



CANADA  
PRIVY COUNCIL

AT THE GOVERNMENT HOUSE AT OTTAWA  
WEDNESDAY, the 16th day of AUGUST, 1967

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL.

His Excellency the Governor General in Council,  
on the recommendation of the Minister of Manpower and  
Immigration, pursuant to sections 49 and 61 of the Immigration  
Act, is pleased hereby to amend, effective the 1st October,  
1967, the Immigration Regulations, Part I, made by Order in  
Council P.C. 1962-86, of 18th January, 1962, as amended, in  
accordance with the Schedule hereto.

*Approved*

*R. Mearns*

*U. Hall*

DEPUTY GOVERNOR GENERAL

AUG 16 1967

CONFIDENTIAL  
(Unclassified on Publication)

## SCHEDULE

PART I

1. (1) Section 2 of the Immigration Regulations is amended by adding thereto, immediately after paragraph (a) thereof, the following paragraph:

"(ab) "aunt" in relation to any person means a sister of the mother or father of that person;"

(2) Section 2 of the said Regulations is further amended by adding thereto, immediately after paragraph (b) thereof, the following paragraph:

"(ba) "Department" means the Department of Manpower and Immigration;"

(3) Section 2 of the said Regulations is further amended by adding thereto, immediately after paragraph (c) thereof, the following paragraphs:

"(ca) "immediate family" in relation to any person means the husband or wife of that person and any unmarried son or daughter of that person under the age of twenty-one years;

(cb) "independent applicant" means a person eighteen years of age or over who applies on his own behalf for admission to Canada for permanent residence;

(cd) "nephew" in relation to any person means the son of a brother or sister of that person and includes a son born out of wedlock to a sister of that person;

(ce) "niece" in relation to any person means the daughter of a brother or sister of that person and includes a daughter born out of wedlock to a sister of that person;

(cf) "orphan" means a person whose lawful father and mother are both deceased;"

(4) Paragraph (e) of section 2 of the said Regulations is revoked and the following substituted therefor:

"(e) "uncle" in relation to any person means a brother of the father or mother of that person,"

2. (1) The heading preceding section 31 and section 31 of the said Regulations are revoked and the following substituted therefor:

"Admissible Classes

31. (1) Subject to this section, every person residing in Canada who is a Canadian citizen or a person lawfully admitted to Canada for permanent

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residence is entitled to sponsor for admission to Canada for permanent residence any of the following individuals (hereinafter referred to as a "sponsored dependant"):

- (a) the husband or wife of that person;
  - (b) the fiance or fiancée of that person and any accompanying unmarried son or daughter of that fiance or fiancée under twenty-one years of age;
  - (c) any unmarried son or daughter of that person under twenty-one years of age;
  - (d) the father, mother, grandfather or grandmother of that person sixty years of age or over, or under sixty years of age if incapable of gainful employment or widowed, and any accompanying immediate family of that father, mother, grandfather or grandmother;
  - (e) any brother, sister, nephew, niece, grandson or granddaughter of that person who is an orphan and under eighteen years of age;
  - (f) any adopted son or daughter of that person who was adopted under the age of eighteen years and who is under twenty-one years of age and unmarried;
  - (g) any child under the age of thirteen years whom that person intends to adopt and who is
    - (i) an orphan,
    - (ii) an abandoned child whose parentage cannot be determined,
    - (iii) a child born out of wedlock who has been placed with a welfare authority for adoption, or
    - (iv) a child whose parents are separated with little or no prospect of reconciliation and who has been placed with a welfare authority for adoption; and
  - (h) subject to subsection (3), where he has no relatives described in paragraphs (c) to (f), one person from among his next closest relatives and any accompanying immediate family of that person.
- (2) A sponsored dependant may be admitted to Canada for permanent residence if
- (a) he complies with the requirements of the Act and these Regulations;



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- (b) in the case of a fiance or fiancée of a sponsor, there is no legal impediment to the marriage of that person and the sponsor under the laws of the province in which the marriage is to be performed;
- (c) in the case of a child described in paragraph (e) of subsection (1), who, because of his age, would be subject to the jurisdiction of the child welfare authority of the government of the province in which he is to reside, an officer of that authority has stated in writing that it has no objection to the child's entering and remaining in that province;
- (d) in the case of a child described in paragraph (f) of subsection (1), an officer of the child welfare authority of the government of the province in which the child is to reside has stated in writing that the authority recognizes the adoption as being valid in that province;
- (e) in the case of a child described in paragraph (g) of subsection (1), an officer of the child welfare authority of the government of the province in which the child is to reside has stated in writing that arrangements satisfactory to the authority have been made to supervise the adoption of the child or to ensure that the child will be cared for if it is not adopted; and
- (f) application for his admission is made by the sponsor in the form prescribed by the Minister.

(3) A Canadian citizen residing in Canada or a person lawfully admitted to Canada for permanent residence and residing in Canada is entitled during his lifetime to sponsor for admission to Canada only one of the persons described in paragraph (h) of subsection (1), but if the sponsored dependant chosen by him is unable to comply with the requirements of the Act and these Regulations or dies, he may sponsor one other person from among his next closest relatives and any accompanying immediate family of that person.

(4) Subsections (1) and (3) do not apply to a person lawfully admitted to Canada for permanent residence against whom a deportation order has been made.

32. (1) An independent applicant and his immediate family may be granted admission to Canada for permanent residence if

- (a) he and his immediate family comply with the requirements of the Act and these Regulations;
- (b) in the opinion of an immigration or visa officer he is likely to establish himself successfully in Canada and has the means to maintain himself and his immediate family until he is established; and
- (c) he applies in the form prescribed by the Minister.

(2) In forming his opinion for the purposes of paragraph (b) of subsection (1), an immigration or visa officer shall assess each independent applicant on the following factors in accordance with the norms set out in Schedule A:

- (a) his education and training;
- (b) his personal qualities;
- (c) the demand in Canada for the occupation in which he is likely to be employed;
- (d) the level of his occupational skill;
- (e) his age;
- (f) the existence of arranged employment for him;
- (g) his knowledge of the English and French languages;
- (h) the presence in Canada of a relative who is prepared to assist, but not to apply for his admission as a sponsored dependant or as a nominated relative as defined in subsection (1) of section 33, although entitled or eligible to do so under these Regulations; and
- (i) general employment prospects of the area in which he proposes to reside in Canada.

(3) An independent applicant who intends to establish a business or to retire in Canada may, instead of being assessed on the factors set out in paragraphs (c) and (d), be assessed in accordance with the norms set out in Schedule A as to whether he has sufficient financial resources to so establish himself.

(4) Notwithstanding subsection (2), an immigration or visa officer may

- (a) approve the admission of an independent applicant who does not meet the norms set out in Schedule A, or
  - (b) refuse the admission of an independent applicant who meets the norms set out in Schedule A,
- if in his opinion there are good reasons why those norms



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do not reflect the particular applicant's chances of establishing himself successfully in Canada and those reasons have been submitted in writing to, and approved by, an officer of the Department designated by the Minister.

33. (1) Subject to this section, any person residing in Canada who is a Canadian citizen or a person lawfully admitted to Canada for permanent residence may nominate for admission to Canada for permanent residence any of the following individuals (hereinafter referred to as a "nominated relative") including any accompanying immediate family of that individual:

- (a) any son or daughter of that person twenty-one years of age or over;
- (b) any married son or daughter of that person under twenty-one years of age;
- (c) any brother or sister of that person;
- (d) the father, mother, grandfather or grandmother of that person under sixty years of age; and
- (e) any nephew, niece, uncle, aunt, grandson or granddaughter of that person.

(2) A nominated relative and his immediate family may be granted admission to Canada for permanent residence if

- (a) he and his immediate family comply with the requirements of the Act and these Regulations; and
- (b) the person nominating him has met the requirements of subsection (4) and an order of deportation has not been made against that person.

(3) In assessing a nominated relative for admission to Canada for permanent residence, an immigration or visa officer shall assess that person or the head of his immediate family if he is not the head on the following factors in accordance with the norms set out in Schedule B:

- (a) his education and training;
- (b) his personal qualities;
- (c) the demand in Canada for the occupation in which he is likely to be employed;
- (d) the level of his occupational skill; and
- (e) his age.

(4) Every person nominating a nominated relative for admission to Canada for permanent residence shall

- (a) undertake to provide for a period of five years any necessary care and maintenance from his own resources for the nominated relative and his immediate family in accordance with standards prescribed by the Minister;

- (b) have carried out the responsibilities with respect to any previous application for the admission to Canada of any person for permanent residence;
- (c) be willing and able to undertake to advise, counsel and assist the nominated relative in fulfilling his responsibilities as a resident of Canada; and
- (d) make the nomination in the form prescribed by the Minister.

(5) Notwithstanding subsection (3), an immigration or visa officer may

- (a) approve the admission of a nominated relative who does not meet the norms set out in Schedule B, or
- (b) refuse admission of a nominated relative who meets the norms set out in Schedule B, if in his opinion there are good reasons why those norms do not reflect the particular nominated relative's chances of establishing himself successfully in Canada and those reasons have been submitted in writing to, and approved by, an officer of the Department designated by the Minister.

34. (1) In this section "applicant in Canada" means a person who has been allowed to enter and remain in Canada as a non-immigrant under subsection (1) of section 7 of the Act other than

- (a) a person described in paragraph (f) or (i) of that subsection who is under a contractual obligation, made prior to his entry into Canada, to return to the country of which he is a citizen and who is not the spouse of a Canadian citizen or a person lawfully admitted to Canada for permanent residence;
- (b) a person described in paragraph (j) of that subsection; and
- (c) a person described in that subsection against whom an order of deportation has been made.

(2) Notwithstanding section 28, an applicant in Canada who

- (a) if outside Canada would be eligible to be sponsored as a sponsored dependant, and
  - (b) is not in possession of an immigrant visa or a letter of pre-examination but, in the opinion of an immigration officer, would on application be issued a visa or letter of pre-examination if outside Canada,
- may be admitted to permanent residence in Canada if
- (c) he complies with the requirements of the Act and these Regulations;



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- (d) his application is in the form prescribed by the Minister;
- (e) a person entitled to sponsor him as a sponsored dependant applies for his admission to Canada in the form prescribed by the Minister; and
- (f) in the opinion of an immigration officer he would have been admitted to Canada as a sponsored immigrant if he had been examined outside Canada.

(3) Notwithstanding section 28, an applicant in Canada who

- (a) if outside Canada would be an independent applicant, and
  - (b) is not in possession of an immigrant visa or letter of pre-examination but, in the opinion of an immigration officer, would on application be issued a visa or letter of pre-examination if outside Canada,
- may be admitted to Canada for permanent residence if
- (c) he complies with the requirements of the Act and these Regulations;
  - (d) he makes application in the form prescribed by the Minister before the expiration of the period of temporary stay in Canada authorized for him by an immigration officer;
  - (e) he has not taken employment in Canada without the written approval of an officer of the Department; and
  - (f) in the opinion of an immigration officer, he would have been admitted to Canada for permanent residence if he had been examined outside Canada as an independent applicant and assessed in accordance with the norms set out in Schedule A, except with respect to arranged employment.

(4) Notwithstanding section 28, an applicant in Canada who

- (a) if outside Canada could be nominated for admission to Canada as a nominated relative, and
  - (b) is not in possession of an immigrant visa or letter of pre-examination but, in the opinion of an immigration officer, would on application be issued a visa or letter of pre-examination if outside Canada,
- may be admitted to Canada for permanent residence if
- (c) he complies with the requirements of the Act and these Regulations;
  - (d) he makes application in the form prescribed by the Minister before the expiration of the period of temporary stay in Canada authorized for him by an immigration officer;



- (e) a person who could nominate him as a nominated relative applies for his admission in the form prescribed by the Minister;
- (f) he has not taken employment in Canada without the written approval of an officer of the Department; and
- (g) in the opinion of an immigration officer he would have been admitted to Canada for permanent residence if he had been examined outside Canada as a nominated relative and assessed in accordance with the norms set out in Schedule B.

35. (1) Subject to this section, a student described in paragraph (f) of subsection (1) of section 7 of the Act may be allowed to enter and remain in Canada as a non-immigrant if

- (a) he complies with the requirements of the Act and these Regulations;
- (b) he presents to an immigration officer an official letter of acceptance from a university or college described in that paragraph or an educational institution providing academic, professional or vocational training approved by the Minister for the purposes of that paragraph; and
- (c) in the opinion of an immigration officer he has sufficient financial resources to maintain himself and any dependants accompanying him during the period for which he is admitted as a student.

(2) A student referred to in subsection (1) and his dependants shall not take employment in Canada without the written permission of an officer of the Department.

(3) The period during which a student referred to in subsection (1) may remain in Canada shall not exceed twelve months from the date of his entry into Canada but may be extended by an immigration officer for further periods not exceeding twelve months each if

- (a) he remains in good standing with and actual attendance at, a university, college or educational institution described in paragraph (b) of subsection (1);
- (b) he has observed the conditions of his entry; and
- (c) he complies with the requirements of the Act and these Regulations.

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36. Every person seeking admission to Canada under the Act and these Regulations shall provide such information as may be required by an immigration or visa officer to determine that person's admissibility to Canada under the Act and these Regulations including evidence to establish his identity, age, family relationships, character, education and occupation."

Examined as Required by  
Canadian Bill of Rights.

  
Deputy Minister of Justice

Date August 10 1967



## SCHEDULE A

## NORMS FOR ASSESSMENT OF INDEPENDENT APPLICANTS

1. The factors to be used in assessing independent applicants, the weight to be allotted to each factor, and the units of assessment to be used in applying those factors, are as follows:

Units of Assessment

- |                            |   |
|----------------------------|---|
| (a) Education and training | One unit for each successfully completed year of formal education and for each year of professional, vocational and formal trades training, or apprenticeship, up to a maximum of twenty.   |
| (b) Personal assessment    | Adaptability, motivation, initiative, resourcefulness and other similar qualities to be assessed during an interview with the applicant by an immigration or visa officer, the total assessment up to a maximum of fifteen to reflect the latter's judgment of the personal suitability of the applicant and his family to become successfully established in Canada. |
| (c) Occupational demand    | On the basis of information gathered by the Department on employment opportunities in Canada, units to be assessed according to demand for the occupation the applicant will follow in Canada, ranging from fifteen when the demand is strong to zero when there is an over-supply in Canada of workers having the particular occupation of the applicant.            |
| (d) Occupational skill     | To be assessed according to the highest skill possessed by the applicant, ranging from ten units for the professional to one unit for the unskilled, irrespective of the occupation the applicant will follow in Canada.  |

Units of Assessment

- (e) Age Ten units if the applicant is between eighteen and thirty-five years of age, but one unit to be deducted for each year of age over thirty-five.
- (f) Arranged employment Ten units if the applicant has arranged definite employment in Canada which offers reasonable prospects of continuity.
- (g) Knowledge of English and French
- (a) Ten units if the applicant reads, writes and speaks fluently both English and French;
  - (b) Five units if he reads, writes and speaks fluently one of the two languages;
  - (c) Four units for each of the two languages he speaks fluently and reads well;
  - (d) Two units for each of the two languages he speaks fluently;
  - (e) One unit for each of the two languages he speaks with difficulty;
  - (f) Two units for each of the two languages he reads well;
  - (g) One unit for each of the two languages he reads with difficulty.
- (h) Relative Where the applicant has a relative in Canada willing to assist him in becoming established and eligible to sponsor or nominate him but is unprepared or unable to do so,
- (a) five units if the applicant's destination is the municipality in which that relative lives;
  - (b) three units if his destination is not the municipality in which that relative lives.
- (i) Employment opportunities in the area of destination A maximum of five units if the applicant intends to go to an area in Canada where there is a very strong general demand for labour, fewer if the demand is less strong, and zero if there is an over-supply of labour in the area.



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2. An independent applicant who intends to establish a business or to retire in Canada may be given a credit of twenty-five units instead of being assessed under the factors set out in paragraphs (c) and (d) of section 1 if

- (a) he has sufficient financial resources to establish himself in business or to retire; and
- (b) the immigration or visa officer is satisfied that any business the applicant proposes to establish has a reasonable chance of being successful.

3. In order to be assessed as likely to establish himself successfully in Canada, an independent applicant outside Canada must achieve at least fifty units of assessment.

4. An applicant in Canada described in subsection (1) of section 34, must achieve at least fifty units of assessment on the factors set out in this Schedule other than arranged employment.

## SCHEDULE B

## NORMS FOR ASSESSMENT OF NOMINATED RELATIVES

1. The factors to be used in assessing nominated relatives, the weight to be allotted to each factor, and the units of assessment to be used in applying those factors, are as follows:

Units of Assessment

- |                            |   |
|----------------------------|---|
| (a) Education and training | One unit for each successfully completed year of formal education and for each year of professional, vocational and formal trades training, or apprenticeship, up to a maximum of twenty.   |
| (b) Personal assessment    | Adaptability, motivation, initiative, resourcefulness and other similar qualities to be assessed during an interview with the applicant by an immigration or visa officer, the total assessment up to a maximum of fifteen to reflect the latter's judgment of the personal suitability of the applicant and his family to become successfully established in Canada. |
| (c) Occupational demand    | On the basis of information gathered by the Department on employment opportunities in Canada, units to be assessed according to demand for the occupation the applicant will follow in Canada, ranging from fifteen when the demand is strong to zero when there is an over-supply in Canada of workers having the particular occupation of the applicant.            |
| (d) Occupational skill     | To be assessed according to the highest skill possessed by the applicant, ranging from ten units for the professional to one unit for the unskilled, irrespective of the occupation the applicant will follow in Canada.  |
| (e) Age                    | Ten units if the applicant is under thirty-five years of age but one unit to be deducted for each year of age over thirty-five years of age.  |



2. (1) A nominated relative must achieve
- (a) at least twenty units in an assessment based on the factors set out in paragraphs (a) to (e) of section 1, if that relative is
    - (i) a son or daughter twenty-one years of age or over,
    - (ii) a married son or daughter under twenty-one years of age,
    - (iii) a brother or sister,
    - (iv) the father, mother, grandfather or grandmother under sixty years of age, or
    - (v) an unmarried nephew or niece under twenty-one years of ageof a person who is a Canadian citizen residing in Canada; and
  - (b) at least twenty-five units in an assessment based on the factors set out in paragraphs (a) to (e) of section 1 if he is a relative described in subparagraphs (i) to (v) of paragraph (a) of a person lawfully admitted to Canada for permanent residence and residing in Canada.
- (2) A nominated relative must achieve
- (a) at least thirty units in an assessment based on the factors set out in paragraphs (a) to (e) of section 1 if that relative is
    - (i) a nephew or niece twenty-one years of age or over,
    - (ii) a married nephew or niece under twenty-one years of age, or
    - (iii) an uncle, aunt, grandson or granddaughterof a person who is a Canadian citizen residing in Canada; and
  - (b) at least thirty-five units in an assessment based on the factors set out in paragraphs (a) to (e) of section 1 if he is a relative described in subparagraphs (i) to (iii) of paragraph (a) of a person lawfully admitted to Canada for permanent residence and residing in Canada.
3. (1) An applicant in Canada who could have been eligible to be nominated for admission to Canada and examined while abroad as a nominated relative must achieve
- (a) at least thirty units in an assessment based on factors (a) to (e) of section 1 if that relative is
    - (i) a son or daughter twenty-one years of age or over,
    - (ii) a married son or daughter under twenty-one years of age,
    - (iii) a brother or sister,
    - (iv) a parent or grandparent under sixty years of age, or
    - (v) an unmarried nephew or niece under twenty-one years of ageof a person who is a Canadian citizen residing in

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- Canada; and
- (b) at least thirty-five units in an assessment based on factors (a) to (e) of section 1 if he is a relative described in subparagraphs (i) to (v) of paragraph (a) of a person lawfully admitted to Canada for permanent residence and residing in Canada.
- (2) An applicant in Canada who could have been eligible to be nominated for admission to Canada and examined while abroad as a nominated relative, must achieve
  - (a) at least forty units in an assessment based on factors (a) to (e) of section 1 if that relative is
    - (i) a nephew or niece twenty-one years of age or over,
    - (ii) a married nephew or niece under twenty-one years of age, or
    - (iii) an uncle, aunt, grandson or granddaughter of a person who is a Canadian citizen residing in Canada; and
  - (b) at least forty-five units in an assessment based on factors (a) to (e) of section 1 if he is a relative described in subparagraphs (i) to (iii) of paragraph (a) of a person lawfully admitted to Canada for permanent residence and residing in Canada.

4. If the nominated relative is married, and is not the head of the family, the assessment shall be made of the head of the family as if he had the same degree of relationship to the person making the nomination as the person nominated.