



# Rainbow Railroad Memo Re: Proposed Amendments to Bill C-12

## Bill C-12, Part 8, Clause 73(1):

*Subsection 101(1) of the Immigration and Refugee Protection Act is amended by adding the following after paragraph (b):*

*(b.1) the claimant entered Canada after June 24, 2020 and made the claim more than one year after the day of their entry;*

*(b.2) the claimant entered Canada at a location along the Canada–United States land border – including the waters along or across that border – that is not a port of entry and made the claim after the end of the time limit referred to in subsection 159.4(1.1) of the Immigration and Refugee Protection Regulations;*

### A. Proposed Amendment:

**(b.3)** a claim will not be deemed ineligible pursuant to subsections (b.1) or (b.2) if the claimant can establish before the Board that there are compelling reasons why their claim should not be deemed ineligible.

## Bill C-12, Part 7, Clause 72:

**87.302(1) (3)** *An order made under subsection (1) may*

*(a) restrict the application of the order to certain documents or individuals;*

*(b) provide for the return of documents; and*

*(c) provide for any other matter arising out of or ancillary to the exercise of the power conferred under that subsection.*

### B. Proposed Amendment:

**87.302(1) (4)** An order made under subsection (1) shall provide for a person who is directly affected by the order to establish before the Board that there are compelling reasons why the order should not apply to them and for the Board to grant them relief.

## Legislative References:

See for instance, *IRPA* s. 3, s. 25(1) s.108(1) and (4)