



LEGAL AND IMMIGRATION SERVICES

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Legal and Immigration Services

What We Do:

- Contracts & Legal Document reviews
- Intellectual Property matters
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- Human Rights matters
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- Legal risk management
- Litigation
- Immigration advice and support

As we greet new people to the University of Waterloo and welcome back those returning, Legal and Immigration Services wishes the best of luck to all students and faculty for the new academic year.

The University of Waterloo has a significant presence outside of Canada. Whether it is student exchanges, out-of-country co-ops, international research or satellite campuses, our school has kept up with the highly globalized world we live in. In this newsletter, our office will be highlighting international issues.

Flagpoling

What is “flagpoling?” It is the action taken by a temporary resident of Canada physically leaving Canada at a border point between Canada and the USA and immediately returning to re-enter Canada. Providing that the temporary resident holds appropriate status and visas to enter the USA and re-enter Canada, this is common practice for those who need to regularize their immigration status in Canada faster than what can be done through the Immigration, Refugee & Citizenship Canada (IRCC) online application process.

Due to the high volume of temporary residents “flagpoling” to regularize their status immediately, on June 16, 2017, Canada Border Services Agency (CBSA) started a new pilot project for all border entry points in southern Ontario to manage how “flagpoling” will be handled. CBSA is responsible for the examination, review and potential issuance of entry documents into Canada for temporary residents seeking to re-enter Canada. As a result, all south Ontario ports of entry (POE) have limited their services for “flagpolers” to the following terms:



- “flagpolers” may only cross the border from Tuesday to Thursday, and
- only if operational volumes permit the processing of their applications.

This new pilot project has added an element of possible interpretation by CBSA, as they may not be obligated to process a “flagpole” application if the Border Services Officer deems operational volumes do not permit the processing. As such, any temporary resident looking to “flagpole” **should do so with caution**, regardless of when they attend the POE.

For further details, please [click here](#).

Travel Outside of Canada for Temporary Residents

In contrast to the above, those temporary residents in Canada who hold a valid work or study permit looking to travel outside of Canada, including the USA, must have a valid Temporary Resident Visa (TRV) or Electronic Travel Authorization (eTA) in order to be eligible to return back to Canada. A work or study permit does not give permissions to enter Canada, the permit gives permissions for a purpose to remain in Canada. As such, a valid TRV or eTA is required in addition to the valid work or study permit to be allowed re-entry to Canada. Applications for the TRV or eTA can be made outside of Canada during travels and must be issued and adhered to the passport prior to return to Canada – it cannot be done at the POE upon arrival.

If applications are to be made outside of Canada for the TRV or eTA, ensure that valid status to reside in that country for 6 months or more is established and sufficient time is given to remain in that country in order to process the application, submit the passport for the TRV issuance, if required, before leaving that country.

IMPORTANT DISCLAIMER

The information contained in this newsletter is not meant to be legal advice, and the reader should not depend on it as legal advice. For clarification of these issues specific to your situation, or for any matter on which legal advice may be required on behalf of the University of Waterloo, please contact Legal & Immigration Services.

[\(https://uwaterloo.ca/legal-and-immigration-services/\)](https://uwaterloo.ca/legal-and-immigration-services/)