

TIPS FOR PREPARING A SPOUSAL SPONSORSHIP ON THE IRCC ONLINE PERMANENT RESIDENCE PORTAL

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This handout is solely for informational purposes and does not constitute legal advice.. We urge you to consult with us at info@connectingottawa.com if you have any specific legal questions about a client's situation.

1. How to Create an Account on the Permanent Residence Portal

- The sponsor must **create an account** on the **IRCC online permanent residence portal** using their email address. Go to: <https://prson-srpel.apps.cic.gc.ca/en/login>.
- The sponsor must choose “family” as the program they are applying under. They must then choose the correct category and subcategory of application and name the application (example name of application: “Spousal Sponsorship of Amina Ahmed”).

2. Select The Correct Category of Application

- Choose Spouse if you are married to the person you are sponsoring and you were both physically present at your marriage ceremony. The marriage must be legal both where it took place and under Canadian law. In addition, the marriage must be legally registered with the government in the country where it took place.
- Choose Common-law partner if you and the person you are sponsoring have lived together in a marriage-like relationship for at least 12 months in a row. If you are not currently living together because your common-law partner is in another country, this is not a problem.
- Choose Conjugal partner if there is a significant degree of attachment between the two of you, implying not just a physical relationship but a mutually interdependent relationship, AND/ OR, you've been in a genuine (real) relationship for at least 12 months where marriage or cohabitation (living together) hasn't been possible for any reason.

3. Select the Correct Subcategory of Application in the Permanent Residence Portal

- Family Class: Apply under this class if the person being sponsored lives outside Canada, AND/ OR, the spouse/partner being sponsored currently lives with their sponsor in Canada but doesn't plan to stay in Canada while the application is being processed, AND/ OR, the spouse/partner being sponsored is the sponsor's conjugal partner or dependent child.
- Spouse or Common-Law Partner in Canada Class: Apply under this class if the spouse or common-law partner being sponsored lives with their sponsor in Canada, AND/ OR, has valid temporary resident status in Canada, or is exempt from needing this status under a public policy.

4. Complete the Online Profile

- After creating and naming the application on the permanent residence portal, the sponsor must fill out a profile with basic information concerning the principal applicant (PA) (sponsored spouse/partner) and any dependents included in the sponsorship. This must be done before filling out the online forms.

5. Make Sure You Qualify to Sponsor Your Spouse/Partner

- Before completing all the forms in the permanent residence portal, be sure you meet the criteria to sponsor. Review the complete guide to spousal sponsorship at:
<https://www.canada.ca/en/immigration-refugees-citizenship/services/application/application-forms-guides/guide-5289-sponsor-your-spouse-common-law-partner-conjugal-partner-dependent-child-complete-guide.html>
- You can become a sponsor if you are:
 - At least 18 years old.
 - A Canadian citizen, a person registered in Canada as an Indian under the Canadian Indian Act, or a permanent resident.
 - Living in Canada.
 - If you're a Canadian citizen living outside Canada, you must show that you plan to live in Canada with your spouse or partner when they become a permanent resident.
 - You can't sponsor someone if you're a permanent resident living outside of Canada.
 - Able to prove that you are not receiving social assistance for reasons other than a disability, and you must also be able to show that you can provide basic needs for:
 - Yourself
 - Your spouse or partner
 - Your spouse or partner's dependent child(ren) (if applicable)
 - Your dependent child(ren) (if you're sponsoring only your dependent child)
- To sponsor a spouse or partner, you do not need to prove that you earn a particular level of income, but you must convince an immigration officer that you will be able to support your family without going on social assistance. However, you must meet the minimum income requirement if the spouse or partner you're sponsoring has a dependent child who has a dependent child of their own, or the dependent child you are sponsoring has a dependent child of their own. The income requirement is based on Statistics Canada's annual Low-income Cut-Off (LICO).
- You may not be able to sponsor if you:
 - Are sponsoring a spouse or partner but you signed an undertaking for a previous spouse or partner, and it hasn't been three years since they became a permanent resident.
 - You haven't complied with the residency requirement for permanent residents (residing in Canada 2 out of every 5 years).
 - Previously sponsored someone and did not pay back any social assistance that they received while the undertaking was in place.
 - Are in default on an immigration loan or a performance bond.
 - Did not pay court-ordered spousal or child support.
 - Have declared bankruptcy which has not been discharged.
 - Were convicted of certain criminal offenses.
 - Are sponsoring a spouse or partner and you were previously sponsored as a spouse, common-law or conjugal partner and became a permanent resident of Canada less than five years ago.
 - Are under a removal order (meaning that you could be deported from Canada).
 - Are in a penitentiary, jail, reformatory or prison.

6. Understand the Length of Time The Sponsor is Financially Responsible for the Person They Sponsor: The Sponsorship Undertaking

- Once a sponsor signs the sponsorship undertaking and submits their application, they are financially responsible for the person they sponsor. This means that the sponsor will have to pay back any social assistance the sponsored person receives during the period of the sponsorship undertaking (3 years).
- The sponsor remains financially responsible even if:
 - The sponsored person becomes a Canadian citizen.
 - The couple becomes divorced, separated or the relationship with the sponsored person breaks down.
 - The sponsor or sponsored person moves to another province or country.
 - The sponsor has financial problems.
- If you are sponsoring a spouse, common-law partner or conjugal partner, the length of undertaking is 3 years from the day your spouse, common-law partner or conjugal partner becomes a permanent resident.
- If you are sponsoring a dependent child over 22 years of age, the length of undertaking is 3 years from the day your dependent child (or the dependent child of your spouse, common-law partner or conjugal partner) over 22 years of age becomes a permanent resident.
- If you are sponsoring a dependent child under 22 years of age who is not married or living common law, the length of undertaking is 10 years from the day your dependent child (or the dependent child of your spouse, common-law partner or conjugal partner) under 22 years of age becomes a permanent resident, or until the child becomes 25 years old, whichever comes first.

7. Completing the Sponsorship Forms in the Permanent Residence Portal

- Always keep in mind that the couple must convince IRCC that they are in a genuine relationship and that the relationship was not entered into primarily for the purpose of acquiring status in Canada.
- If spouses have previously been married several times, have a significant age difference between them, come from very different cultural backgrounds or education levels, they may face greater challenges in convincing IRCC that their relationship is genuine. This is why writing detailed responses to all questions on the sponsorship forms and providing as much supporting evidence as possible are critical.
- Depending on who the sponsor is sponsoring, they will be completing online forms and uploading supporting documents for:
 - Their spouse or common-law partner who lives with them in Canada, and their dependent children.
 - Their spouse, common-law partner or conjugal partner who lives overseas, and their dependent children.
 - Their dependent children only.

8. Online Forms

- The following forms must be completed directly on the Online portal and are completed from the point of view of the principal applicant (the spouse/partner being sponsored):
 - Generic Application Form for Canada (IMM 0008)
 - Schedule A – Background/Declaration (IMM 5669)
 - Additional Family Information (IMM 5406)
 - Supplementary Information – Your travels (IMM 5562).

Note: Any dependant child over the age of 18 must also complete a separate IMM 5669, IMM 5406, IMM 5562 and IMM 5476 (if applicable).

Note: If you press save & continue and you didn't fill out all the information on the previous page, the portal has a glitch and will wrongly think you completed the previous page and permit you to submit an incomplete form.

9. PDF Forms Uploaded to the Portal

- For these forms, and all supporting documents uploaded to the portal, documents must be named as: "Last Name -First Name -Document type". Example: Perez – Carmen – police certificate EI Salvador.
- Forms and documents uploaded to the portal cannot be larger than 4 MB in size. If so, the size must be reduced.
- The following fillable PDF forms must be downloaded from the online portal, completed, signed and uploaded:
 - Document checklist – Spouse (Including Dependent Children) (IMM 5533).
Note: Be sure to choose the right class of application on the checklist and to check off every item being submitted. Also remember to provide a written explanation for any required document that is not submitted.
 - Application to Sponsor, Sponsorship Agreement and Undertaking [IMM 1344] (completed by the sponsor and digitally signed by both spouses/partners).
 - Relationship Information and Sponsorship Evaluation Form [IMM 5532] completed and digitally signed by both spouses/partners.
 - Sponsorship Evaluation (IMM 5481) the sponsor fills out this form if sponsoring only a dependent child who has no dependent children of their own.
Note: If you are just sponsoring a spouse/partner, they do not complete this form. If sponsoring a dependent child who has dependent children of their own, fill out the Financial Evaluation (IMM 1283) form instead.
 - Use of a Representative [IMM 5476]. This form allows a lawyer or consultant to do business with IRCC on the couple's behalf. If the sponsor is representing themselves, the sponsored spouse PA should complete a Use of Representative form appointing the sponsor as their representative.
 - Country-specific requirements:
<https://www.cic.gc.ca/english/information/applications/spouse.asp>

10. Upload Required and Optional Supporting Documents

- The following additional documents must be translated, if necessary, clearly scanned, and uploaded under the right document category:
 - Proof of Canadian citizenship or permanent resident status of the sponsor.
 - A police certificate for any country in which the sponsored spouse and all dependent children over age 18 have resided for more than six months after turning age 18. To find the requirements the police certificate must meet, see instructions by country at: <https://www.canada.ca/en/immigration-refugees-citizenship/services/application/medical-police/police-certificates/how.html>
 - Permanent residence photo for principal applicant and any dependents included on the sponsorship. Upload both the front and back of the photo. The back of the photo must include the individual's name and date of birth, the name and complete address of the photography studio and the date the photograph was taken. For photo specifications, see: <https://www.canada.ca/en/immigration-refugees-citizenship/services/new-immigrants/pr-card/apply-renew-replace/photo.html>
 - Non-accompanying Parent Declaration for Minors Travelling to Canada [IMM 5604] if a minor child will be immigrating to Canada with only one parent and the other parent remains abroad. Be sure to have this form notarized and include a copy of an identification document for the non-accompanying parent.
 - Marriage certificate if sponsoring a married spouse (showing marriage was legally registered with the government in the country where it took place).
 - Copy of wedding invitation or announcement if the couple is married and had an invitation.
 - Proof of separation from sponsor's current spouse if they are sponsoring a common-law partner while still legally married to someone else.
 - Birth certificate of principal applicant and any dependent children included in the sponsorship
 - Adoption or custody documents for children included in the sponsorship if necessary.
 - Passport of principal applicant and any dependents included in the sponsorship.
 - Any supporting identity or civil status documents required for the principal applicant's country of citizenship as listed in the Country-Specific requirements.
 - Proof of divorce or death for all sponsor and principal applicant's previous marriages.
 - Letter from sponsor's current employer stating period of employment, salary and regular hours per weeks or supporting financial documents if you are self-employed.
 - Sponsor's most recent Notice of Assessment (including line 150), or Proof of income statement (Option C).
 - Financial documents demonstrating how the sponsor will support themselves and the principal applicant if the sponsor is not currently employed.
 - Proof of Contact (Letters, text messages, emails or social media conversations or other documented proof of contact between sponsor and principal applicant. Provide a certified translation in English or French if documents not in those languages.
 - Proof of sponsor's visits to the principal applicant if they made any (airline ticket itineraries or boarding passes, photocopies of pages of sponsor's passport showing entry-exit stamps) supporting visits.
 - Proof of any current or past joint documents such as joint property rental or ownership, joint utilities, joint credit cards, joint bank accounts.

Upload and Supporting documents (cont'd)

- Insurance documents listing each other as spouses or common law partners; copies of mail or financial documents each spouse/partner received in their own name but at the same mailing address; government ID documents of sponsor and principal applicant listing same home address (for in-Canada sponsorships).
- Photos of the couple's engagement, wedding, honeymoon, outings together, etc. (With an explanation provided for each photo explaining who is in the photo, the date and what is happening. The best is to combine all photos into one document including the captions).
- Proof of financial support between the sponsor and principal applicant if one sends money to the other (such as Western Union receipts).
- Letters from friends/family confirming their knowledge of the relationship and its genuineness, social media information showing a public relationship, etc.
- Any documentation that demonstrates living together in the past if the couple does not live together now but did so in the past.
- Letter of explanation explaining the reasons any required document could not be submitted.
- Fees receipt: Pay the fees and generate the PDF fees receipt to upload:
<https://www.cic.gc.ca/english/information/fees/pay.asp>
 - You must upload one receipt for all the sponsorship fees which include:
 - Sponsor your spouse or partner: Sponsorship fee (\$75), principal applicant processing fee (\$490) and right of permanent residence fee (\$515)
 - Sponsor a dependent child: Sponsorship fee (\$75) and processing fee (\$75)
 - Biometrics fee: for applicants over age 14, \$80 (\$170 maximum fee for a family of two or more applicants applying together)

11. Additional Optional Documents to Submit to Strengthen a Sponsorship

- Proof of gifts between the couple.
- Detailed letters from the couple's family, friends and children discussing the time they have spent together with the couple.
- Detailed written letter/narrative from the couple laying out the development of their relationship in order to supplement the information provided in their application forms. If the couple has a significant age difference or IRCC might not think their marriage is consistent with their culture, address these points head on in the letter.
- Proof of the principal applicant's studies, employment and language abilities to demonstrate that they will quickly become self-supporting in Canada (particularly important if the sponsor has a low income).
- Letter from someone in Canada offering the principal applicant employment on arrival.

12. Final Steps Before Submitting the Online Application

- Answer all questions in the online forms, writing N/A where a question does not apply.
- Sign and upload the required PDF forms.
- Upload supporting documents, including a correctly completed document checklist.
- Be sure you have uploaded the permanent residence photo and fees receipt.
- Electronically sign your application in the Declaration section (type your full name exactly as shown on your passport).

13. After Submitting the Online Sponsorship Application

- An email is immediately sent to the email address associated with the permanent residence portal account, indicating that the application was submitted..
- Subsequent steps will include:
 - The age of any dependent child is locked in at the time the sponsorship is received by IRCC. This means that, even if the child becomes older than 22 during the sponsorship process, they will still qualify as a dependent as long as they were under 22 at the time the sponsorship was submitted.
 - Sponsor receives letter confirming eligibility and providing application file number.
 - Sponsored spouse/partner receives request to undergo medical exam and biometrics if necessary.
 - IRCC confirms that the sponsored spouse/partner is not inadmissible to Canada for criminal, security, medical or other reasons.
 - Sponsored spouse/partner receives request to submit passport in order to receive permanent residence visa if outside Canada or receives Confirmation of Permanent Residence document through online portal if inside Canada.

Note: If the principal applicant is being sponsored from inside Canada, it is risky for them to leave during the sponsorship process because their right to re-enter is not automatic. If they are not allowed back into Canada, you will have to start over by submitting a new family class sponsorship rather than the spouse or partner in Canada class sponsorship already in process.