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SPOUSAL OPEN WORK PERMITS

 UPDATED ELIGIBILITY REQUIREMENTS



Spousal Open Work Permit Update: New Rules for Partners of International Students in Canada

Contact Here!

Important changes to [Spousal Open Work Permits \(SOWPs\)](#) for partners of international students came into effect on March 19, 2024. This blog post will guide you through the updates and answer any questions you might have.

Changes to SOWP Eligibility

Immigration, Refugees and Citizenship Canada (IRCC) has updated the eligibility criteria for SOWPs for spouses and partners of [international students](#).

Previously, partners of students in any program could apply. Now, eligibility is restricted to partners of students enrolled in:

- Master's degree programs
- Doctoral degree programs at a university or polytechnic institution in Canada.



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Exceptions for Undergraduate Programs

There's some good news for spouses or partners of students in specific [undergraduate programs](#). You can still apply for an SOWP if your partner is enrolled in one of these professional degree programs at a university:

- Doctor of Dental Surgery (DDS, DMD)
- Bachelor of Law or Juris Doctor (LLB, JD, BCL)



Doctor of Medicine (MD)
Doctor of Optometry (OD)
Pharmacy (PharmD, BS, BSc, BPharm)
Doctor of Veterinary Medicine (DVM)
Bachelor of Science in Nursing (BScN, BSN, BNSc)
Bachelor of Education (B. Ed.)
Bachelor of Engineering (B. Eng., BE, BASc)

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Applying for an SOWP

If you're applying for an SOWP under the new rules, you'll need to submit documents proving your relationship with the student and their enrolment in a qualifying program. Acceptable documents include:

A valid Letter of Acceptance (LOA) from a Designated Learning Institution (DLI)
A proof of enrolment letter from your partner's DLI
Transcripts from your partner's current program

If Already Applied?

Don't worry if you applied for an SOWP before March 19, 2024. You're still eligible as long as your partner meets the previous criteria:

Has a valid study permit.
Is eligible for a post-graduation work permit (PGWP).
Is a full-time student at a public post-secondary school (college, university, CEGEP in Quebec), a private college-level school in Quebec, or a Canadian private school authorized to grant degrees.

What if I'm Not Eligible?

If the new rules make you ineligible for an SOWP, you have options. You can explore other work permit categories or apply for a visitor visa (TRV). However, visitors cannot work in Canada.

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Why the Changes?

An SOWP allows the holder to work for most employers in Canada. While it supports family reunification, Immigration Minister Marc Miller highlighted challenges with the program. He aims to address application volume and potential misuse by focusing SOWPs on partners of students in master's and **PhD programs**.

What are the top 3 reasons for the SOWP eligibility changes?

While the official IRCC announcement doesn't provide specific reasons, Immigration Minister Marc Miller's comments suggest two main motivations for the SOWP changes:

WHAT ARE THE TOP REASONS FOR THE SOWP ELIGIBILITY CHANGES?

Reduce Application Volume

There might have been a significant increase in **SOWP applications**, leading to delays in processing legitimate cases. This backlog could have impacted processing times for everyone, **including genuine applicants**.

SOWP

Address Potential Misuse

There could have been concerns about the **program being misused**. The Minister suggested that some applications might not have reflected **genuine spousal relationships**.

Reduce Application Volume: There might have been a significant increase in SOWP applications, leading to delays in processing legitimate cases. This backlog could have impacted processing times for everyone, including genuine applicants.

Address Potential Misuse: There could have been concerns about the program being misused. The Minister suggested that some applications might not have reflected genuine spousal relationships.

Limiting eligibility may help ensure the program supports its intended purpose of family reunification.

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It's important to note that these are potential reasons based on Minister Miller's comments, not official statements from IRCC.

How can I find out if my specific program qualifies for a spousal work permit?

The best way to check if your program qualifies for a spousal work permit is to confirm if your spouse or partner's institution is on the official list of Designated Learning Institutions (DLIs). This list includes educational institutions authorized to host international students.

Here's how to find the list:

- Visit the Immigration, [Refugees and Citizenship Canada](#) (IRCC) website
- Look for the section titled "**Designated Learning Institutions (DLIs)**"
- You can search the list by province or territory to find your spouse or partner's institution.

If the institution is on the DLI list, it generally qualifies for spousal work permits under the current rules (as of March 20, 2024). However, to be certain, double-check the program level (master's or doctoral) to ensure it meets the current eligibility criteria.

We hope this blog post clarifies the recent changes to SOWP eligibility for partners of international students in Canada. If you have further questions, contact our immigration specialists at Triple I Business Services

FAQ's

I applied for a SOWP before March 19, 2024. Am I still eligible?

Yes, you are still eligible for a SOWP if your spouse or partner meets the following criteria:

- Has a valid study permit.
- Is eligible for a post-graduation work permit (PGWP).
- Is a full-time student at one of these types of schools:
 - A public post-secondary school (college, university, or CEGEP in Quebec).
 - A private college-level school in Quebec.
 - A Canadian private school that can legally award degrees under provincial law (bachelor's, master's, or doctoral degree).

What other work permit options are available for spouses of undergraduate students?

- The update restricts SOWP eligibility for most undergraduate spouses. However, you might explore other work permit categories depending on your specific situation.
- This blog offers a brief overview, but consider consulting an immigration professional for personalized guidance.

How long does it typically take to process a SOWP application?

- Processing times for SOWP applications can vary depending on individual circumstances and current workloads at IRCC.
- The [official website](#) offers a tool to check estimated processing times for different applications.

Can my spouse work remotely for a company outside of Canada with an SOWP?

- This is a growing question with the rise of remote work. While a SOWP allows working for most employers in Canada, it generally doesn't permit remote work for companies outside the country. The income earned and the work performed must be within Canada.

Can I study part-time while holding a SOWP?

- Yes, you can pursue part-time studies while holding a valid SOWP. This allows you to continue your education while supporting yourself financially.

What happens to my SOWP if my spouse's study permit gets revoked?

- Unfortunately, if your spouse's study permit gets revoked, your SOWP will likely be cancelled as well. It's crucial to maintain a valid study permit for your spouse to hold a valid SOWP.

Do I need to apply for a new SOWP if my spouse changes universities?

- No, you typically don't need a new SOWP if your spouse changes universities within Canada as long as they remain a full-time student at a Designated Learning Institution (DLI) and their study permit remains valid. However, it's advisable to inform IRCC of the university change.

Can my dependent children come to Canada if I have an SOWP?

- You can explore applying for a visitor visa with a medical exam for your dependent children. However, this wouldn't allow them to work or study in Canada. Consider consulting an immigration professional for specific guidance on your situation.

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For more information related to a Canada Spousal Open Work Permit visa or any other visa **Call or WhatsApp:** +91 859 574 4633 or **Email:** info@tripleibusiness.com



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