

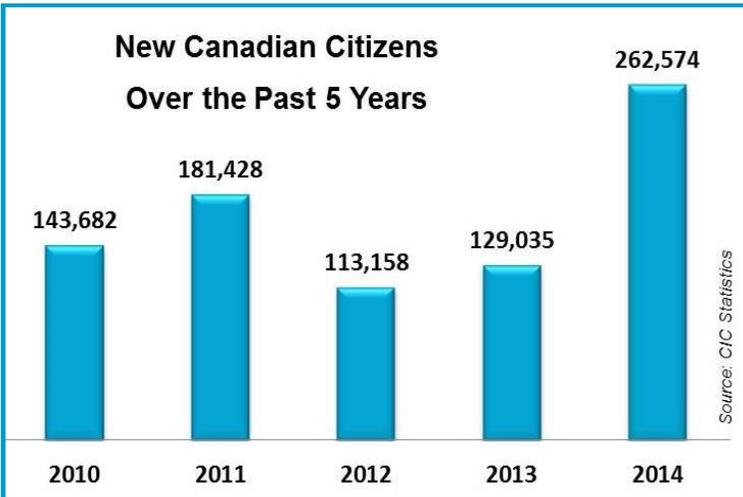
## Strengthening the Canadian Citizenship Act

This issue explores the main amendments to the Canadian Citizenship Act that came into effect in 2015 and provides an overview of the changes to the Citizenship Act and the Immigration Acts throughout history. For additional information, please see the resources below and the latest issue of [Cultures West Magazine](#), on AMSSA's web site.

### Summary of Changes

Before 1947, Canadian nationals were legally defined as British subjects, both in Canada and abroad. With the enactment of the *Canadian Citizenship Act* in 1947<sup>1</sup>, Canada became the first Commonwealth country to create its own class of citizenship separate from that of Great Britain. Since then, the *Canadian Citizenship Act* went through a series of changes.

Changes to the *Citizenship Act* were introduced in February 2014<sup>2</sup> and the amendments came into effect on June 11, 2015<sup>3</sup>. For a list of changes currently in practice compared to the previous, go to page 2.



### Lost Canadians

“Lost Canadians” are individuals who have believed themselves to be Canadian or be entitled to Canadian citizenship, but who have not been officially considered citizens, due to particular aspects of the law<sup>4</sup>.

In 2009, Canada implemented changes that restored or gave citizenship to people who had lost it or never received it, including to some born before 1947, when the first *Canadian Citizenship Act* took effect. With the 2015 changes, citizenship is extended to children of “Lost Canadians” who were born abroad in the first generation and to persons born abroad in the first generation to a parent who became a citizen when the 1947 *Citizenship Act* took effect but who, as a result of former legislation, did not themselves become citizens on that date.

### History of Citizenship and Immigration Acts

The timeline below provides an overview of the evolution of the *Canadian Citizenship Act* and the *Immigration Acts*, from 1900 until 2015<sup>5</sup>.

#### Timeline

**1906**

The *Immigration Act* of 1906 defined “immigrant” and increased the government’s power to deport certain classes of immigrants.

**1947**

The 1947 *Canadian Citizenship Act* provided for conferring a common Canadian citizenship on all Canadians, whether or not they had been born in Canada.

**1952**

The 1952 *Immigration Act’s* major provisions simplified the administration of immigration and defined the powers of the minister and his officials.

**1976**

The 1976 *Immigration Act* broke new ground by spelling out the objectives of immigration policy and included a provision requiring the government to plan immigration.

**1977**

The 1977 *Citizenship Act* declared that not only are naturalized and native-born citizens equally entitled to all the rights and privileges of a citizen, they are also subject to all the duties and liabilities of a citizen.

**2015**

Latest changes to the *Citizenship Act*.



**First Citizenship Ceremony, 3 January, 1947.**  
National Archives of Canada (PA 197414)

<sup>1</sup> *Citizenship Policy Manual*, CIC, available at: <http://ow.ly/ROjRv>

<sup>2</sup> Additional information on citizenship changes is available at: <http://ow.ly/ROppT>

<sup>3</sup> For a complete list of changes, please consult the CIC web site at <http://ow.ly/RXjXP>

<sup>4</sup> For the complete list of provisions regarding the Right to Citizenship, go to <http://ow.ly/ROiFL>

<sup>5</sup> For additional information, see: Morton, D. *A Short History of Canada*. Edmonton: Hurtig, 1983; Kaplan, W. *The Evolution of Citizenship Legislation in Canada*. Ottawa: Multiculturalism and Citizenship Canada, 1991; National Archives of Canada. Robert Borden Papers. MG26H, vol. 336.

## A Before and After View of Key Changes to the Citizenship Act

*This list highlights some of the main amendments to the Citizenship Act that came in effect on June 11, 2015. For a complete list of changes, please consult the CIC web site and the instructions, forms and guides at [www.cic.gc.ca](http://www.cic.gc.ca)*

BEFORE	AFTER
<ul style="list-style-type: none"> <li>Residence for three out of four years (1,095 days)</li> </ul>	<ul style="list-style-type: none"> <li>Requires physical presence for four out of the six years (1,460 days)</li> </ul>
<ul style="list-style-type: none"> <li>No requirement that residents be physically present</li> </ul>	<ul style="list-style-type: none"> <li>183 days minimum of physical presence in Canada per year, in four out of six years immediately before the date of application</li> </ul>
<ul style="list-style-type: none"> <li>Time as a non-permanent resident (non-PR) may be counted toward residence for citizenship</li> </ul>	<ul style="list-style-type: none"> <li>Eliminates use of time spent in Canada as a non-permanent resident (non-PR)</li> </ul>
<ul style="list-style-type: none"> <li>No “intent to reside” provision</li> </ul>	<ul style="list-style-type: none"> <li>Introduces “intent to reside” provision</li> </ul>
<ul style="list-style-type: none"> <li>Applicants aged 18–54 must meet language requirements and pass a knowledge test; upper age limit of 54 was established by policy, not in legislation</li> </ul>	<ul style="list-style-type: none"> <li>Requires applicants aged 14–64 to meet language requirements and pass a knowledge test</li> </ul>
<ul style="list-style-type: none"> <li>Citizenship grant is a three-step decision-making process</li> </ul>	<ul style="list-style-type: none"> <li>Changes citizenship grant to a single-step process that reduces duplication and improves processing times</li> </ul>
<ul style="list-style-type: none"> <li>No requirement to file Canadian income taxes to be eligible for a grant of citizenship</li> </ul>	<ul style="list-style-type: none"> <li>Requires adult applicants to file Canadian income taxes, as required under the <i>Income Tax Act</i>, to be eligible for citizenship</li> </ul>
<ul style="list-style-type: none"> <li>Most “Lost Canadians” had their citizenship restored in 2009, but a small number remained ineligible for citizenship</li> </ul>	<ul style="list-style-type: none"> <li>Extends citizenship to “Lost Canadians” born before 1947 as well as to their 1st generation of children born abroad</li> </ul>
<ul style="list-style-type: none"> <li>No authority to revoke citizenship for grounds beyond fraud and misrepresentation</li> </ul>	<ul style="list-style-type: none"> <li>Authority to revoke Canadian citizenship from dual citizens who served as members of an armed force of a country or an organized armed group engaged in armed conflict with Canada</li> <li>Authority to revoke Canadian citizenship from dual citizens who are convicted of terrorism, high treason, treason, or spying offences, depending on the sentence received</li> <li>Authority to deny Canadian citizenship to permanent residents who served as members of an armed force of a country or an organized armed group engaged in armed conflict with Canada or who are convicted of terrorism, high treason, treason, or spying offences, depending on the sentence received</li> </ul>
<ul style="list-style-type: none"> <li>Misrepresentation on applications could only be pursued through the laying of charges by the RCMP</li> </ul>	<ul style="list-style-type: none"> <li>Applicants can be refused for misrepresenting or withholding material facts and are subsequently barred from being granted citizenship for five years</li> </ul>