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1. Structure and routes to citizenship

The Citizenship Act (R.S.C. 1985, c. C-29) and the Citizenship Regulations, No. 2 govern who is a citizen and how citizenship is granted, lost and proven. IRCC administers it; there is no IRB role.

Route	Provision	Key point
Birth in Canada	s.3(1)(a)	Exception: child of a foreign diplomat or their staff (s.3(2))
Birth abroad to a Canadian parent	s.3(1)(b), limits in s.3(3)	Descent rules recently amended by Bill C-3; confirm the version tested
Grant (naturalization)	s.5(1)	Adult PR meeting presence, tax, language, knowledge and oath
Grant to minor	s.5(2)	Child of a citizen or applying with a parent; no presence test
Adopted person	s.5.1	Direct grant, no PR needed if adoption meets criteria
Discretionary grant	s.5(4)	Special and unusual hardship, or exceptional service
Resumption	s.11	Former citizen who is a PR again

Citizenship is only conferred once the applicant takes the Oath of Citizenship (s.3(1)(c), s.12(3)). A citizenship certificate is proof of citizenship (s.12).

2. Grant under s.5(1)

An adult applicant must meet every element below on the date of application, and the prohibitions in s.22 must not apply.

Element	Provision	Requirement
Age	s.5(1)(a)	18 or older (minors apply under s.5(2))
Status	s.5(1)(c)	Permanent resident, not under a removal order, no unfulfilled PR conditions
Physical presence	s.5(1)(c)(i)	1,095 days in the 5 years before the application date
Pre-PR credit	s.5(1)(c)(i)(A)	Each day as temporary resident or protected person = half day, max 365 credit days
Taxes	s.5(1)(c)(iii)	Filed returns, if required, for 3 taxation years within the 5-year window
Language	s.5(1)(d)	Ages 18 to 54: English or French at CLB 4 speaking and listening
Knowledge	s.5(1)(e)	Ages 18 to 54: knowledge of Canada and of citizenship responsibilities
Oath	s.3(1)(c), s.12(3)	Takes the Oath of Citizenship

Physical presence formula: days as PR + min(pre-PR days ÷ 2, 365) ≥ 1,095.

Crown service abroad (s.5(1.01)): a day employed outside Canada with the Canadian Armed Forces, federal public administration or a provincial public service (not locally engaged) counts as a full day. The same applies to an accompanying spouse, common-law partner or child.

Discretionary grant (s.5(4)): the Minister may direct a grant to any person to alleviate special and unusual hardship or to reward services of an exceptional value to Canada. Waivers of language, knowledge or oath on compassionate grounds sit in s.5(3).

3. Prohibitions, excluded periods and security

A person caught by s.22 cannot be granted citizenship, take the oath or resume citizenship while the bar applies.

s.22(1) — current status bars:

- Under a probation order, on parole, or confined in a penitentiary, jail, reformatory or prison
- Charged with, on trial for, or appealing an indictable offence or an offence under the Act
- Under investigation or charged in relation to war crimes or crimes against humanity
- Subject to a removal order, or named in a security certificate (IRPA s.77)
- Citizenship revoked for fraud within the previous 10 years
- Charged with or convicted outside Canada of an offence that would be indictable here (s.22(1)(a.1)–(a.2))
- Has misrepresented or withheld material circumstances in the application: 5-year bar from the decision date (s.22(1)(e.1), linked to s.22(1)(e.2))

s.22(2) — conviction bars: convicted in Canada of an indictable offence, or an offence under the Act, in the 4 years immediately before the application date, or convicted abroad of an equivalent offence in that period. A record suspension or pardon lifts the conviction bar.

s.21 — days that never count as physical presence: time on probation, on parole, or confined for an offence, including conditional sentences served in the community.

Security (ss.19–20): citizenship may be refused where there are reasonable grounds to believe the person will engage in, or is a member of an organization engaged in, threats to security or organized crime. A Governor in Council declaration under s.20 bars grant and lapses after 2 years, but a further declaration can be made.

4. Descent, adoption, renunciation and resumption

Birth abroad (s.3(1)(b), s.3(3)): a child born outside Canada to a Canadian parent is a citizen, subject to the first-generation limit. The Ontario Superior Court struck that limit down in *Bjorkquist* (2023), and Bill C-3 replaced it with a substantial-connection test: a parent born abroad must have 1,095 days of physical presence in Canada before the child's birth or adoption. Confirm which rule your exam materials use.

Adoption (s.5.1): an adopted person may be granted citizenship directly, without becoming a PR first. The adoption must:

- Be in the best interests of the child
- Create a genuine parent-child relationship
- Comply with the laws of the place of adoption and the adopter's place of residence
- Not be entered into primarily to gain immigration or citizenship status

Adults adopted before 18 qualify if a genuine relationship existed before 18. Quebec adoptions also need provincial approval (s.5.1(3)).

Renunciation (s.9): an adult citizen may renounce if they are, or will become, a citizen of another country, are not living in Canada, and are not barred on security grounds. It takes effect on the date the Minister approves it.

Resumption (s.11): a former citizen who renounced (not lost through revocation) can resume if they are a PR again, have 365 days of physical presence in the 2 years before applying, filed taxes if required, and are not prohibited.

5. Revocation (ss.10–10.2)

Citizenship or renunciation can be revoked where it was obtained by false representation, fraud or knowingly concealing material circumstances. Which body decides depends on the ground.

Track	Decision-maker	When it applies	Person's rights
Ministerial (s.10)	Minister (IRCC)	Ordinary fraud or misrepresentation	Written notice; right to make written submissions; may ask that the case go to the Federal Court (s.10(3.1))
Federal Court (s.10.1)	Federal Court, on the Minister's action	Fraud tied to security, human or international rights violations, or organized criminality inadmissibility	Full hearing; the court can also declare the person inadmissible, which acts as a removal order

Presumption (s.10.2): if PR status was obtained by fraud, citizenship is presumed obtained by fraud, even if the citizenship application itself was truthful.

Consequences: the person usually becomes a foreign national, not a PR (unless the fraud was only in the citizenship stage, when PR may be restored). They face a 10-year bar on regaining citizenship (s.22(1)(f)).

Hearing: the Minister must hold an oral hearing where credibility is at issue or other prescribed factors apply.

6. Processing, review, representation and offences

Complete application (s.13): an incomplete application is returned, not refused.

Suspension (s.13.1): the Minister may suspend processing while waiting for information on whether the applicant meets requirements, is prohibited, or is under investigation or criminal proceedings.

Abandonment (s.13.2): the Minister may treat an application as abandoned if the applicant fails, without reasonable excuse, to provide requested information or evidence, or to appear for an interview, hearing or the oath ceremony. An applicant can be asked for documents or an interview under s.23.1.

Judicial review (s.22.1): there is no appeal tribunal. The applicant must seek leave from the Federal Court, filing within 30 days of being notified of the decision. There is no appeal to the Federal Court of Appeal unless the judge certifies a serious question of general importance (s.22.2).

Paid representation (s.21.1): only these may represent or advise for a fee, at any stage including before an application is made:

- Lawyers and paralegals in good standing with a provincial law society
- Notaries in good standing with the Chambre des notaires du Québec
- Licensees of the College of Immigration and Citizenship Consultants

Unpaid help from family or friends is allowed. Unauthorized paid representation is an offence (s.29.2).

Offences (s.29, s.29.2): false representation, fraud, concealing material circumstances, trafficking in citizenship documents, and unauthorized representation. On indictment: fine up to \$100,000 and/or imprisonment up to 5 years. Summary conviction carries lower maximums; confirm the exact figures in the current text.

7. Key numbers and exam traps

Number	What it is	Provision
1,095 days	Physical presence for grant	s.5(1)(c)(i)
5 years	Window for presence and taxes	s.5(1)(c)
½ day, max 365	Pre-PR credit as TR or protected person	s.5(1)(c)(i)(A)
3 years	Tax filing within the window	s.5(1)(c)(iii)
18 to 54	Ages tested on language and knowledge	s.5(1)(d)–(e)
CLB 4	Speaking and listening level	Regulations
4 years	Look-back for indictable convictions	s.22(2)
5 years	Bar after a misrepresentation finding	s.22(1)(e.2)
10 years	Bar after revocation for fraud	s.22(1)(f)
365 days in 2 years	Physical presence for resumption	s.11(1)
30 days	File for leave and judicial review	s.22.1
2 years	Life of a s.20 security declaration	s.20

Common traps

- Pre-PR days count only within the 5-year window, and only if the person was a TR or protected person. Days as a refugee claimant before a positive decision do not count.
- Days on probation, parole or in custody are subtracted, even within the window (s.21).
- Citizenship refusals go to the Federal Court with leave, never to the IAD or RAD.
- Section 5(4) uses "special and unusual hardship", not IRPA s.25 humanitarian and compassionate wording.
- A child born in Canada to a foreign diplomat is not a citizen by birth (s.3(2)).
- If PR was obtained by fraud, citizenship is presumed obtained by fraud (s.10.2).
- Charging any fee for citizenship advice without authorization is an offence, even before an application is filed (s.21.1).
- Citizenship takes effect at the oath, not at approval.