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SOR/93-246

Registration May 11, 1993

CITIZENSHIP ACT

Citizenship Regulations, 1993

P.C. 1993-943 May 11, 1993

His Excellency the Governor General in Council, on the recommendation of the Minister of Multiculturalism and Citizenship, pursuant to section 27 of the Citizenship Act, is pleased hereby to revoke the Citizenship Regulations, C.R.C., c. 400, and to make the annexed Regulations respecting Citizenship, in substitution therefor.

Regulations Respecting Citizenship

SHORT TITLE

1. These Regulations may be cited as the *Citizenship Regulations, 1993*.

INTERPRETATION

2. In these Regulations,

"Act" means the *Citizenship Act*; (*Loi*)

"citizenship court" means a place where a citizenship judge or citizenship officer performs duties under the Act; (*bureau de la citoyenneté*)

"citizenship officer" means a person who is authorized by the Minister in writing to perform the duties of a citizenship officer prescribed by these Regulations; (*agent de la citoyenneté*)

"foreign service officer" means a Canadian diplomatic or consular officer who is accredited to carry out or is carrying out official duties in the country in which a person making an application or a registration or giving a notice pursuant to the Act resides or, if there is no such officer in that country, such an officer who is accredited to carry out or is carrying out official duties in a nearby country; (*agent du service extérieur*)

"Hague Convention on Adoption" means the Convention on the Protection of Children and Co-operation in respect of Inter-Country Adoption that was concluded on May 29, 1993 and came into force on May 1, 1995; (*Convention sur l'adoption*)

"parent" means the father or mother of a child, whether or not the child was born in wedlock, and includes an adoptive parent; (*parent*)

"prescribed" means prescribed by the Minister; (*prescrit*)

"Registrar" means the Registrar of Canadian Citizenship. (*greffier*)

SOR/2007-281, s. 1.

GRANT OF CITIZENSHIP

3. (1) An application made under subsection 5(1) of the Act shall be

(a) made in prescribed form; and

(b) subject to subsection (3), filed, together with the materials described in subsection (4), with a citizenship officer of the citizenship court that is closest to the place where the applicant resides.

(2) A citizenship officer with whom an application and materials are filed pursuant to subsection (1) shall forthwith forward a copy thereof to the Registrar.

(3) Where an applicant referred to in subsection (1) resides more than 100 km from a citizenship court or, in the opinion of the Minister, compliance with paragraph (1)(b) would result in undue hardship to the applicant, the Minister may authorize the applicant to forward the application and materials to the Registrar.

(4) For the purposes of subsections (1) and (3), the materials required by this section are

(a) a birth certificate or other evidence that establishes the date and place of birth of the applicant;

(b) a record of landing on form IMM 1000 or any replacement document that may be created by the Canadian immigration authorities, or other evidence that establishes the date on which the applicant

was lawfully admitted to Canada for permanent residence; and

(c) two photographs of the applicant signed by the applicant of the size and type shown on a form prescribed under section 28 of the Act.

(5) On receipt of an application and materials forwarded pursuant to subsection (3), the Registrar shall forthwith forward a copy thereof to a citizenship officer of the citizenship court that the Registrar considers appropriate in the circumstances.

(6) to (12) [Repealed, SOR/94-442, s. 1]

SOR/94-442, s. 1.

4. (1) An application made under paragraph 5(2)(a) of the Act on behalf of a minor child shall be

(a) made to the Minister in prescribed form by either parent, by a legal or *de facto* guardian or by any other person having custody of the minor child, whether by virtue of an order of a court of competent jurisdiction, a written agreement or the operation of law;

(b) countersigned by the minor child, if the child has attained the age of 14 years on or before the date of the application and is not prevented from understanding the significance of the application because of a mental disability; and

(c) filed, together with the materials described in subsection (2), with

(i) the Registrar, if the application is made in Canada, or

(ii) a foreign service officer, if the application is made outside Canada.

(2) For the purposes of paragraph (1)(c), the materials required by this section are

(a) a birth certificate or other evidence that establishes the date and place of birth of the minor child;

(b) evidence that establishes that the minor child is the child of a citizen;

(c) if the person making the application is not the father or mother of the minor child, a certified copy of an order of a court of competent jurisdiction or of a written agreement, or other evidence, that establishes that the applicant has the custody of the child;

(d) a record of landing on form IMM 1000 or any replacement document that may be created by the Canadian immigration authorities, or other evidence, that establishes the date on which the minor child was lawfully admitted to Canada for permanent residence;

(e) evidence that establishes that the minor child is prevented from understanding the significance of the application because of a mental disability, if the child has attained the age of 14 years on or before the date of the application and has not countersigned it; and

(f) two photographs of the minor child of the size and type shown on a form prescribed under section 28 of the Act and signed by the child if the child has attained the age of 14 years on or before the date of the application.

5. (1) Subject to subsection (3), an application made under paragraph 5(2)(b) of the Act shall be

(a) made to the Minister in prescribed form; and

(b) filed, together with the materials described in subsection (2), with

(i) the Registrar, if the application is made in Canada, or

(ii) a foreign service officer, if the application is made outside Canada.

(2) For the purposes of subsection (1), the materials required by this section are

(a) a birth certificate or, if unobtainable, other evidence that establishes the date and place of birth of the person in respect of whom the application is made;

(b) evidence that establishes the citizenship of the father and mother at the time of the birth of the person in respect of whom the application is made;

(c) evidence that establishes that the person in respect of whom the application is made was born in wedlock; and

(d) two photographs of the person in respect of whom the application is made, of the size and type shown on a form prescribed under section 28 of the Act and signed by the person if the person has attained the age of 14 years on or before the date of the application.

(3) An application referred to in subsection (1) that is made in respect of a minor child shall comply with the requirements of paragraphs 4(1)(a) and (b) and be filed with the Registrar or a foreign service officer in accordance with paragraph (1)(b), together with the materials described in subsection (2) and in paragraphs 4(2)(c) and (e).

(4) Where an application and materials are filed with a foreign service officer under subsection (1) or (3), the officer shall forthwith forward a copy thereof to the Registrar.

5.1 (1) An application made under subsection 5.1(1) of the Act in respect of a person who is a minor on the date of the application shall be

(a) made to the Minister in the prescribed form and signed by

(i) a citizen who is a parent of the person, or

(ii) a non-citizen parent, or a legal guardian, of the person;

(b) countersigned by the person if he or she has attained the age of 14 years on or before the date of the application and is not prevented from understanding the significance of the application because of a mental disability; and

(c) filed, together with the materials described in subsection (2), with the Registrar.

(2) For the purposes of paragraph (1)(c), the materials required by this section are

(a) a birth certificate or, if unobtainable, other evidence that establishes the person's date and place of birth;

(b) evidence that establishes that a parent of the person was a citizen at the time of the adoption;

(c) in the case of an application made by a non-citizen parent or a legal guardian, a certified copy of an order of a court of competent jurisdiction, or other evidence, that establishes that the applicant is a parent or legal guardian of the person;

(d) in the case of a person who has attained the age of 14 years on or before the date of the application but has not countersigned the application, evidence that establishes that the person is prevented from understanding the significance of the application because of a mental disability;

(e) evidence that establishes that the adoption took place after February 14, 1977 and while the person was a minor; and

(f) two photographs of the person of the size and type shown on a form prescribed under section 28 of the Act and signed by the person if he or she has attained the age of 14 years on or before the date of the application.

(3) The following factors are to be considered in determining whether the requirements of subsection 5.1(1) of the Act have been met in respect of the adoption of a person referred to in subsection (1):

(a) whether, in the case of a person who has been adopted by a citizen who resided in Canada at the time of the adoption,

(i) a competent authority of the province in which the citizen resides has stated in writing that it does not object to the adoption, and

(ii) the pre-existing legal parent-child relationship was permanently severed by the adoption;

(b) whether, in the case of a person who has been adopted outside Canada in a country that is a party to the Hague Convention on Adoption and whose intended destination at the time of the adoption is a province,

(i) the competent authority of the country and of the province of the person's intended destination have stated in writing that they approve the adoption as conforming to that Convention,

(ii) a competent authority of the province -- in which the citizen who is a parent of the person resided at the time of the adoption -- has stated in writing that it does not object to the adoption, and

(iii) the pre-existing legal parent-child relationship was permanently severed by the adoption; and

(c) whether, in all other cases,

(i) a competent authority has conducted or approved a home study of the parent or parents, as the case may be,

(ii) before the adoption, the person's parent or parents, as the case may be, gave their free and informed consent to the adoption,

(iii) the pre-existing legal parent-child relationship was permanently severed by the adoption, and

(iv) there is no evidence that the adoption was for the purpose of child trafficking or undue gain within the meaning of the Hague Convention on Adoption.

SOR/2007-281, s. 2.

5.2 (1) An application made under subsection 5.1(1) of the Act in respect of a person who is 18 years of age or more on the date of the application shall be

(a) made to the Minister in the prescribed form and signed by the person; and

(b) filed, together with the materials described in subsection (2), with the Registrar.

(2) For the purposes of paragraph (1)(b), the materials required by this section are

(a) a birth certificate or, if unobtainable, other evidence that establishes the person's date and place of birth;

(b) evidence that establishes that a parent of the person was a citizen at the time of the adoption;

(c) evidence that establishes that the adoption took place after February 14, 1977 and while the person was a minor; and

(d) two photographs of the person of the size and type shown on a form prescribed under section 28 of the Act and signed by the person.

(3) The following factors are to be considered in determining whether the requirements of subsection 5.1(1) of the Act have been met in respect of the adoption of a person referred to in subsection (1):

(a) whether, in the case of a person who has been adopted by a citizen who resided in Canada at the time of the adoption,

(i) a competent authority of the province in which the citizen resides has stated in writing that it does not object to the adoption, and

(ii) the pre-existing legal parent-child relationship was permanently severed by the adoption;

(b) whether, in the case of a person who has been adopted outside Canada in a country that is a party to the Hague Convention on Adoption and whose intended destination at the time of the adoption is a province,

(i) the competent authority of the country and of the province of the person's intended destination have stated in writing that they approve the adoption as conforming to that Convention,

(ii) a competent authority of the province -- in which the citizen who is a parent of the person resided at the time of the adoption -- has stated in writing that it does not object to the adoption, and

(iii) the pre-existing legal parent-child relationship was permanently severed by the adoption; and

(c) whether, in all other cases,

(i) a competent authority has conducted or approved a home study of the parent or parents, as the case may be,

(ii) before the adoption, the person's parent or parents, as the case may be, gave their free and informed consent to the adoption,

(iii) the pre-existing legal parent-child relationship was permanently severed by the adoption, and

(iv) there is no evidence that the adoption was for the purpose of child trafficking or undue gain within the meaning of the Hague Convention on Adoption.

SOR/2007-281, s. 2.

5.3 (1) An application made under subsection 5.1(2) of the Act in respect of a person who was adopted while he or she was at least 18 years of age shall be

(a) made to the Minister in the prescribed form and signed by the person; and

(b) filed, together with the materials described in subsection (2), with the Registrar.

(2) For the purposes of paragraph (1)(b), the materials required by this section are

(a) a birth certificate or, if unobtainable, other evidence that establishes the person's date and place of birth;

(b) evidence that establishes that a parent of the person was a citizen at the time of the adoption;

(c) evidence that establishes that the adoption took place after February 14, 1977 and while the person was 18 years of age or older; and

(d) two photographs of the person of the size and type shown on a form prescribed under section 28 of the Act and signed by the person.

(3) The following factors are to be considered in determining whether the requirements of subsection 5.1(2) of the Act have been met in respect of the adoption of a person referred to in subsection (1):

(a) whether, in the case a person who has been adopted by a citizen who resided in Canada at the time of the adoption,

(i) a competent authority of the province in which the citizen resides has stated in writing that it does not object to the adoption, and

(ii) the pre-existing legal parent-child relationship was permanently severed by the adoption; and

(b) whether, in all other cases, the pre-existing legal parent-child relationship was permanently severed by the adoption.

5.4 (1) An application made under subsection 5.1(3) of the Act in respect of a person who is a minor on the date of the application shall be

(a) made to the Minister in the prescribed form and signed by

(i) a citizen who is a parent of the person, or

(ii) a non-citizen parent, or a legal guardian, of the person;

(b) countersigned by the person if he or she has attained the age of 14 years on or before the date of the application and is not prevented from understanding the significance of the application because of a mental disability; and

(c) filed, together with the materials described in subsection (2), with the Registrar.

(2) For the purposes of paragraph (1)(c), the materials required by this section are

(a) a birth certificate or, if unobtainable, other evidence that establishes the person's date and place of birth;

(b) evidence that establishes that a parent of the person was a citizen at the time of the decision that was made abroad in respect of the adoption;

(c) in the case of an application made by a non-citizen parent or a legal guardian, a certified copy of an order of a court of competent jurisdiction, or other evidence, that establishes that the applicant is a parent or legal guardian of the person;

(d) in the case of a person who has attained the age of 14 years on or before the date of the application but has not countersigned the application, evidence that establishes that the person is prevented from understanding the significance of the application because of a mental disability;

(e) evidence that establishes that the decision that was made abroad in respect of the adoption took place after February 14, 1977; and

(f) two photographs of the person of the size and type shown on a form prescribed under section 28 of the Act and signed by the person if he or she has attained the age of 14 years on or before the date of the application.

5.5 (1) An application made under subsection 5.1(3) of the Act in respect of a person who is 18 years of age or more on the date of the application shall be

(a) made to the Minister in the prescribed form and signed by the person; and

(b) filed, together with the materials described in subsection (2), with the Registrar.

(2) For the purposes of paragraph (1)(b), the materials required by this section are

(a) a birth certificate or, if unobtainable, other evidence that establishes the person's date and place of birth;

(b) evidence that establishes that

(i) the decision that was made abroad in respect of the adoption took place after February 14, 1977, and

(ii) a parent of the person was a citizen at the time of the decision that was made abroad in respect of the adoption; and

(c) two photographs of the person of the size and type shown on a form prescribed under section 28 of the Act and signed by the person.

SOR/2007-281, s. 2.

RETENTION OF CITIZENSHIP

6. (1) An application made under section 8 of the Act shall

(a) include an application to register as a citizen;

(b) be made in prescribed form;

(c) if the application is made by a minor child, be countersigned by a person who is required by paragraph 4(1)(a) to make an application under paragraph 5(2)(a) of the Act; and

(d) be filed, together with the materials described in subsection (3), with

(i) the Registrar, if the application is made in Canada, or

(ii) a foreign service officer, if the application is made outside Canada.

(2) Where an application and materials are filed with a foreign service officer under subsection (1), the officer shall forthwith forward a copy thereof to the Registrar.

(3) For the purposes of paragraph (1)(d), the materials required by this section are

(a) a birth certificate or, if unobtainable, other evidence that establishes the date and place of birth of the applicant;

(b) a birth certificate or other evidence that establishes the date and place of birth of the parent through whom the applicant derives citizenship and evidence that establishes the citizenship of that parent at the time of the applicant's birth;

(c) two photographs of the applicant of the size and type shown on a form prescribed under section 28 of the Act and signed by the applicant if the applicant has attained the age of 14 years on or before the date of the application;

(d) if the application is made by a minor child, the materials required by paragraph 4(2)(c) with respect to the person who countersigned the application; and

(e) evidence that establishes that the applicant has resided in Canada for a period of at least one year immediately preceding the date of the application or that the applicant has established a substantial connection with Canada.

RENUNCIATION OF CITIZENSHIP

7. (1) An application made under subsection 9(1) of the Act shall be

(a) made in prescribed form; and

(b) filed, together with the materials described in subsection (3), with

(i) the Registrar, if the application is made in Canada, or

(ii) a foreign service officer, if the application is made outside Canada.

(2) Where an application and materials are filed with a foreign service officer under subsection (1), the officer shall forthwith forward a copy thereof to the Registrar.

(3) For the purposes of paragraph (1)(b), the materials required by this section are

(a) a birth certificate or, if unobtainable, other evidence that establishes the date and place of birth of the applicant;

(b) evidence that establishes the citizenship of the applicant;

(c) a photograph of the applicant signed by the applicant of the size and type shown on a form prescribed under section 28 of the Act;

(d) an official document of a country other than Canada or other evidence that establishes that the applicant is or will become a citizen of that country if the application referred to in subsection (1) is accepted; and

(e) evidence that establishes the place of residence of the applicant.

RESUMPTION OF CITIZENSHIP

8. (1) An application made under subsection 11(1) of the Act shall be

(a) made in prescribed form;

(b) if the application is made by a minor child, countersigned by a person who is required by paragraph 4(1)(a) to make an application under paragraph 5(2)(a) of the Act; and

(c) filed with the Registrar, together with the materials described in subsection (2).

(2) For the purposes of paragraph (1)(c), the materials required by this section are

(a) a birth certificate or other evidence that establishes the date and place of birth of the applicant;

(b) two photographs of the applicant of the size and type shown on a form prescribed under section 28 of the Act and signed by the applicant if the applicant has attained the age of 14 years on or before the date of the application;

(c) evidence that establishes that the applicant was a citizen but has ceased to be one;

(d) a record of landing on form IMM 1000 or any replacement document that may be created by the Canadian immigration authorities, or other evidence that establishes the date on which the applicant was lawfully admitted to Canada for permanent residence after having ceased to be a citizen; and

(e) if the application is made by a minor child and is countersigned by a person other than the father or mother of the minor child, a certified copy of an order of a court of competent jurisdiction or of a written agreement, or other evidence that establishes that the person who countersigned the application has the custody of the minor child.

9. (1) For the purposes of subsection 11(2) of the Act, a woman may give notice in writing to the Minister by sending a letter, together with the materials described in subsection (2), to

(a) the Registrar, if she resides in Canada; or

(b) a foreign service officer, if she resides outside Canada.

(2) For the purposes of subsection (1), the materials required by this section are such evidence as the woman giving notice possesses that relates to

(a) the date and place of her birth;

(b) the date and place of her marriage;

(c) her nationality immediately before her marriage;

(d) the nationality of her husband at the time of their marriage; and

(e) any nationality acquired by her husband since their marriage.

(3) Where a foreign service officer receives a letter and materials under subsection (1), the officer shall forthwith forward them to the Registrar.

(4) Where the Registrar does not receive together with the letter evidence that establishes whether a woman meets the requirements of subsection 11(2) of the Act, the Registrar shall forthwith communicate with the woman and make all other reasonable inquiries in an endeavour to obtain such evidence.

CERTIFICATE OF CITIZENSHIP

10. An application by a citizen for a certificate of citizenship made under subsection 12(1) of the Act shall be

(a) made in prescribed form; and

(b) filed with the Registrar, together with

(i) evidence that establishes that the applicant is a citizen, and

(ii) two photographs of the applicant of the size and type shown on a form prescribed under section 28 of the Act and signed by the applicant if the applicant has attained the age of 14 years on or before the date of the application.

PROCEDURE

11. (1) On receipt of an application made in accordance with subsection 3(1), 6(1), 7(1) or 8(1), the Registrar shall cause to be commenced the inquiries necessary to determine whether the person in respect of whom the application is made meets the requirements of the Act and these Regulations with respect to the application.

(2) Where an applicant who makes an application referred to in subsection 3(1) fails to provide the materials described in subsection 3(4), the citizenship officer with whom the application was filed or to whom the application has been forwarded under subsection 3(5) shall send a notice in writing by ordinary mail to the applicant, at the applicant's latest known address, advising that the applicant is required to provide the materials to that citizenship officer by the date specified in the notice.

(3) Where an applicant who makes an application referred to in subsection 6(1), 7(1) or 8(1) fails to provide the materials described in subsection 6(3), 7(3) or 8(2), as the case may be, the Registrar shall send a notice in writing by ordinary mail to the applicant, at the applicant's latest known address, advising that the applicant is required to provide the materials to the Registrar by the date specified in the notice.

(4) Where an applicant fails to comply with a notice given pursuant to subsection (2) or (3), the citizenship officer or the Registrar, as the case may be, shall send a second notice in writing by registered mail to the applicant, at the applicant's latest known address, advising that the applicant is required to provide the materials described in subsection 3(4), 6(3), 7(3) or 8(2), as the case may be, to the Registrar or to the citizenship officer, as the case may be, by the date specified in the notice.

(5) After completion of the inquiries commenced pursuant to subsection (1), the Registrar shall

(a) in the case of an application and materials filed with a citizenship officer in accordance with subsection 3(1), or forwarded to the Registrar under subsection 3(3), request the citizenship officer with whom the application and materials have been filed or to whom they have been forwarded under subsection 3(5) to refer the application and materials to a citizenship judge for consideration; and

(b) in the case of an application and materials filed under subsection 6(1), 7(1) or 8(1), forward the application and materials to a citizenship officer of the citizenship court that the Registrar considers appropriate in the circumstances, and request the citizenship officer to refer the application and materials to a citizenship judge for consideration.

(6) A citizenship officer with whom an application and materials have been filed under subsection 3(1), or to whom they have been forwarded under subsection 3(5) or paragraph (5)(b), shall enter in

the records of the citizenship court the date on which the officer received the application and materials.

(7) Where it appears to a citizenship judge that the approval of an application referred to the citizenship judge under subsection (5) may not be possible on the basis of the information available, that citizenship judge shall ask the Minister to send a notice in writing by ordinary mail to the applicant, at the applicant's latest known address, giving the applicant an opportunity to appear in person before that citizenship judge at the date, time and place specified in the notice.

(8) Where an applicant referred to in subsection (7) fails to appear in person at the specified date, time and place, the Minister shall give the applicant at least seven days notice in writing by registered mail, at the applicant's latest known address, advising that the applicant may appear in person before the citizenship judge at the new date, time and place specified in the notice.

(9) Where an applicant fails to comply with a notice given pursuant to subsection (4) or fails to appear at the new date, time and place set pursuant to subsection (8), the applicant's application and any materials relating to it shall be forwarded to the Registrar, who shall record the application as having been abandoned, and no further action shall be taken with respect to the application.

(10) Where an application has been recorded as abandoned pursuant to subsection (9), the applicant may make a new application.

SOR/94-442, s. 2.

12. Where, under subsection 11(7), an applicant appears before a citizenship judge, the applicant may be

(a) required to give evidence under oath or not under oath, as the citizenship judge may, at the judge's discretion, decide; and

(b) accompanied by such other persons as the citizenship judge may, at the judge's discretion, permit in the interests of the applicant and of the expeditious determination of the matter.

SOR/94-442, s. 2.

13. [Repealed, SOR/94-442, s. 2]

OFFICIAL LANGUAGES CRITERIA

14. The criteria for determining whether a person has an adequate knowledge of one of the official languages of Canada are, based on questions prepared by the Minister,

(a) that the person comprehends, in that language, basic spoken statements and questions; and

(b) that the person can convey orally or in writing, in that language, basic information or answers to questions.

SOR/94-442, s. 2.

KNOWLEDGE OF CANADA AND CITIZENSHIP CRITERIA

15. The criteria for determining whether a person has an adequate knowledge of Canada and of the responsibilities and privileges of citizenship are that, based on questions prepared by the Minister, the person has a general understanding of

(a) the right to vote in federal, provincial and municipal elections and the right to run for elected office;

(b) enumerating and voting procedures related to elections; and

(c) one of the following topics, to be included at random in the questions prepared by the Minister, namely,

(i) the chief characteristics of Canadian social and cultural history,

(ii) the chief characteristics of Canadian political history,

(iii) the chief characteristics of Canadian physical and political geography, or

(iv) the responsibilities and privileges of citizenship, other than those referred to in paragraphs (a) and (b).

SOR/94-442, s. 3.

SUBSTANTIAL CONNECTION WITH CANADA CRITERIA

16. The criteria for determining whether a person has a substantial connection with Canada are

(a) that the person has been employed, for at least two of the four years immediately before the date of the person's application, in the public service of Canada or of a province or as a member of the Canadian Forces or the Royal Canadian Mounted Police or as a Canadian representative to the United Nations or one of its affiliated agencies; or

(b) that the person has an adequate knowledge of Canada, of one of the official languages of Canada and of the responsibilities and privileges of citizenship, determined in accordance with the criteria set out in sections 14 and 15 and, since attaining the age of 14 years, has spent more than one year in Canada with a parent, brother, sister, aunt, uncle or grandparent or in attendance at a recognized secondary or post-secondary educational institution.

CEREMONIAL PROCEDURES OF CITIZENSHIP JUDGES

17. (1) The ceremonial procedures to be followed by citizenship judges shall be appropriate to impress on new citizens the responsibilities and privileges of citizenship and, without limiting the generality of the foregoing, a citizenship judge shall, during a ceremony held for the presentation of certificates of citizenship,

(a) emphasize the significance of the ceremony as a milestone in the lives of the new citizens;

(b) subject to subsection 22(1), administer the oath of citizenship with dignity and solemnity, allowing the greatest possible freedom in the religious solemnization or the solemn affirmation thereof;

(c) personally present certificates of citizenship, unless otherwise directed by the Minister; and

(d) promote good citizenship, including respect for the law, the exercise of the right to vote, participation in community affairs and intergroup understanding.

(2) Unless the Minister otherwise directs, a certificate of citizenship issued to a person who has been granted citizenship under subsection 5(1) of the Act shall be presented at a ceremony described in subsection (1).

TRANSFER OF JURISDICTION

18. (1) A citizenship officer shall forward the following kinds of applications and all materials in connection with them, as applicable, to the Registrar who shall forthwith transmit them to a citizenship officer of the citizenship court that the Registrar considers appropriate in the circumstances:

(a) applications made under subsection 5(1), section 8 or subsection 9(1) or 11(1) of the Act by or in respect of a person who is in Canada but who is no longer within the territorial jurisdiction of a citizenship judge to whom the application would ordinarily be referred for consideration by the citizenship officer with whom it has been filed or to whom it has been forwarded; and

(b) applications made under section 8 or subsection 9(1) or 11(1) of the Act that, before they have been referred to a citizenship judge for consideration, have become inappropriate to be referred to the citizenship judge who would ordinarily be appropriate.

(2) Where an application mentioned in subsection (1) is referred to a citizenship judge by a citizenship officer with whom it was filed or to whom it was forwarded and the citizenship judge is unable to carry out the duties of the judge's office, the Registrar may refer the application to another citizenship judge for consideration.

OATH OF CITIZENSHIP

19. (1) Subject to subsection 5(3) of the Act and section 22 of these Regulations, a person who has been granted citizenship under subsection 5(1) of the Act shall take the oath of citizenship by swearing or solemnly affirming it before a citizenship judge.

(2) Unless the Minister otherwise directs, the oath of citizenship shall be taken at a citizenship ceremony.

(3) Where a person is to take the oath of citizenship at a citizenship ceremony, a certificate of citizenship shall be forwarded by the Registrar to a citizenship officer of the appropriate citizenship court, who shall notify the person of the date, time and place at which the person is to appear before the citizenship judge to take the oath of citizenship and receive the person's certificate of citizenship.

20. (1) Subject to subsection 5(3) of the Act and section 22 of these Regulations, a person who is 14 years of age or older on the day on which the person is granted citizenship under subsection 5(2) or (4) or 11(1) of the Act shall take the oath of citizenship by swearing or solemnly affirming it

(a) before a citizenship judge, if the person is in Canada; or

(b) before a foreign service officer, if the person is outside Canada.

(2) Where a person is to take the oath of citizenship pursuant to subsection (1), the Registrar shall forward a certificate of citizenship to

(a) a citizenship officer of the citizenship court that the Registrar considers appropriate in the circumstances, if the oath is to be taken in Canada; or

(b) a foreign service officer in the country in which the person is living, if the oath is to be taken outside Canada.

(3) A citizenship officer or foreign service officer mentioned in paragraph (2)(a) or (b) shall notify the person of the date, time and place at which the person is to appear and take the oath of citizenship.

21. Subject to section 22, a person who takes the oath of citizenship pursuant to subsection 19(1) or 20(1) shall, at the time the person takes it, sign a certificate in prescribed form certifying that the person has taken the oath, and the certificate shall be countersigned by the citizenship officer or foreign service officer who administered the oath and forwarded to the Registrar.

22. (1) The Minister or a person authorized by the Minister in writing to act on the Minister's behalf may administer the oath of citizenship to any person who has been granted citizenship and, in such case, the Registrar shall make all necessary arrangements for the purpose of administering the oath.

(2) Where the Minister or a person authorized by the Minister in writing to act on the Minister's behalf administers the oath of citizenship, a citizenship officer who is authorized to do so by the Registrar shall countersign the certificate and forward it to the Registrar.

23. (1) Where a person who fails to appear and take the oath of citizenship at the date, time and place appointed for that purpose fails, within 60 days after that date, to satisfy the citizenship judge or foreign service officer before whom the person was to appear, or the Minister where the person was to appear before a Minister of the Crown, that the person was prevented from appearing by some good and sufficient cause, the person's certificate of citizenship shall be returned to the Registrar.

(2) Where a person described in subsection (1) satisfies the citizenship judge or foreign service officer before whom the person was to appear, or the Minister where the person was to appear before a Minister of the Crown, of the matter referred to in that subsection, another date, time and place shall be appointed by the citizenship judge, foreign service officer or the Registrar for the person to appear and take the oath of citizenship.

OATHS, SOLEMN AFFIRMATIONS AND DECLARATIONS

24. Subject to sections 19 to 22, any oath, solemn affirmation or declaration that is made for the purposes of the Act or these Regulations may be taken before

(a) the Registrar, a citizenship judge, a citizenship officer, a commissioner for taking oaths, a notary public or a justice of the peace, if made in Canada; or

(b) a foreign service officer, a judge, a magistrate, an officer of a court of justice or a commissioner authorized to administer oaths in the country in which the person is living, if made outside Canada.

REPLACEMENT, SURRENDER AND CANCELLATION OF CERTIFICATES

25. (1) Subject to subsection (2), no person shall hold

(a) more than one valid

(i) certificate of naturalization or certificate of citizenship, and

(ii) miniature certificate of citizenship or other certificate of citizenship that contains the person's photograph; or

(b) more than one certificate of renunciation.

(2) Where a person is included in a certificate of naturalization that relates to more than one person, the person may also hold a certificate of citizenship.

(3) Where a person who has been granted or issued a certificate of naturalization, certificate of citizenship, miniature certificate of citizenship or other certificate of citizenship that contains the

person's photograph makes an application for a certificate of citizenship under section 10, the person shall

(a) set out in the application the reasons for desiring another certificate of citizenship; and

(b) surrender all certificates referred to in paragraph (1)(a) that are in the person's possession to a citizenship officer or foreign service officer

(i) at the time the application is filed, or

(ii) at the time the new certificate is received.

(4) Where an application is made pursuant to subsection (3) for reasons of loss or destruction of a certificate of naturalization, certificate of citizenship, miniature certificate of citizenship or other certificate of citizenship that contains the applicant's photograph, the applicant shall provide the details of the loss or destruction.

(5) Where a person who has been issued a certificate of renunciation makes an application for another certificate, the person shall

(a) set out in the application the reasons for desiring another certificate; and

(b) surrender the previously issued certificate to a citizenship officer or foreign service officer

(i) at the time the application is filed, or

(ii) at the time the new certificate is received.

(6) Where an application is made pursuant to subsection (5) for reasons of loss or destruction of the previously issued certificate, the applicant shall provide the details of the loss or destruction.

(7) The Registrar may require a person referred to in subsection (3) or (5) to provide the Registrar with such evidence as the Registrar deems necessary to be satisfied that the issuance of the certificate will not be in contravention of subsection (1).

26. (1) The Registrar may, in writing, require a person to surrender to the Registrar any certificate of naturalization, certificate of citizenship, miniature certificate of citizenship or other certificate of citizenship that contains the person's photograph, or certificate of renunciation, issued or granted to the person under the Act or prior legislation or any regulations made thereunder if there is reason to believe that the person may not be entitled to the certificate or has violated any of the provisions of the Act, and the person shall forthwith comply with the requirement.

(2) Where the Registrar is of the opinion that the holder of a certificate of naturalization, certificate of citizenship, miniature certificate of citizenship or other certificate of citizenship that contains the holder's photograph, or certificate of renunciation, contravened any provision of the Act, the Registrar

shall cause to be retained any certificate surrendered to the Registrar by that person until that certificate is no longer required as evidence in any legal proceedings that may be instituted in consequence of the alleged contravention.

(3) Where the Minister has determined that the holder of a certificate of naturalization, certificate of citizenship, miniature certificate of citizenship or other certificate that contains the holder's photograph, or certificate of renunciation, issued or granted under the Act or prior legislation or any regulations made thereunder is not entitled to the certificate, the Registrar shall cancel the certificate.

(4) The Registrar shall forthwith return the certificate to the person where the Minister has determined that the person is entitled to the certificate.

GENERAL

27. A birth certificate or other official document forwarded by a person in connection with an application under these Regulations shall be returned to the person when it is no longer required for the purpose of the application.

28. Notwithstanding anything in these Regulations, a person who makes an application under the Act shall furnish any additional evidence in connection with the application that may be required to establish that the person meets the requirements of the Act and these Regulations.

29. An application for a search of the records kept in the course of the administration of the Act or prior legislation shall be made in prescribed form and shall be filed with the Registrar.

30. Where a foreign service officer receives an application made under subsection 5(1), 6(1) or 7(1) or a notice given under subsection 9(1), the foreign service officer shall note the date of its receipt and retain a copy of it in a file to be kept for that purpose.

FEES

31. (1) Subject to this section, for an application set out in column I of an item of the schedule, the fee set out in column III of that item is payable to the applicable department or officer set out in column II of that item.

(2) No fee is payable in respect of the administration of an oath of citizenship.

(3) No fee is payable in respect of the administration of an oath, solemn affirmation or statutory declaration where it is administered by a person employed by Her Majesty in right of Canada.

(4) No fee is payable in respect of the replacement of a certificate where the certificate was lost, mislaid or mutilated or destroyed without lawful excuse by a court of law, a department or agency of the Government of Canada, the Royal Canadian Mounted Police or the Canadian Forces.

(5) No fee is payable in respect of a search of the records kept in the course of the administration of the Act or prior legislation or the provision of a copy of a document from those records where the search or copy is requested by

(a) a department or agency of the Government of Canada or of a province;

(b) the Royal Canadian Mounted Police or the Canadian Forces; or

(c) a person who has submitted, in accordance with section 10, an application for a certificate of citizenship in respect of which a determination has not yet been made.

FEE FOR RIGHT TO BE A CITIZEN

32. The fee to be paid for the right to be a citizen conferred by or on behalf of Her Majesty on a person who is eighteen years of age or over is \$100 and is payable by the person at the time of making the application.

SOR/95-122, s. 1.

REMISSION

33. Remission is hereby granted of the fee paid under section 32 where the right to be a citizen is not conferred by or on behalf of Her Majesty on the person, so that the fee is refunded, by the Minister, to the person who paid it.

SOR/95-122, s. 1.

SCHEDULE

(Subsection 31(1))

FEES

Item	Column I Application	Column II Payable to	Column III Fee (\$)
1.	Application for change of citizenship status (a) grant of citizenship under section 3 (b) grant of citizenship under section 4 (c) grant of citizenship under section 5 (c.1) grant of citizenship under section 5.1, 5.2, 5.3, 5.4 or 5.5 (d) retain citizenship and register as a citizen under section 6 (e) renunciation of citizenship under section 7	Department of Citizenship and Immigration	100

(f) resumption of citizenship under section 8

- | | | |
|----|---|--|
| 2. | Application for citizenship status documents and searches | Department of Citizenship and Immigration 75 |
|----|---|--|

(a) a certificate of citizenship under section 10

(b) a search of records under section 29

SOR/95-122, s. 2; SOR/97-23, s. 1; SOR/2007-281, s. 3.

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