

## New border rules – What does it mean for guests?

New rules for visitors to Canada with minor criminal records came into effect in March of 2012. The details can be found in the Operational Bulletin found at <http://www.cic.gc.ca/english/resources/manuals/bulletins/2012/ob389.asp>

**This change does not make all formerly inadmissible guests admissible!** Although it is an important step forward, it does not significantly change the rules for admissibility. It does not replace or change the existing procedure for applying for Criminal Rehabilitation, and really only applies to the process of obtaining a Temporary Residency Permit (TRP) – the traditional \$200 one-time admission that is granted at the border.

This initiative does not change the fact that front-line border officials have very broad discretionary authority. Although this initiative reflects a policy direction from the political leadership, final decisions will continue to be made on the spot as you cross the border.

### What Changes?

- The normal \$200 fee **can** be waived
- A TRP **can** be granted even for a recent offense – guest with a single DUI a year ago **may** now be admitted

### What Stays the Same?

- The rules and process for criminal admissibility have not changed.
- It is still a one-time admission. Guests will still be expected to use the Criminal Rehabilitation process if they want to come back in the future
- It is not being offered to guests with more than one offense. As before, the guest with several DUIs from many years ago still needs to apply for rehabilitation
- Guests with a single offense that is more than ten years old were already eligible to be considered Deemed Rehabilitated and admitted. This does not change.
- A guest who would appear to qualify for Criminal Rehabilitation but who has not yet completed the process can still be admitted with a TRP. This was already the case and has not changed.

These changes are a very positive step forward and will make life easier for many guests. They are not, however, a “magic bullet”. We urge you to advise your guests to check carefully the details of their individual situation, and, of course, to call NOTO for individual advice.