

ABOUT THE DEPARTMENT AND AGENCY ASSIGNED TO THE COMMITTEE

Department of Citizenship and Immigration

Introduction

Citizenship and Immigration Canada (CIC) develops immigration policy, including selection criteria; manages immigration levels; and, with other federal departments, facilitates and controls the entry of immigrants, refugees and visitors to Canada. By cooperating with other levels of government and with non-governmental and intergovernmental organizations, CIC helps newcomers settle in and adapt to Canada. CIC supports Canada's humanitarian mission and related international commitments by setting the framework for and managing the government's refugee policy and program. In carrying out this mandate, CIC is also responsible for developing, coordinating and implementing policy, procedures and programs designed to, in collaboration with GOC partners, maintain and protect the health, safety and good order of Canadian society

CIC grants Canadian citizenship, provides Canadians with proof of citizenship, helps newcomers understand the meaning of Canadian citizenship, and promotes citizenship as a symbol and expression of the rights and responsibilities of membership in the Canadian community.

Mandate

On June 23, 1994, the *Department of Citizenship and Immigration Act* established the Department of Citizenship and Immigration (Citizenship and Immigration Canada, or CIC) under the Minister of Citizenship and Immigration. Under section 95 of the *Constitution Act, 1867*, Parliament and the provincial legislatures concurrently exercise legislative authority over immigration, federal legislation being paramount in situations of conflict. Section 91(25) also gives the federal government exclusive jurisdiction over “naturalization and aliens”. Parliament has enacted the *Citizenship Act* and the *Immigration and Refugee Protection Act*, for which CIC is responsible. CIC is also responsible for

administering the subordinate legislation enacted under the *Citizenship Act* and the *Immigration and Refugee Protection Act*, including the *Citizenship Regulations* and the *Immigration and Refugee Protection Regulations, 2002*.

Immigration and Refugee Board

The Immigration and Refugee Board (IRB) was established as of January 1, 1989, and is the largest administrative tribunal in Canada. It consists of the Refugee Protection Division, the Immigration Division and the Immigration Appeal Division. The Refugee Protection Division decides claims made for refugee protection within Canada; the Immigration Division conducts immigration admissibility hearings for certain categories of people believed to be inadmissible to, or removable from, Canada as well as detention reviews for those being detained under the *Immigration and Refugee Protection Act*; the Immigration Appeal Division hears appeals of sponsorship applications refused by CIC, appeals from certain removal orders, appeals by permanent residents outside of Canada who have been found not to have fulfilled their residency obligations, and appeals by CIC from decisions of the Immigration Division at admissibility hearings. The Act establishes a fourth Division, the Refugee Appeal Division, but this part of the legislation has not yet come into force. If actually created, the Refugee Appeal Division would be responsible for hearing appeals from the Refugee Protection Division.

The Governor in Council appoints members of all divisions except the Immigration Division. The members in the Immigration Division are public servants. The IRB reports to Parliament through the Minister of Citizenship and Immigration.