

**Family Class Sponsorship – New Canadian immigration law recognizes sponsorship of a spouse, common-law or conjugal partner of opposite or same sex.**

One of the primary objectives of the Canadian immigration law is to reunite families. Canadian citizens and permanent residents have the privilege of sponsoring members of their family living outside of Canada provided they are willing to care and support these family members.

Care and support, as defined by the government, includes basic requirements for everyday living such as food, clothing and shelter. Dental care, eye care and other health needs not covered by public health services are also included. This stipulation is made to ensure that the arriving immigrants of the family class do not burden the existing social services in Canada.

The sponsorship process for sponsoring members of the family class starts with signing of an undertaking with the Minister of Citizenship and Immigration (or with the Minister des Relations avec le citoyens et de l'immigration (MRCI) if the sponsor lives in Quebec) promising to provide financial support to the sponsored family member and their family members, if applicable, who will be immigrating to Canada.

A sponsor's obligation begins as soon as the sponsored person and, if applicable, his or her family members arrive in Canada. The length of time during which the sponsor has to provide support varies according to the age and the relationship of the sponsored person to the sponsor.

The sponsor and the person being sponsored also have to sign an agreement that confirms that each of these two individuals understand their mutual obligations and responsibilities.

**Who can be classified as members of the family class?**

Spouses, common-law-partners or conjugal partners, dependent children, parents, grand parents, adopted children or children to be adopted and orphaned relatives all classify as members under family class.

New Canadian immigration law now recognizes the sponsorship of same sex conjugal or common – law partner.

**Sponsoring a spouse, common-law partner or conjugal partner:**

A person can be sponsored as a spouse if that person is of the opposite sex, is 16 years of age or older, and is married to the sponsor. The marriage must be legally recognized in the country where it took place and in Canada.

A person can be sponsored as a common-law partner if that person is of the opposite or same sex, has cohabited in a conjugal relationship with the sponsor for a period of at least one year and the sponsor's relationship with that person is continuing, even though they are temporarily living apart.

A person can be sponsored as a conjugal partner if that person is of the opposite or same sex, is residing outside Canada and the sponsor has maintained a conjugal relationship with this person for at least one year, but has been unable to cohabit continuously with him or her.

It is important to note that conjugal partners do not replace fiancé(e)s. The fiancé visa category has been cancelled entirely by the Canadian government since many people were found to be abusing the system in order to obtain permanent immigration to Canada.

### **Sponsoring a dependent child:**

Dependent children may be your own or those of the person you are sponsoring. To qualify as a dependent child, the person must be:

- Under the age of 22 years.
- Be substantially dependent on the financial support of a parent and be enrolled (and also attend) as a full-time student in a post secondary institution accredited by the relevant government authority since before the age of 22 years or
- Be dependent on the financial support of a parent since before the age of 22 years and be unable to provide for themselves due to a medical condition.

### **Who can sponsor?**

Any Canadian citizen or permanent resident above the age of 18 years can sponsor a person who is a member of the family class.

The sponsor must be residing in Canada. Canadian citizens or permanent residents residing outside of Canada may also sponsor their spouse, common-law or conjugal partner and/or dependent children who have no dependent children of their own but certain conditions must be fulfilled.

A sponsor has to sign an undertaking promising to care and support the sponsored person and his/her dependent children. The sponsor must also prove that he/she has an income that is at least equal to the minimum necessary income stipulated by the government.



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