

## **IMMIGRATE TO CANADA? YES, BUT HOW?**

### ***Canadian citizenship – a dream comes true***

Well, a person can become a Canadian citizen by being born in Canada, or in some cases, by being born outside Canada to a Canadian parent. Or, as in the case of permanent residents a person could apply to become a Canadian citizen.

To apply for Canadian citizenship an applicant must

- ◆ be at least 18 years, or a minor child of a citizen or applicant for citizenship
- ◆ be a permanent resident
- ◆ have lived in Canada for three of four years immediately before applying for citizenship
- ◆ have a knowledge of English or French
- ◆ have knowledge of Canada, and the responsibilities and privileges of citizenship
- ◆ not be prohibited from being granted citizenship because of criminal prohibitions, because they are under a deportation order or because they represent a security problem

The Citizenship Act allows the Minister for Citizenship and Immigration under certain circumstances to waive the requirement of language, knowledge, or taking the oath.

The application itself has to be mailed to CPC Sydney and must be accompanied by a processing fee of \$100 plus in most cases a Right To Citizenship fee of additional \$100.00 for adults. CPC reviews the application for its proper completion including all necessary information, and if the processing fee has been paid. If everything is in order the applicant will receive a confirmation letter that the application has been received. This confirmation letter is accompanied by a copy of 'A Look at Canada', a guide on which the written Citizenship is based on.

At the same time CPC will forward the application to the RCMP and the Canadian Security and Intelligence Service (CSIS) for a background check. The background check includes a check for a criminal record, security record and immigration record. Finally CPC prepares a certificate package and sends it to the CIC office nearest the applicant's address. The CIC office sets a date for the Citizenship test and sends an invitation to the applicant.

If more information is required about prohibition or residence, or if an applicant failed the written citizenship test, an interview will be scheduled with a Citizenship judge. In this case the Citizenship judge reviews the application and the test to determine whether the applicant meets the requirements for Citizenship. If deemed necessary the applicant will have an interview scheduled with the Citizenship judge. The applicant will receive a written explanation outlining the reasons, if the judge does not approve the application. Afterwards the applicant could apply again

or appeal the decision to the Federal Court. The Right of Citizenship fee of \$100.00 would be refunded approximately after 7 to 9 months and mailed to the last known address of the applicant.

However, if the judge approves the citizenship the applicant is invited to attend a Citizenship ceremony and take the Oath of Citizenship. At the ceremony the applicant receives finally the Certificate of Canadian Citizenship, and will become with this act a proud Canadian Citizen.

The rights as Canadian citizen include the right to vote or to be a candidate in federal and provincial/territorial elections, to learn in either official language, to apply for a Canadian passport and to leave/enter Canada freely.

Rights always bring responsibilities with them. Therefore, it is expected from the new Canadian citizens that they obey the Canadian laws, vote in elections, care for Canada's heritage, work to help others in the community, express opinions freely while respecting the rights and freedoms of others, and help to eliminate discrimination and injustice. Many readers will probably agree that this is the right spirit any society should be build on, and despite nothing is perfect, that Canada's society is trying very hard to come close to these idealistic values.

The Citizenship Act in this form will experience some changes in the near future, probably in this very year. At the moment there are readings of Bill C-63 in the House of Commons with the first reading starting on December 7<sup>th</sup>, 1998. The new Act would include changes for citizens by birth, in the requirements for residency, in the right of Citizenship for adopted children, and in implementation and control of the process for the granting of citizenship. I will explain any implemented changes in detail, as soon the new Citizenship of Canada Act will come into force.

However, if any reader has questions concerning the proposed changes he is welcome to contact me.

G. Damitz, M.B.A., Immigration Business Counsel

For further information readers can contact Mr. Damitz under:  
(Tel) 416 495 8170; (Fax) 416 491 8826; (e-mail) [canimmig@idirect.com](mailto:canimmig@idirect.com);  
1200 Sheppard Ave. E., Suite LL03; North York, ON, M2K 2S5.

Mr. Damitz is partner of Amirsalam & Damitz, Canada Immigration Counsel Inc., BOD member of AICC (ASSOCIATION OF IMMIGRATION COUNSEL OF CANADA), and member of the Seneca College advisory committee for the 'Immigration Practitioner Program'. Any comments, questions and suggestions for topics are welcome in English and German.