



RESPONSE TO PETITION

Prepare in English and French marking 'Original Text' or 'Translation'

PETITION No.: **421-00775**

BY: **MRS. WONG (RICHMOND CENTRE)**

DATE: **OCTOBER 19, 2016**

PRINT NAME OF SIGNATORY: **THE HONORABLE JOHN McCALLUM**

Response by the Minister of Immigration, Refugees and Citizenship

SIGNATURE

Minister or Parliamentary Secretary

SUBJECT

Canadian Citizenship

ORIGINAL TEXT

REPLY

Jus soli, or citizenship by birth on soil, has been in place since the first *Canadian Citizenship Act in 1947*. Since then, any person born in Canada is automatically a Canadian citizen, with the exception of children of diplomats, consular officers, or other representatives or employees in Canada of a foreign government. Canada's North American partners, the United States of America and Mexico, as well as a number of other countries in the Americas, such as Brazil and Argentina, provide citizenship based on *jus soli*.

While there may be instances of expectant mothers who are foreign nationals who travel to Canada to give birth, requiring that a parent be a citizen or permanent resident in order for their child to acquire citizenship through birth in Canada would represent a significant change to how Canadian citizenship is acquired.

Of note, automatic acquisition of citizenship by a child born in Canada to a foreign national parent does not give citizenship or immigration status to the parent. Once the child turns 18 years of age, they may be eligible to sponsor their parents for immigration to Canada, in the same fashion and with the same requirements and conditions as any other citizen. These conditions include having to meet certain income requirements, and making a commitment to financially support the sponsored family member.

As well, all visitors to Canada must meet the requirements for temporary residence in Canada, as set out in the *Immigration and Refugee Protection Act* (IRPA). Visa applications are considered on a case-by-case basis on the specific facts presented by the applicant in each case. Decisions are made by highly trained visa officers in accordance with Canadian immigration law. Visa officers look at many factors when assessing whether an applicant is a genuine temporary resident.