

Ministerial Regulatory Amendments related to the  
*Strengthening Canadian Citizenship Act*

**Title of the regulatory proposal:**

**Requiring minors from 14 to 17 years of age to provide up-front evidence of adequate knowledge of one of Canada's official languages.**

**Background:**

**Q1. Background Information**

Provide any background information that is relevant to this proposal (e.g., historical information, information on a relevant program, prior policy approvals, links to websites, etc.).

Specifically, outline what the Act does versus what the regulations do to so as to justify why costing was focused on particular elements.

- Provide information about the provision in the legislation;
- Provide information about the purpose of the regulation.

Currently, as per paragraph 5(1)(d) of the *Citizenship Act*, adult citizenship applicants 18 years of age and over are required to demonstrate adequate knowledge of one of the official languages of Canada, English or French. Section 14 of the *Citizenship Regulations* defines the official languages criteria which defines what constitutes adequate knowledge of one of the official languages of Canada. In addition, as per paragraph 3(4)(e) of the *Citizenship Regulations*, adult applicants are to provide evidence of knowledge of one of the official languages as part of their citizenship application. Acceptable evidence is defined in administrative guidelines and listed on CIC's public website.

The *Citizenship Act*, as amended by the *Strengthening Canadian Citizenship Act (SCCA)*, will require all citizenship grant applicants from 14 to 64 years of age to demonstrate adequate knowledge of one of the official language of Canada (paragraphs 5(1)(d) and 5(2)(c)). While 3(4)(e) is specific to adult applicants and states that they have to provide evidence of language proficiency as part of their citizenship application, the *Regulations* do not currently address how nor when minor applicants from 14 to 17 years of age will have to demonstrate adequate knowledge of English or French. The objective of this regulatory change is to fill this gap.

The objective of this regulatory change is to add a paragraph to subsection 4(2) of the *Regulations* requiring that minor applicants aged 14 to 17 years provide evidence demonstrating adequate

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knowledge of one of the official languages with their citizenship application. Similar to adult applicants, the list of acceptable evidence for minor applicants will be defined in administrative guidelines.

As such, the proposed regulatory amendment will:

- allow implementation of paragraph 5(2)(c) of the *Citizenship Act* and to align with R3(4)(e) which already requires adult applicants to provide up-front evidence of adequate knowledge of one of Canada's official languages;
- through the requirement to provide acceptable objective evidence up-front, it ensures the integrity of language assessment, minimizes internal involvement in considering language proficiency, and makes decisions more defensible for minor applicants;
- encourage minor applicants to meet the language requirement at the time of application to create incentive to acquire language proficiency before their application for citizenship, thereby strengthening their integration prospects, better preparing them for the labour force, and supporting their full participation in Canadian society.
- streamline the processing of citizenship applications for minors by enabling the return of applications as being incomplete if no evidence of language proficiency is provided with the application.

**Justification:**

**Q2. Costs to the government, business (industry), consumers and Canadians**

With readily available information or preliminary analysis, estimate the potential gross costs to the government, business (industry), consumers and Canadians as a result of the regulatory proposal in Canadian dollars. Calculate the total estimated costs and select the appropriate level (low, medium or high) based on the scale provided. Instructions:

- Estimate costs either in terms of present value (PV) based on a minimum 10-year forecast and a 7 per cent discount rate, or expressed annually, and state the base year used;
- Estimate only incremental costs, which are the costs related to the proposed regulatory option as compared with the baseline (usually of no government intervention). Costs that would occur under the baseline scenario are not incremental costs;
- Do not include the costs of developing the regulatory proposal in the costs to the government;
- Do not double-count costs, e.g., if fees or other charges are levied by the government to provide a service, estimate the total costs to the government of providing the service. Do not include the fee or other charge as part of costs to business or consumers/Canadians.
- Provide a justification to support your analysis.

Justification for low impact costing:

Overall CIC estimates that there will be approximately 10,308 applications made by 14-17 year olds on average per year who will now be required to provide upfront evidence of language proficiency. This

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estimate is based on the average number of citizenship grant applications received by CIC from 14 to 17 year olds over the past five years.

The list of language evidence currently acceptable for adult applicants will be expanded to include two types of evidence, which will be available only to minor applicants.

These forms of evidence include:

- 1) a photocopy of a report card from the most recent full academic year or completed semester in the four years prior to the time of application from an educational institution where the language of instruction was either English or French, in Canada or abroad.
- 2) a CIC template letter completed and signed by an educational institution official (i.e. principal or teacher) or Ministry of Education official confirming completion of a full academic year or a completed semester in the four years prior to the time of application, where the language of instruction was in English or French, in Canada or abroad.

It should be first acknowledged that some of these applicants, under exceptional circumstances, may be eligible for a waiver from this requirement, as per 5(3) of the SCCA. However, the waiver and associated costs are attributable to the changes in the SCCA as they request an exemption from the language requirement found under 5(2)(c), and not the requirement to provide upfront evidence. As such the costs to apply for the waiver and process the waiver are out of scope for the ministerial regulations costing exercise.

The analysis assumes that all applicants have been enrolled in school either in Canada or abroad for at least one semester and thus will be able to provide the required evidence.

It should be acknowledged that there may be some 14-17 year olds who drop out of school. However it should be noted that the dropout rate for those eligible in their province or territory is only 6.2%, a rate lower than that of Canadian born (9.1%)<sup>1</sup>. Furthermore, research on education at landing indicates that 80% of 14-17 years olds have some form of previous education in their country of origin<sup>2</sup>. For most, they have secondary school or less. Of the 20% that do not, it is assumed that the majority will enrol in a secondary school because it is required of them by law in their provincial jurisdiction (Ontario and Alberta have school leaving age at 18 and 17 respectively and Quebec and British Columbia at 16) and the vast majority of 16 and 17 year olds will also take advantage of the free education that is being offered. Because CIC is accepting a report card in the previous four years even if a student drops out, there is a strong likelihood that they would have attended school in the past 4 years.

It should be also noted that there may be, in some very rare instances, minors who land in Canada, do not have evidence from their country of origin, and do not enrol in secondary school (being older than the provincial leaving school age). To acquire a proof of adequate knowledge of English or French, those applicants may choose to enrol in LINC classes if they are eligible, take a CIC's approved third party language test, or freely enrol in school in Canada given that they are still of school age. CIC is not able to estimate the number of those applicants. However, given that education is free and accessible, and that there would be great benefits for this age group to attend formal education, not only for acquiring language but for more general social integration purposes, it is assumed that most of those applicants will decide to postpone their citizenship application by a semester in order to attend school and acquire their first report card to submit as evidence. The analysis acknowledges that these individuals may exist, it would however not be a significant number.

As stated above, for the few that landed in Canada after the age of 16, choose not to go to school, and do not have educational evidence from their country of origin, these regulations may impose additional costs such as requiring them to enroll in LINC, pay for a third party test, or delaying citizenship acquisition by a semester and perhaps providing the added incentive of remaining or enrolling in secondary school. CIC is not able to estimate how many will be in this

<sup>1</sup> Statistic Canada, <http://www.statcan.gc.ca/pub/81-004-x/2010004/article/11339-eng.htm>

<sup>2</sup> Citizenship and Immigration Canada, Data source: CICEDW (EDW) as of December 20, 2014.

situation. However given the above statements and given that a free and accessible option, education, is available to minor applicants, we do not account for the costs on them if they chose to take LINC classes or pay for a third-party test.

Another small group of affected minors may be those who are home schooled, thus do not have access to a report card. It should be noted that statistics on home schooling are very limited and those specific to individuals who have recently immigrated to Canada and are home schooled is even more difficult to assess. However, for the analysis, we acknowledge that there may be a few 14-17 year olds who are affected by this situation. As previously noted, applicants may submit a CIC template letter completed and signed by an educational institution official (i.e. principal or teacher) or Ministry of Education official confirming completion of a full academic year where the language of instruction was in English or French, in Canada or abroad. This should in turn be accessible for children who are homeschooled as they would require written proof of registration as determined by the Ministry of Education for each year that they are enrolled in a home schooling environment. It is assumed that such activity would generate similar costs as those acquiring evidence who are enrolled in secondary school.

**4. Costs to Provincial Ministries of Education to provide completed template letters to applicants to support their citizenship applications**

The analysis assumes that all applicants will request a letter from their educational institution. However, it should be noted that the vast majority are actually expected to provide a copy of a report card issued in the past 4 years. Thus, this estimate is extremely conservative as Departmental statistics show that between April 1<sup>st</sup>, 2013 and March 31<sup>st</sup>, 2014, 84% of citizenship applicants age 18-21 submitted academic language evidence when applying for citizenship. Based on this data, it is anticipated that the 14 to 17 year old applicants will also largely be submitting academic evidence to prove their language proficiency when applying for citizenship, given that they are more likely to be enrolled in school than young adults over the age of 18.

**Citizenship Applications Received  
Between 2009 - 2013 for Clients Landed  
Age Group 14 - 17**

Year of Application	Age 14 - 17				Grand Total
	14	15	16	17	
2009	2,987	2,946	2,869	3,034	11,836
2010	2,775	2,721	2,780	2,876	11,152
2011	2,852	2,774	2,875	2,829	11,330
2012	2,693	2,660	2,642	2,648	10,643
2013	1,665	1,677	1,638	1,602	6,582
<b>Grand Total</b>	<b>12,972</b>	<b>12,778</b>	<b>12,804</b>	<b>12,969</b>	<b>51,543</b>

\*The effective residence address at application received date is not provided

Requestor: Amelie Duplessis-Giroux

Data source: CICEDW (EDW) as of December 20, 2014

Data compiled by: OPMB-PMU(OPS-2014-1132)

Please note that data more recent than June 30, 2014 have not been publicly released.



*Approved  
Charles Brown  
July 21, 2015*

**Citizenship Applications Received  
Between 2009 - 2013 for Clients Landed  
Age Group 55 - 64**

Year of Application	Age 55 - 64										Grand Total
	55	56	57	58	59	60	61	62	63	64	
2009	2,080	1,614	1,276	1,035	1,033	991	980	925	777	765	11,416
2010	2,126	1,741	1,224	1,094	924	895	851	775	735	711	11,076
2011	2,080	1,701	1,309	1,047	976	804	841	750	734	752	10,994
2012	1,991	1,742	1,362	1,223	980	928	839	811	730	711	11,317
2013	1,784	1,720	1,188	1,108	946	873	776	655	667	657	10,374
<b>Grand Total</b>	<b>10,061</b>	<b>8,518</b>	<b>6,359</b>	<b>5,507</b>	<b>4,858</b>	<b>4,491</b>	<b>4,287</b>	<b>3,916</b>	<b>3,643</b>	<b>3,536</b>	<b>55,177</b>

*Handwritten notes and signatures:*  
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