

Untangling The Law

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Sponsoring Your Parents to Canada (Change in the Minimum Necessary Income)

Last month, Citizenship and Immigration Canada published new income levels which individuals must meet to be able sponsor their parents or grandparents to Canada. The figures, effective until December 31, 2011, are as follows:

• 2 persons	\$27,674
• 3 persons	\$34,022
• 4 persons	\$41,307
• 5 persons	\$46,850
• 6 persons	\$52,838
• 7 persons	\$58,827
• More than 7 persons, for each additional person, add	\$5,989

How do I know which income level applies to me?

When calculating the income level that applies to you, you need to count:

1. your spouse;
2. all of your dependent children; and
3. the total number of family members you are sponsoring.

For example, if you are married, have two young children and one adult child, the total number in your family for the purposes of the calculation would be four (assuming that the adult child is no longer a dependant). If both of your parents are alive and you are sponsoring both, the total number

for the calculation would be six. As a result, in this example, the minimum necessary income would be \$52,838.

Please note that if you have sponsored or co-sponsored someone in the past, you may have to include also these individuals in your calculation.

Do I have to meet the minimum necessary income myself or can I have a co-sponsor?

If you do not meet the minimum necessary income yourself, you can have one person be the co-sponsor. However, the only person who can be a co-sponsor is your spouse or common-law partner. Brothers and sisters cannot be co-sponsors.

What if I and my co-sponsor do not meet the minimum necessary income?

If you do not meet the minimum necessary income, you can still file an application to sponsor your parents. While the application will likely be refused, this would give you an opportunity to appeal the decision to the Immigration Appeal Division where it is possible to get an approval even if you are short of the income level.

The only time we recommend doing this is if you do not believe that you will be able to reach the minimum necessary income. Even in these cases, we never advise someone to do this without speaking first to a lawyer or licensed consultant for advice.



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Reis Pagtakhan



Reis Pagtakhan is a lawyer with the law firm of Aikins, MacAulay & Thorvaldson LLP. He practices in the areas of immigration law and corporate and commercial law. If you like to know more about Pagtakhan or Aikins, you may visit the firm's Web site: www.aikins.com.

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