

# Mobility: Immigration alert

March 2023

## Canada

### Canadian Post-Graduation Work Permit holder extensions announced

#### Executive summary

On 17 March 2023, Minister Sean Fraser announced that students holding a Post-Graduation Work Permit (PGWP) that expired or will expire in 2023 may be eligible to apply for an 18-month PGWP extension. This new PGWP extension program is scheduled to kick off 6 April 2023.

#### Background and analysis

Normally, a foreign national graduating from an accredited Canadian post-secondary school qualifies for a single, non-renewable work permit upon completion of their program of studies. However, due to the COVID-19 impact on various immigration programs and processing, a new temporary measure was introduced to allow PGWP holders to remain in Canada longer and seek gainful employment that may be needed to qualify for Canadian permanent residence. Last year, a similar program was introduced for international graduates whose PGWP expired between 20 September 2021 and 31 December 2022. International students who were eligible to extend their PGWP under the 2022 measure may also qualify for this new 2023 measure.

To qualify under this program, the foreign national must have a PGWP expiring in 2023. Where a PGWP has expired and a foreign national is in Canada with valid legal status, they can also apply under this new measure for an open work permit extension, even if they are outside of the 90-day restoration period.

Generally, PGWP holders are not eligible for an extension and an international student can only have a PGWP once.

However, Immigration Refugee Citizenship Canada (IRCC) will be implementing a new temporary public policy that will allow international students to extend their stay for an additional 18 months. This is a special measure targeting international students who have been negatively impacted by IRCC's earlier decision to pause Express Entry Canadian Experience Class (CEC) draws from September 2021 to July 2022. The CEC draws are the primary pathway for international students with one year of Canadian experience to apply for and obtain Canadian permanent residency. Additionally, this measure also addresses the unprecedented challenges that employers are facing in finding and retaining the workers they need during this period of economic recovery and growth.

Applications under this new announcement will be accepted as of 6 April 2023 and are filed through IRCC's online portal. Once the applications are filed, IRCC will issue interim work authorization documentation that international students can use to show they are able to legally continue working in Canada.

#### What this means

Employers who employ international students should encourage students to avail themselves of this opportunity to extend their PGWP status for a further 18 months.

The Canadian government continues to look at temporary measures to support international students who may have



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been negatively impacted in securing employment or applying for Canadian permanent residence due to the various pauses in the Express Entry draws. Despite these measures that will allow PGWP to extend their work status in Canada for a further 18 months, many PGWP holders continue to face challenges applying for Canadian permanent residence as the points total needed to be invited for permanent residence remain high due to the high volume of candidates currently in the Express Entry pool awaiting invitations to apply. This is leaving international students to look for alternate ways that will enable them to continue to stay and work in Canada or apply for Canadian permanent residence.

Should you have any questions with respect to these new measures, please do not hesitate to contact your EY Law LLP professional

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