
The Importance of being Canadian

(Friday, 13 January 2006) - Contributed by Ed C.Corrigan

As Canadian citizens are exercising their right to vote in our democracy, this may be a good time to consider applying for Canadian citizenship if you meet the requirements for a citizen you would be entitled to vote in the next election to be held in your area.

By Edward C. Corrigan

With the Federal Election being held on January 23, 2006 it seems appropriate to discuss the advantages of becoming a Canadian citizen. First, only Canadian citizens are entitled to vote or run in Federal, Provincial and Municipal elections. Canadian citizens also cannot lose their right to remain in Canada provided they have not made any misrepresentations in obtaining Canadian citizenship. It is also important that immigrants to Canada become citizens and contributing members of our society will full legal and political rights.

Some individuals, however, do not become citizens and remain Permanent Residents of Canada. Permanent residents have almost the same legal rights as Canadian citizens in that they have full access to health care, employment, school system, and other benefits of residing in Canada. However, it is important to understand that there are legal limitations on the status of being a permanent resident.

First because you are a Permanent Resident does not mean that you have the right to permanently reside in Canada. There are specific requirements set out in the Immigration and Refugee Protection Act that require an individual to reside at least two years out of a five-year period in order to maintain permanent residence status in Canada. You also have to obtain a Permanent Resident Card. If you do not have a Permanent Resident Card, you will not be allowed to return to Canada, and in particular, denied entry and access to planes, and refused admittance at Canada's airports, and most other ports of entry. The requirement for a PR Card is strictly enforced on all commercial modes of transport.

Many individuals were not aware that they were required to have a Permanent Resident Card or were out of the country during the time when the requirement became law. On December 31, 2003, it became a legal requirement to have a Permanent Resident Card to re-enter Canada for all individuals including children by any commercial transporter, plane, train, boat, bus, or taxi. A number of individuals had failed to obtain their Permanent Resident Card or were out of the country and this created very serious difficulties for them to return to Canada. The cost for obtaining a Permanent Resident Card is only \$50.00. The PR cards must be renewed every five years.

In terms of rights and entitlements - permanent residents have the right to enter Canada. Like Canadian citizens, permanent residents also enjoy the right to the guarantees under the Canadian Charter of Rights and Freedom such as equality rights, legal rights, mobility rights, the freedom of religion, the freedom of expression, and the freedom of association. However, permanent residents cannot run for political

office nor are they eligible to vote until they obtain Canadian citizenship. Permanent residents generally may apply for citizenship after accumulating three years of residence in Canada. Applicants must also demonstrate a knowledge of either English or French, knowledge of Canada as a nation, also the rights and responsibilities of citizenship.

People who came to Canada and made refugee claims and were accepted also get to use one half of the time they resided in Canada prior to becoming permanent residents toward the three-year period for accumulating time of residence in Canada to acquire citizenship.

You can spend upwards of one month a year outside of Canada visiting family, or relatives and still qualify for the residency requirement for Canadian citizenship. In total you must have 1095 days of residency in a three-year period to be eligible to apply for Canadian Citizenship.

As Canadian citizens are exercising their right to vote in our democracy, this may be a good time to consider applying for Canadian citizenship if you meet the requirements for a citizen you would be entitled to vote in the next election to be held in your area. If you are not a Canadian Citizen it is also very important to know that you need a Permanent Residence Card and you also meet the minimum requirements to stay in Canada for at least two years within a five-year period or you will lose your right to reside in Canada. You will also need to renew your permanent resident status every five years.

For further information you should consult a Citizenship and Immigration lawyer.

Ed Corrigan is Certified as a Specialist in Citizenship and Immigration and Immigration and Refugee Protection by the Law Society of Upper Canada.