

## **The Permanent Residence Card – How to Get It, How to Keep It**

In June 2002 the Canadian Government introduced the Permanent Residence Card. This is the identification card provided to all Canadian Permanent Residents and serves as evidence, but not absolute proof, of their Permanent Residence in Canada. The Cards are usually issued for 5 years and must be renewed. If the PR Card is not renewed you do not cease to be a Permanent Resident, you are just a Permanent Resident with an expired Card. As with all things dealing with Canadian Immigration, there are a lot of misconceptions about the card.

The purpose of the PR Card is to demonstrate that the holder is a Permanent Resident. It is primarily required by airline companies when boarding a plane on an international flight to Canada. Without the PR Card airlines usually won't allow a Canadian Permanent Resident to board the plane.

Entering Canada without a valid card is where this article gets interesting. As I mentioned above, the PR Card is required by Airline companies as evidence of a passenger's Permanent Residence in Canada. The PR Card is not required by the Immigration Officers at Canadian airports or borders. There are different legal ways to enter Canada without a valid PR Card.

If you are a Canadian Permanent Resident, and a citizen of a country that does not require an entry visa to enter Canada (ie: England, Germany, USA) then you can board the plane by virtue of holding a passport that allows you to enter Canada. You don't have to tell the airline company at all that you are a Canadian Permanent Resident. You can tell the Canadian Immigration Officer at the airport and they can confirm your status in their computer. This route does not apply to citizens holding passports from countries that do require entry visa for Canada (ie: most middle eastern countries).

The other route into Canada without a valid PR Card is at a land border in a private car (commercial busses often require the PR Card or a passport that permits you to enter Canada). When you arrive at the border you can tell the border officer that you are a Permanent Resident of Canada but don't have the PR Card. The border officer is obligated to confirm your status and is absolutely obligated to let you enter Canada. If you don't have the PR Card, or hold an expired Card, the border officer cannot deny you admission to Canada.

The border officer will likely ask you why you don't have the PR Card and how long you have been away from Canada. You can tell the officer that you have not yet applied for a (new) card. Most importantly, you do not have to tell the border officer how long you have been absent from Canada – so long as you are not importing any person goods on which you may have to pay duties. The border officer is allowed to ask you how long you have been away from Canada, but you are not obligated to reply. Any information you give to the officer can, and will, be used against you to assess whether you have breached the residency obligations (2 years in Canada in the past 5). It is difficult, but important, to tell the border officer that you are not required to answer

questions relating to your residency obligations but, as a Canadian Permanent Resident, you have an absolute right to enter Canada

Getting the PR Card is often easier than keeping the PR Card. Because of the economic and employment challenges that many newcomers face in Canada, many heads of households are forced to return to their home country to earn a living while the rest of the family remains in Canada. It is important to know how to legally get back into Canada without jeopardizing your immigration status.

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