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PUBLICATION

IRCC Raises the Cut-Off Age for Dependent Children

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On August 1, 2014, Citizenship and Immigration Canada, which is now called Immigration, Refugees, and Citizenship Canada ("IRCC"), revised the definition of "dependent child" by decreasing the maximum age from "under 22" to "under 19" and deleted the exception that existed for older children who were financially dependent on their parents and enrolled in full-time studies. However, it did not eliminate the exception for children who, regardless of age, have depended on their parents for financial support because of a mental or physical condition.

On May 3, 2017, IRCC announced that it had published regulatory changes that would again increase the maximum age of a dependent child to "under 22." The new age limit will come into effect on October 24, 2017, and will apply to new applications filed under all IRCC immigration programs, including refugees. Children who are 22 years of age or older and who rely on their parents due to a physical or mental health condition will continue to be considered dependent children.