



TITLE  
SUBTITLE

Departmental Remission Policy  
pursuant to the *Service Fees Act*



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Ci4-206/2021E-PDF

978-0-660-37938-8

IRCC-3147-03-2021

# Departmental Remission Policy Pursuant to the *Service Fees Act*

## 4. Requirements

### 4.1 Eligibility

- 4.1.1 Effective April 1<sup>st</sup> 2021, a fee payer may be eligible to receive a remission pursuant to section 7 of the [Service Fees Act](#) on or before July 1<sup>st</sup> of the following fiscal year, if they are deemed eligible as per the requirements of this policy and subordinate policies.
- 4.1.2 Determination of whether a Service Standard is met is evaluated on an individual basis.
- 4.1.3 The portion of the fee to be remitted to the fee payer is determined based on the remission applicability criteria and remission calculation methodology in sections 4.2 to 4.4 for a [service standard](#) deemed not met based on the Remission Applicability criteria below.
- 4.1.4 IRCC respective programs will make a [reasonable attempt to remit](#) the appropriate portion of the fee to the fee payer subject to the availability of up to date fee payer information within IRCC's internal databases.

### 4.2 Remission Applicability

- 4.2.1 The fee payer is not entitled to a remission if one of the following criteria is the reason that a service standard was deemed not met:
  - 4.2.1.1 Role of the fee payer;
  - 4.2.1.2 Exceptional circumstances or as per further clarification found in subordinate remissions policies.
- 4.2.2 The general application of the criteria is determined as per the table below:

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# Departmental Remission Policy Pursuant to the *Service Fees Act*

## 1. Effective Date

- 1.1 This policy instrument takes effect on April 1, 2021.
- 1.2 This policy is to be reviewed every year on the anniversary date of the coming into effect.

## 2. Application

- 2.1 This policy applies to clients who pay a fee for services and for rights and privileges to Immigration, Refugees and Citizenship Canada (IRCC) and/or for which, the application is received on or after April 1<sup>st</sup>, 2021, such fees are subject to the requirements of section 7 of [Service Fees Act](#).
- 2.2 The current list of IRCC fees that are subject to the requirements of section 7 of the [Service Fees Act](#) and to which this policy applies can be found in [Appendix A](#).
- 2.3 This policy is pursuant to the authorities indicated in section 7 of the [Service Fees Act](#) in accordance with section 4.2.4 of the [Treasury Board Directive on Charging and Special Financial Authorities](#).

## 3. Context

- 3.1 This policy serves to establish if a remission is warranted resulting from a [service standard](#) that was not achieved for a fee that is subject to sections 4 to 7 of the [Service Fees Act](#).
- 3.2 This policy should be read in conjunction with sections 4.2.4 and 6.2.2 of the [Treasury Board Directive on Charging and Special Financial Authorities](#).
- 3.3 This policy includes three subordinate remission policies for the following fees: [Passport Program Fees](#), [Right of Citizenship Fee](#) and [International Experience Canada Program Participation Fee](#), which can be found in appendices C, D, and E respectively.
- 3.4 Definitions to be used in the interpretation of this policy instrument are included in [Appendix B](#).

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<p>Role of the fee payer</p>	<p>It is the fee payer’s responsibility to ensure that all requirements related to the service requested and the payment of the fee for the service are satisfied in order to consider that the service standard would apply.</p> <p>These requirements include but are not limited to the following considerations:</p> <ul style="list-style-type: none"> <li>- Submission of a complete and/or acceptable application (e.g., up to date contact and/or financial information) within the prescribed timeframe;</li> <li>- Additional information required for application processing;</li> <li>- Submission of the correct fee amount;</li> </ul> <p>Service Standard calculation will only begin once all information and requirements are received by IRCC.</p> <p>Any delays within the fee payer’s control that result in not meeting the service standard, constitute ineligibility for a remission. Examples are:</p> <ul style="list-style-type: none"> <li>- Decision by the fee payer not to comply with sub-requirements of the service requested;</li> <li>- Decision by the fee payer to delay completion of the process.</li> </ul>
<p>Exceptional circumstances</p>	<p>Should it be determined that the service standard in relation to a fee paid is not met primarily due to exceptional circumstances, the fee payer is not eligible for a remission.</p> <p>Exceptional circumstances are defined as circumstances outside the Department’s control such as, but not limited to:</p> <ul style="list-style-type: none"> <li>- Unforeseen system disruptions and/or failures outside of the Department’s control;</li> <li>- Natural disasters;</li> <li>- Emergency situations that cause a closure of an office, a reduction in the service offerings within the office, or a surge of applications outside the departments control that cause a disruption to the normal operation of an office;</li> <li>- Unforeseen office closures;</li> <li>- Labor disruption;</li> <li>- Third-party service and/or service provider service interruptions or delays where the department does not have a contractual agreement with the service provider;</li> <li>- Major legislative and/or policy changes enacted by foreign governments.</li> </ul>

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- 4.3 Other exclusions from service standards
  - 4.3.1 Subordinate exclusions can be found in the subordinate remission policies appendices C, D and E.
- 4.4 Remission Calculation Methodology
  - 4.4.1 The impact to the fee payer is determined to be correlated to the amount of time outside a service standard that the service is delivered. Taking into consideration that the service is ultimately delivered, remissions at IRCC shall not exceed 50%.
  - 4.4.2 Information on the amount of time outside of a service standard and the corresponding remission tier can be found in the subordinate remission policies appendices C, D and E.
- 4.5 Remission issuance
  - 4.5.1 Remissions are to be issued in the form of a refund in accordance with the existing Departmental refund mechanisms for each fee.
  - 4.5.2 Remissions are to be initiated by IRCC.
  - 4.5.3 Remissions are to be issued in Canadian dollars. For fees paid in foreign currency, the remission amount will be converted in local currency as per the rate in effect the date the remission is issued.
  - 4.5.4 The frequency of remissions issuance can be found in the subordinate remissions policies appendices C, D and E; however, a payment will be issued before July 1 of the following fiscal year.

## 5. Responsibilities

- 5.1 As per the [Treasury Board Directive on Charging and Special Financial Authorities](#), the Chief Financial Officer is responsible for the following:
  - 5.1.1 Implementing, monitoring compliance and reviewing this remissions policy.
  - 5.1.2 Ensuring that remissions are granted to a fee payer as per the provisions of this policy and section 7(1) of the Service Fees Act.
  - 5.1.3 Making the remissions policy and procedures available to the public.

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- 5.2 Senior departmental program managers are responsible for the following:
  - 5.2.1 Establishing service standards for fees charged for services, the use of a facility, and the conferral of rights and privileges in accordance with relevant Treasury Board policies and directives, including the Policy on Service and Digital and the Cabinet Directive on Regulation;
  - 5.2.2 Implementing and reviewing (annually) their subordinate remissions policy;
  - 5.2.3 Establishing and implementing processes for tracking and monitoring the charging of fees, compliance with service standards, and remissions, where applicable
  - 5.2.4 Ensuring that all service standards are meaningful and measurable;
  - 5.2.5 Ensuring that the determination of whether a service standard has been met and whether the fee payer is entitled to a remission is made on an individual basis;
  - 5.2.6 Providing a mechanism for fee payers to provide comments about the department's fees and service standards;
- 5.3 The Chief Financial Officer ensures that corrective actions are taken to address the non-compliance with the requirements of the Departmental Remission Policy and each Departmental program manager responsible for fees ensures that corrective actions are taken to address the non-compliance with fee-specific remission policies.

## 6. Enquiries

- Enquiries on the Common Remission Policy should be addressed to [IRCC.FSBFees-FraisDGSF.IRCC@cic.gc.ca](mailto:IRCC.FSBFees-FraisDGSF.IRCC@cic.gc.ca).
- Information for Program specific inquiries, including inquiries on remissions eligibility and remission status can be found in the subordinate remission policy appendices C,D,E.



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## 7. References

Legislation

- [Service Fees Act](#)
- [Financial Administration Act](#)

Related policy instruments

- [TB Directive on Charging and Special Financial Authorities](#)
- [TB Directive on Payments](#)
- [TB Policy on Service and Digital](#)
- [TB Guideline on Service and Digital](#)

## Appendix A – List of Fees

Fee	Service Standard	Fee Amount
Passport Program Fees	<a href="#">Passport service standards</a>	<a href="#">Passport fee amounts</a>
Right of Citizenship	<a href="#">Right of Citizenship service standard</a>	<a href="#">Right of Citizenship fee amount</a>
International Experience Canada Participation Fee	<a href="#">International Experience Canada Participation Fee service standard</a>	<a href="#">International Experience Canada Participation Fee</a>

## Subordinate Remission Policies

- [Appendix C – Passport Subordinate Remission Policy](#)
- [Appendix D – Right of Citizenship Subordinate Remission Policy](#)
- [Appendix E – International Experience Canada Subordinate Remission Policy](#)

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## Appendix B – Definitions

**fee** means an amount — called a fee, charge, levy or by any other name — that, in relation to a federal entity, is fixed by the Governor in Council, the Treasury Board, a minister or the federal entity under a power conferred by an Act of Parliament or a capacity to contract and is payable for:

- (a) the provision of a service;
- (b) the provision of the use of a facility;
- (c) the conferral, by means of a licence, permit or other authorization, of a right or privilege;
- (d) the provision of a product; or
- (e) the recovery, in whole or in part, of costs that are incurred in relation to a regulatory scheme. (frais)

**normal circumstances** refers to the expected level of supply and demand for regular day-to-day service operations. This differs from special circumstances (*read exceptional circumstances for purposes of this policy*) where regular service standards may not apply. These are circumstances that are typically not within the organization's control. Examples include but are not limited to holidays, natural disasters, or other emergency situations. (circonstances normales)

**performance standard:** means service standard for the purposes of this policy (*see service standard*) (norme de rendement)

**reasonable attempt to remit** means that the responsible authority has made best efforts to obtain complete information required from the fee payer to issue a remission within the prescribed timeframe. (tentative raisonnable de remettre)

**remission:** a partial refund of a fee paid for a service for which the Department determines the service standard was not met. (remise)

**service standard** means a public commitment to a measurable level of performance that fee payers can expect under normal circumstances. (norme de service)