forms and use one as a working copy. Keep it for your records.
- Fill in the forms carefully and completely.
- Sign and date your forms.
- Mail your application to the Case Processing Centre-Vegreville

## Processing Times for Your Application

The Case Processing Centre-Vegreville (CPC-Vegreville) will review your application to determine if it is complete. If your application is not signed or if the required fee is missing, your application will be returned to you and you will have to re-apply. If other information is missing, your application may be returned or refused.

CPC-Vegreville will send you either:

- a letter refusing your application; or
- notification that your application has been referred to a local Canada Immigration Centre for further assessment.

CPC-Vegreville completes most of the applications it receives, however, a small number are referred to a local office for further clarification. If your application is referred to a local office, they will contact you to obtain additional information or clarification. It may take up to three months for them to contact you.

**Note:** The Case Processing Centre receives large volumes of applications in the temporary resident categories each year. It is recommended that you apply at least 30 days before the expiry of your current document however, you may want to apply in advance of this recommended period since processing delays vary. Contact the Call Centre 1-888-242-2100 or click on the link below for current processing times.

Current processing times are updated weekly on our Web site at:

[www.cic.gc.ca/english/information/times/canada/process-in.asp](http://www.cic.gc.ca/english/information/times/canada/process-in.asp).

Once they receive the additional information or clarification, the local office will complete the final stages of processing and if required, invite you to an interview. Once processing is complete, the local office will notify you by mail of their decision.

# Status in Canada

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## Who receives temporary resident status?

All persons authorized to enter Canada who are **not** Canadian citizens or permanent residents are authorized to enter as temporary residents in one of the three classes: visitor, student or worker. When they enter Canada they are given temporary resident status for a limited period of time.

## How do I know the expiry date of my temporary resident status?

### 1. Temporary residents travelling with passports:

When you arrived in Canada and gave your passport to the officer, they authorized your stay by placing a stamp in your passport and/or issuing an additional document. Check your passport. If you find a stamp, it should look like one of these.



*June 30, 1993*

For example, if the officer specified a date as shown in the above illustration, your temporary resident status would expire on June 30th, 1993.

If there is no stamp, a handwritten date or document in your passport, your temporary resident status will expire **six months** from the day you arrived in Canada.

If you were given a visitor record, student or work permit, the expiry date is marked on the document.

**Note: Applicants who require a Temporary Resident Visa (TRV) to enter Canada:** A renewal of a study or work permit or extension of visitor status does not affect your TRV. It is your responsibility to ensure your TRV remains valid if you wish to re-enter Canada after leaving. After leaving, you must apply for and obtain a TRV by applying to a Canadian visa office outside of Canada (see *Application for a Temporary Resident Visa to Visit Canada-IMM 5256*)

### 2. Temporary Residents travelling without passports:

If you did not require a passport to enter Canada, your temporary resident status will expire **six months** from the day you entered Canada **unless you were given a visitor record, student or work permit**. If you were given a document, the expiry date is marked on it.

## What information do I need to apply for an extension of temporary status?

1. Full details of why you want to stay longer;
2. Proof of identity;

3. Proof of current status in Canada;
4. Evidence of how you will support yourself or be supported in Canada and how you will pay for transportation to leave Canada, such as:
  - Guarantor's letter;
  - Bank statement indicating name of account holder and account number; or
  - Details of how you intend to leave Canada including the date, time and type of transportation.

## **May I apply more than once for an extension of my temporary resident status?**

You may apply as many times as you wish, but each time that you apply, you must complete a new application and pay the fee. You must also demonstrate that your residence in Canada is still temporary.

## **May I leave Canada before my request for an extension has been finalized?**

Yes. However, if you leave temporarily and you do not have your new document before you seek to re-enter Canada, you will have to re-apply (either at the port of entry if you have the right to do so, or at a visa office outside Canada) and pay another processing fee.

## **May I leave, then re-enter Canada?**

In order to return to Canada, you must be in possession of a valid passport or travel document. You also need to hold a valid study or work permit if you are returning to study or work in Canada.

If you are a citizen of a country that requires a temporary resident visa (TRV) to travel to Canada, you will also need to be in possession of a valid entry visa to return, unless:

- you are returning to Canada following a visit only to the United States or St-Pierre and Miquelon; and
- you return before the expiry of the period initially authorized for your entry or any extension to it, either as a visitor, student or worker.

Possession of these documents does not guarantee re-entry. All persons must establish that they meet all of the requirements of *The Immigration and Refugee Protection Act and Regulations* before being authorized to enter or re-enter Canada.

**Note:** Citizens of the U.S. do not require passports or travel documents to enter or return to Canada. Permanent residents of the U.S. do not require passports or travel documents if they are entering or returning to Canada from the U.S. or St. Pierre and Miquelon. However, both must provide documentary proof of citizenship or permanent residence such as a national identity card or an alien registration card.

# Restoration of Status

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You may seek restoration within **90** days after your status as a visitor, student or worker has been lost, if you have only failed to comply with one or more of the following conditions:

- You lost status because you remained in Canada longer than the period authorized for your stay (but not longer than 90 days)
- You changed employers, type of work, or location of work without applying to change these conditions if they were specified on your visitor record. (Applicable to those workers not requiring a work permit).
- You changed the type of studies, educational institution, location of studies, or times and periods of studies without applying to change these conditions on your study permit if they were specified on your study permit
- You continue to meet the initial requirements for your stay and have not failed to comply with any other conditions imposed.

You have committed an offence under the *Immigration and Refugee Protection Act* if you have not abided by the conditions that were imposed when your entry was authorized. You may voluntarily leave Canada or you may be subject to an admissibility hearing that could lead to removal from Canada. Your temporary resident status in Canada will have been lost.

You may wish to complete an application to apply for restoration of temporary resident status but there is no guarantee that your application will be accepted. On your application you must provide full details of all the facts and circumstances that resulted in you committing the offence.

There is a fee for extension of temporary resident status. However, the regular fee for temporary resident status is not required if applying for restoration. Restoration applies to each member who has lost his or her status.

An officer will evaluate your request for restoration of status and you will be advised of any further action to be taken.





### Country of last permanent residence

Regardless of the time you may have resided in a country, if your status was of a temporary nature (foreign student, guest worker, etc.) it is not your country of last permanent residence.

If your country of last permanent residence is the country where you were born, put an “x” in the box “since birth”. Otherwise put an “x” in “since” and print the year that you moved to that country.

### Addresses

Provide your current mailing address in Canada. All correspondence will be sent to this address

**Note:** If you wish to authorize a Canadian representative to receive correspondence concerning your application, indicate their address in this box and on the form

*Use of a Representative (IMM 5476).*

### Telephone number for messages

If you have access to a telephone where a message can be left for you, print the number here.

## B – My Family Members

You must give information about your family members. Family members are your spouse or common-law partner, your own dependent children or those of your spouse or common-law partner and the dependent children of dependent children. A common-law partner is a person of the opposite or same sex who is currently cohabiting and has cohabited in a conjugal relationship with you for a period of at least one year.

Dependent children may be your own children or those of your spouse or common-law partner.

A child must meet the requirements of **type A, B or C** below to be considered a dependent child:

### Type A

He or she is under the age of 22 and single, that is, not married and not in a common-law relationship.

### Type B

He or she married or entered into a common-law relationship before the age of 22 and, since becoming a spouse or a common-law partner, has

- been continuously enrolled and in attendance as a full-time student in a post-secondary institution accredited by the relevant government authority; and
- depended substantially on the financial support of a parent.

**or**

He or she is 22 years of age or older and, since before the age of 22, has

- been continuously enrolled and in attendance as a full-time student in a post-secondary institution accredited by the relevant government authority; and
- depended substantially on the financial support of a parent.

### Type C

He or she is 22 years of age or older, has depended substantially on the financial support of a parent since before the age of 22 and is unable to provide for him/herself due to a medical condition.

Children included in the application must meet the definition of “dependent children” both at the time the application is made and, without taking into account whether they have attained 22 years of age, at the time the visa is issued to them.

Include them on your application by providing their names and other information in the appropriate space on the application form. Indicate if your family members are currently in Canada.

**Important:** In order to benefit from provisions outlined in the *Immigration and Refugee Protection Act and Regulations* for spouses or common-law partners of workers or students, you must provide proof of your relationship and status in Canada. You must provide a marriage certificate and birth certificates for any accompanying family members. If you are in a common-law relationship and your common-law spouse will accompany you to Canada, you must complete the enclosed form, *Statutory Declaration of Common-Law Union (IMM 5409)*. Also provide evidence outlined on the form to support your relationship.

**For each family member print:**

**Surname (Family name) and given name(s)**

Print all names as they appear on the passport or identity document. Do not use initials.

**Relationship**

Print the person's relationship to you - husband, wife, son or daughter.

**Passport and expiry date**

If it was not a passport which was used to enter Canada, indicate the type and number of other travel or identity documents used. Passports and travel documents must be valid.

## **C – Coming Into Canada**

This information will assist us in retrieving your previous records.

## **D – My Request**

### **Box 10**

You must explain why you wish an extension and/or a change conditions for yourself or your family members.

If you are a temporary resident permit (TRP) holder you must inform us of any change to your personal circumstances. You must also inform us if any of the reasons you were originally issued a permit change after it is issued. For example, if you applied unsuccessfully for an immigrant visa to live with a family member (sponsor) in Canada, are you still living with your sponsor? Or, have you been convicted of a new offence since you first received your permit?

If your temporary resident status has expired and you wish consideration for restoration, explain the reasons for this.

### **Box 11**

Provide details of how you will support yourself and your family members while in Canada and how you will pay for transportation to leave Canada.

Provide specifics on 'Other' sources of support (employment income/employer).

If a relative or friend will provide support include their name, address and the relationship to you.

## E – Additional Information

### Box 12

If you or your family members remained beyond the validity of your status, attended school without permission or worked without permission, give **full details** and circumstances concerning the situation(s).

### Box 13

Indicate if you or any of your family members in Canada have ever been convicted of, or charged with a crime or offence in any country. If convicted, indicate whether a pardon has been granted.

### Box 14

Indicate if you or any of your family members have suffered from any serious mental or physical illness. If so, provide full details.

## G – Declaration Of Applicant

**You must sign and date the application.** Failure to do so will result in it being returned to you.

We suggest that you retain photocopies of your application and supporting documentation for your records.

## *Use of a Representative (IMM 5476)*

**Complete this form if you are appointing a representative.**

If you have dependent children aged 18 years or older, they are required to complete their own copy of this form if a representative is also conducting business on their behalf.

A **representative** is someone who has your permission to conduct business on your behalf with Citizenship and Immigration Canada. When you appoint a representative, you also authorize CIC to share information from your case file to this person.

You are not obliged to hire a representative. We treat everyone equally, whether they use the services of a representative or not. If you choose to hire a representative, your application will not be given special attention nor can you expect faster processing or a more favourable outcome.

The representative you appoint is authorized to represent you only on matters related to the application you submit with this form. You can appoint only **one** representative for each application you submit.

**There are two types of representatives:**

### **Unpaid representatives**

- friends and family members who do not charge a fee for their advice and services
- organizations that do not charge a fee for providing immigration advice or assistance (such as a non-governmental or religious organization)
- consultants, lawyers and Québec notaries who do not, and will not, charge a fee to represent you

### **Paid representatives**

If you want us to conduct business with a representative who is, or will be charging a fee to represent you, he or she must be authorized. Authorized representatives are:

- immigration consultants who are members in good standing of the Canadian Society of Immigration Consultants (CSIC)

- lawyers who are members in good standing of a Canadian provincial or territorial law society and students-at-law under their supervision
- notaries who are members in good standing of the *Chambre des notaires du Québec* and students-at-law under their supervision

If you appoint a paid representative who is not a member of one of these designated bodies, your application will be returned. For more information on using a representative, visit our [Web site](#).

#### Section B.

##### 5. Your representative's full name

If your representative is a member of CSIC, a law society or the *Chambre des notaires du Québec*, print his or her name as it appears on the organization's membership list.

##### 8. Your representative's declaration

Your representative must sign to accept responsibility for conducting business on your behalf.

#### Section D.

##### 10. Your declaration

By signing, you authorize us to complete your request for yourself and your dependent children under 18 years of age. If your spouse or common-law partner is included in this request, he or she must sign in the box provided.

#### Release of information to other individuals

To authorize CIC to release information from your case file to someone other than a representative, you will need to complete form *Authority to Release Personal Information to a Designated Individual* (IMM 5475) which is available on our Web site at [www.cic.gc.ca/english/information/applications/release-info.asp](http://www.cic.gc.ca/english/information/applications/release-info.asp) and from Canadian embassies, high commissions and consulates abroad.

The person you designate will be able to obtain information on your case file, such as the status of your application. However, he or she will **not** be able to conduct business on your behalf with CIC.

**You must notify us if your representative's contact information changes or if you cancel the appointment of a representative.**

# Paying the Fees

## Required Fees

You must pay a Processing Fee for each service that you require and all fees must be submitted with your application. If you apply for more than one service on a single application, you must add up the fees for each service and submit the total of the fees with your application. For information including eligibility, fees and required documents for working or studying in Canada, refer to the guides [Applying to Change Conditions or Extend Your Stay in Canada - Worker](#) (IMM 5553) or [Applying to Change Conditions or Extend Your Stay in Canada - Student](#) (IMM 5552) or contact the [Call Centre](#).

You may submit an application for any of, or a combination of the following services:

- Extension of temporary resident status
- Restoration of temporary resident status (due to **loss** of status as a visitor, student, worker)

Use this chart to calculate the fees required for the service(s) you are requesting.

**Note:** It is not necessary to make a separate application for an extension of temporary resident status when you apply for a work or study permit. The officer will issue all the necessary documentation with the one application.

	SERVICES	Number of Persons	Amount per person	Amount Due
	Extension of Temporary Resident Status; <b>or</b>		x \$75	
	Restoration of Temporary Resident Status (due to <b>loss</b> of status as a visitor, worker or student)		x \$200	
	Other service- <b>you</b> - specify:			
	Other service - <b>family members</b> (work or study permit) - specify:			
Total				\$

Make sure that you are eligible before you pay your fees and that you provide all the information requested before you submit the application. **The processing fee will not be refunded**, regardless of the final decision once the Case Processing Centre has started processing the application. For example, if your temporary resident status has expired and you incorrectly apply for an extension of temporary resident status, no refund for the extension will be provided and you will be asked to provide a second fee for the restoration. A determination that you are not eligible for the extension of temporary resident status is considered as “processing” and the fee will not be refunded. If you apply again, you will have to pay another processing fee.

## Paying the fees

You have the option of paying your fees through the Internet or at a financial institution.

### Payment of fees on the Internet

You can pay your fees on the Internet with a Visa, MasterCard or American Express credit card if you have access to a computer with an Internet connection, Adobe Acrobat Reader software and a printer.

After you complete your application, go to our Web site at [www.cic.gc.ca](http://www.cic.gc.ca) and select “**On-Line Services**” from the menu bar at the top, then “**Payment of fees using the Internet**”.

Follow the instructions to the end of payment process. At the end, you must print the CIC official receipt and fill out by hand the Payer Information Section. Then attach the bottom portion (copy 2) of this receipt to your completed application.

### Payment of fees at a financial institution

Fees can be paid at a financial institution in Canada and a receipt obtained which is sent to the Case Processing Centre. No other form of payment is acceptable. The receipt to be used is attached. Payment can be made at most financial institutions in Canada. Check with financial institutions in your area.

Follow these steps to make your payment:

- STEP 1.** Fill out one receipt form (IMM 5401) for yourself and other members of your family if you are applying at the same time. An original receipt must be used; **a photocopy is not acceptable**. You can order an original receipt from our [Web site](#) or by contacting the [Call Centre](#) agent (see the [Contact Information](#) section).
- STEP 2.** Insert the 'Total' on the bottom portion of the receipt.  
Do not complete the top two portions of the receipt; these will be completed by the financial institution.
- STEP 3.** Complete the 'Payer Information' sections on the reverse of the receipt.
- STEP 4.** Bring the receipt and your payment to the financial institution. Do not make payment using the automated teller machines.

The financial institution will let you know what form of payment it considers acceptable.

The financial institution will accept your payment, then stamp and insert the amount paid in the upper two portions of the receipt. You will receive the top two portions of the receipt. **Make sure you are given these and that they have been stamped and completed before you leave the financial institution.**

If there is no local financial institution which will accept payment, you may pay the fees by mail. Contact the Call Centre agent for instructions.

**Note:** Do **not** present your application to the financial institution, only your receipt.

After you have paid the fees retain the top portion of the receipt for your records. Attach the middle portion to your completed application and mail it to the Case Processing Centre.

## Incorrect payments

If you have sent insufficient fees or incorrect form of payment, we will return your application with instructions. You must then pay the additional fees and mail everything back to us. This will delay the processing of your application. If you have overpaid, we will refund the overpayment. We will issue a cheque as soon as possible.

## Refunds

To obtain a refund, you need to send a written request to withdraw your application to the processing centre at CPC Vegreville, 6212 - 55th Avenue, Vegreville AB T9C 1W5.

The **processing fee** is only refundable if we receive your request **before** processing has begun. Once we have started to process your application, there will be no refunds **regardless of the final decision**.

We will issue the refund to the person indicated on the "Payer Information" section of the receipt. If there is no name indicated on the receipt, we will send the refund to you.

# Mailing Your Application

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## Mailing Instructions

- Put the completed forms, supporting documents and fee payment receipt in a 23 cm x 30.5 cm (9" x 12") envelope. **Do not include a prepaid envelope with your application.**

**Note:** When a family is applying for documents send all the applications to the Case Processing Centre address in Vegreville, that is applicable to the primary applicant.

- Address the envelope as follows:

**Citizenship and Immigration - Visitor  
Case Processing Centre  
6212 - 55th Avenue, Unit 303  
Vegreville AB  
T9C 1W1**

- Write your name and address at the top left-hand corner of the envelope.
- Have the post office weigh your envelope to ensure you put sufficient postage on it.
- Mail the envelope.

## What Happens Next?

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You will receive a letter regarding your case and you will be informed if you need to take any further action.

If your temporary resident status extension has been granted, an immigration document will be sent to you. If your application is refused, you can only stay in Canada until the expiry date of your current temporary resident status.

If you applied for restoration of temporary resident status, you will receive a letter advising you of the decision and instructions to follow.

If your application has been referred to a local office, you will be notified of this and will subsequently be contacted by this office

If you move before your application has been processed, you must advise us of your new address by contacting the [Call Centre](#).

Advise the Call Centre if you change your telephone or fax numbers after you have mailed your application.