

# Immigration and Refugee Protection Act

S.C. 2001, c. 27

Assented to 2001-11-01

An Act respecting immigration to Canada and the granting of refugee protection to persons who are displaced, persecuted or in danger

Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

## SHORT TITLE

Marginal note:Short title

1. This Act may be cited as the *Immigration and Refugee Protection Act*.

## INTERPRETATION

Marginal note:Definitions

- 2. (1) The definitions in this subsection apply in this Act.

“Board”

« *Commission* »

“Board” means the Immigration and Refugee Board, which consists of the Refugee Protection Division, Refugee Appeal Division, Immigration Division and Immigration Appeal Division.

“Convention Against Torture”

« *Convention contre la torture* »

“Convention Against Torture” means the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, signed at New York on December 10, 1984. Article 1 of the Convention Against Torture is set out in the schedule.

“foreign national”

« *étranger* »

“foreign national” means a person who is not a Canadian citizen or a permanent resident, and includes a stateless person.

“permanent resident”

« *résident permanent* »

“permanent resident” means a person who has acquired permanent resident status and has not subsequently lost that status under section 46.

“Refugee Convention”

« *Convention sur les réfugiés* »

“Refugee Convention” means the United Nations Convention Relating to the Status of Refugees, signed at Geneva on July 28, 1951, and the Protocol to that

Convention, signed at New York on January 31, 1967. Sections E and F of Article 1 of the Refugee Convention are set out in the schedule.

- Marginal note: Act includes regulations

(2) Unless otherwise indicated, references in this Act to “this Act” include regulations made under it.

#### OBJECTIVES AND APPLICATION

Marginal note: Objectives — immigration

- **3.** (1) The objectives of this Act with respect to immigration are
  - (a) to permit Canada to pursue the maximum social, cultural and economic benefits of immigration;
  - (b) to enrich and strengthen the social and cultural fabric of Canadian society, while respecting the federal, bilingual and multicultural character of Canada;
  - (b.1) to support and assist the development of minority official languages communities in Canada;
  - (c) to support the development of a strong and prosperous Canadian economy, in which the benefits of immigration are shared across all regions of Canada;
  - (d) to see that families are reunited in Canada;
  - (e) to promote the successful integration of permanent residents into Canada, while recognizing that integration involves mutual obligations for new immigrants and Canadian society;
  - (f) to support, by means of consistent standards and prompt processing, the attainment of immigration goals established by the Government of Canada in consultation with the provinces;
  - (g) to facilitate the entry of visitors, students and temporary workers for purposes such as trade, commerce, tourism, international understanding and cultural, educational and scientific activities;
  - (h) to protect the health and safety of Canadians and to maintain the security of Canadian society;
  - (i) to promote international justice and security by fostering respect for human rights and by denying access to Canadian territory to persons who are criminals or security risks; and
  - (j) to work in cooperation with the provinces to secure better recognition of the foreign credentials of permanent residents and their more rapid integration into society.
- Marginal note: Objectives — refugees

(2) The objectives of this Act with respect to refugees are

- (a) to recognize that the refugee program is in the first instance about saving lives and offering protection to the displaced and persecuted;
  - (b) to fulfil Canada's international legal obligations with respect to refugees and affirm Canada's commitment to international efforts to provide assistance to those in need of resettlement;
  - (c) to grant, as a fundamental expression of Canada's humanitarian ideals, fair consideration to those who come to Canada claiming persecution;
  - (d) to offer safe haven to persons with a well-founded fear of persecution based on race, religion, nationality, political opinion or membership in a particular social group, as well as those at risk of torture or cruel and unusual treatment or punishment;
  - (e) to establish fair and efficient procedures that will maintain the integrity of the Canadian refugee protection system, while upholding Canada's respect for the human rights and fundamental freedoms of all human beings;
  - (f) to support the self-sufficiency and the social and economic well-being of refugees by facilitating reunification with their family members in Canada;
  - (g) to protect the health and safety of Canadians and to maintain the security of Canadian society; and
  - (h) to promote international justice and security by denying access to Canadian territory to persons, including refugee claimants, who are security risks or serious criminals.
- Marginal note: Application

(3) This Act is to be construed and applied in a manner that

- (a) furthers the domestic and international interests of Canada;
- (b) promotes accountability and transparency by enhancing public awareness of immigration and refugee programs;
- (c) facilitates cooperation between the Government of Canada, provincial governments, foreign states, international organizations and non-governmental organizations;
- (d) ensures that decisions taken under this Act are consistent with the *Canadian Charter of Rights and Freedoms*, including its principles of equality and freedom from discrimination and of the equality of English and French as the official languages of Canada;
- (e) supports the commitment of the Government of Canada to enhance the vitality of the English and French linguistic minority communities in Canada; and
- (f) complies with international human rights instruments to which Canada is signatory.

**Source:** <http://laws-lois.justice.gc.ca/eng/acts/I-2.5/page-1.html>