Immigration And Border Officers Can Now Cancel Visas, Work And Study Permits



Immigration and Border Services officers now have authority to cancel electronic travel authorizations (eTA), temporary resident visas (TRV), work and study permits. That means even if you have authorization to enter Canada, for example, through a valid visa or eTA, immigration authorities now have the explicit power to cancel this authorization – the same applies to work and study permits.

A Brief Background on TRVs, eTAs and Temporary Resident Documents

Foreign nationals require a TRV or eTA to enter Canada, unless exempted. Historically, Canada has been issuing a default multi-entry ten (10) year duration TRVs for eligible foreign nationals, however, with the most recent changes, TRVs are now being issued for either single or multiple entry – and they may be valid for a shorter duration or *up to* 10 years.

Travellers from visa-exempt countries, on the other hand, require an eTA to fly to Canada. The eTA is electronically linked to a traveller's passport and is valid for multiple entries and up to five years or until the passport expires.

Foreign nationals who wish to work or study in Canada are also required to obtain a work permit or a study permit. The final determination of whether a foreign national can enter and remain in Canada is made by the immigration officers at the border.

The New Regulatory Amendments: Power to Cancel TRVs, eTAs, Work and Study Permits

With the most recent changes, Immigration, Refugees and Citizenship Canada (IRCC) updated Canada's Immigration and Refugee Protection Regulations to strengthen authorities to cancel temporary resident documents.

These changes give immigration and border services officers *explicit* authority to cancel electronic travel authorizations (eTAs) and temporary resident visas (TRVs) on a case-by-case basis, including when:

- A change in a person's status or circumstances makes them inadmissible or no longer eligible to hold the document (for example, the person provided false information, has a criminal history, or is deceased);
- An Officer is not satisfied that the individual will leave Canada by the end of

their authorized period of stay; OR
- The document is lost, stolen, destroyed or abandoned.

The changes also enable officers to cancel TRVs, eTAs, work permits, and study permits issued to people when:

- they become a permanent resident of Canada;
- they are deceased; OR
- the document was issued based on an administrative error.

The amended regulations came into force on January 31, 2025. The stated objective of the changes is to facilitate the entry of foreign nationals to Canada in a manner that protects the health, safety and security of Canadians, and to strengthen security at the border and within Canada.

Before these changes, regulatory framework for cancellation of TRVs and eTAs, and officers' ability to revoke temporary residence documents were not clearly outlined in the legislation.

The content of this article is intended to provide a general guide to the subject matter. Specialist advice should be sought about your specific circumstances.

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