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WORK PERMITS | SPOUSES OF POST-GRADUATION WORK PERMIT HOLDERS

Spousal Open Work Permit (SOWP) for Spouses of PGWP Holders in Canada

If you hold a post-graduation work permit (PGWP) and work in Canada, your spouse or common-law partner may get an open work permit. Since January 21, 2025, your job must be in TEER 0 or 1, or a select TEER 2 or 3 occupation, and your PGWP must have at least 16 months left.

PERMIT TYPE	PGWP LEFT	WHO QUALIFIES	IRCC FEE
Open (C41)	**16+ months**	**Spouses only**	**$255 CAD**

Table of Contents

Click any section to jump to it. Use "Back to contents" at the top of each page to return. Tick the boxes in sections 2, 3 and 9 to track your progress.

01	What Is the SOWP for Spouses of PGWP Holders?
02	Eligibility Self-Check
03	Who Can Qualify?
04	NOC Codes and TEER Categories
05	NOC Code Eligibility Checker
06	The 16-Month Rule
07	If the PGWP Is Not Issued Yet
08	Applying From Inside or Outside Canada
09	Documents Checklist
10	Renewals and Extensions
11	Permit Length, Conditions and Fees
12	Common Refusal Reasons
13	How Neximm Can Help

Scope of this guide: This guide is for people who hold, or have applied for, a PGWP and live and work in Canada. Their spouse or partner can be inside or outside Canada. It covers the C41 spousal open work permit, which applies to applications received on or after January 21, 2025. The self-check in section 2 gives a quick result.

1. What Is the SOWP for Spouses of PGWP Holders?

A PGWP is an open work permit. Spouses of PGWP holders do not have their own PGWP spousal category. They apply under the general category for spouses of high-skilled workers: paragraph R205(c)(ii), administrative code **C41**, "Spouse of high-skilled worker" (IRCC officer instructions). This version of the rules applies to applications IRCC receives on or after January 21, 2025.

Because the spouse's permit is open, they do not need a job offer or a Labour Market Impact Assessment (LMIA), and can work for most employers in Canada.

> **Spouses only:** Since January 21, 2025, only spouses and common-law partners qualify. Dependent children cannot get this permit (IRCC, IRCC notice).

ITEM	DETAILS
Program	International Mobility Program (LMIA-exempt)
Code	C41, under R205(c)(ii)
Who applies	The spouse or common-law partner of the PGWP holder
Job rule	The PGWP holder works in TEER 0 or 1, or in a select TEER 2 or 3 occupation
Time rule	The PGWP is valid for at least 16 months after IRCC receives the spouse's application
Length	Up to the end of the PGWP, and no later than the spouse's passport expiry
IRCC fees	$155 work permit fee + $100 open work permit holder fee = $255. Biometrics are $85 if required.

2. Eligibility Self-Check

Use this quick check before you apply. Check the occupation in step 1, then tick the boxes in steps 2 and 3. The rules apply to applications received on or after January 21, 2025 (officer instructions, IRCC client page). An interactive version of this checker is on the Neximm webpage for this guide.

Step 1: Is the PGWP holder's occupation eligible?

SECOND DIGIT OF THE NOC CODE	TEER	ELIGIBLE?
0 (for example 10010)	TEER 0, management	**Yes**, any code
1 (for example 21231)	TEER 1, professional	**Yes**, any code
2 (for example 22220)	TEER 2	**Only** if the checker in section 5 shows it as eligible
3 (for example 33102)	TEER 3	**Only** if the checker in section 5 shows it as eligible
4 or 5 (for example 64100)	TEER 4 or 5	**No**

Step 2: PGWP holder and relationship

- [ ] The occupation is marked “Yes” in step 1, or the checker in section 5 shows it as eligible
- [ ] The PGWP has been issued, or we are applying together as a family group with the PGWP application
- [ ] The PGWP will be valid for at least 16 months after IRCC receives the spouse’s application (unless the Quebec health care exemption applies)
- [ ] The PGWP holder is working now, full-time or part-time, or is on authorized leave from the same employer
- [ ] The employer can give a letter with the NOC code, duties, start date, hours and pay
- [ ] The PGWP holder lives in Canada and earns enough to support the family
- [ ] We are legally married, or common-law after living together continuously for at least 12 months

Step 3A: Spouse applying from inside Canada

- [ ] The spouse has valid status as a visitor, worker or student, or is on maintained status
- [ ] Or the spouse’s status expired less than 90 days ago and they will apply to restore it
- [ ] The spouse will apply online, not at the border

Step 3B: Spouse applying from outside Canada

- [ ] The spouse has a valid passport and will apply online from outside Canada
- [ ] The spouse is ready to give biometrics, and has or will get a visitor visa or eTA if their citizenship requires one

Your result

IF YOU...	RESULT
Ticked every box in step 2 and your step 3	**Likely eligible.** Prepare the documents in section 9.
Are unsure about one or more boxes	**Possibly eligible.** Check the details or get advice before you apply.
Cannot tick a box, or the occupation is “No”	**Likely not eligible** under C41. Get advice before you apply.

Self-check only: This check is general information, not legal advice. The officer decides based on the facts and documents at the time of the decision.

3. Who Can Qualify?

IRCC calls the PGWP holder the "principal foreign national". At the time IRCC makes a decision on the spouse's application, the PGWP holder must meet **all** of these conditions (officer instructions, IRCC client page). Tick each one that applies.

- ☐ The PGWP holder has a valid PGWP that has been issued (not just applied for)
- ☐ The PGWP is valid for at least 16 months after the date IRCC receives the spouse's application
- ☐ The PGWP holder is employed in Canada when the spouse applies, and stays employed until IRCC decides
- ☐ The job is in any TEER 0 (management) or TEER 1 (professional) occupation, or in a select TEER 2 or 3 occupation (check it in section 5)
- ☐ The PGWP holder lives, or plans to live, in Canada while working
- ☐ The relationship is genuine: legally married, or common-law after living together continuously for at least 1 year
- ☐ If the spouse is in Canada: they have valid status, are on maintained status, or can still restore their status

Who is not eligible

The spouse cannot get a C41 permit if the principal (IRCC):

- Has applied for a PGWP but has not been approved by the time IRCC decides the spouse's application
- Still holds only a study permit, or works on or off campus as a student without a work permit
- Holds a spousal open work permit themselves

Spouses of PGWP holders who work in TEER 4 or 5 occupations, or in TEER 2 or 3 occupations not on IRCC's list, are not eligible for a new C41 permit.

> **Part-time work counts:** The PGWP holder may work part-time. There is no minimum number of hours, but the officer must be satisfied that their wages or total funds can support the family in Canada. Authorized leave, such as maternity leave with the same employer, still counts as employed (officer instructions).

4. NOC Codes and TEER Categories

Every job in Canada has a five-digit National Occupational Classification (NOC) code. The **second digit** of the code is the job's TEER category (Training, Education, Experience and Responsibilities), from 0 to 5 (Employment and Social Development Canada, Statistics Canada).

TEER	WHAT IT USUALLY MEANS	C41 RESULT
TEER 0	Management occupations	**Eligible**: any NOC code
TEER 1	Usually needs a university degree	**Eligible**: any NOC code

TEER	WHAT IT USUALLY MEANS	C41 RESULT
TEER 2	College program of 2 to 3 years, apprenticeship of 2 to 5 years, or supervisory or safety roles	**Only** if on IRCC's list (section 5)
TEER 3	College program under 2 years, short apprenticeship, or more than 6 months of on-the-job training	**Only** if on IRCC's list (section 5)
TEER 4	Usually needs high school, or several weeks of on-the-job training	**Not eligible** for new permits
TEER 5	Short work demonstration, no formal education	**Not eligible** for new permits

How to read a NOC code

EXAMPLE NOC CODE	TEER AND RESULT
21231 Software engineers and designers	Second digit 1 = TEER 1. Eligible.
22220 Computer network and web technicians	TEER 2 and on IRCC's list. Eligible.
62020 Food service supervisors	TEER 2 but not on IRCC's list. Not eligible.
64100 Retail salespersons	TEER 4. Not eligible.

Find the right code with the official NOC search. The code should match the PGWP holder's actual main duties, not just the job title. Because a PGWP is open, IRCC cannot see the job from the permit, so the employer letter must state the NOC code and duties (officer instructions).

> **Business owners:** Self-employed PGWP holders can qualify if they genuinely perform the main duties of an eligible NOC. Officers use synthetic NOC 88888 for entrepreneurs, and treat it as TEER 0 or 1 (officer instructions).

5. NOC Code Eligibility Checker

Only some TEER 2 and 3 occupations qualify. IRCC lists them in Annex A of its C41 instructions: 105 TEER 2 and 32 TEER 3 codes in the natural and applied sciences, construction, health care, natural resources, education, sports and military sectors. Enter the PGWP holder's NOC code to check it, or choose from the list.

Enter a 5-digit NOC code

Press Tab or click outside the box to see the result.

Or choose from IRCC's list of TEER 2 and 3 occupations

Choose an occupation

Result

The checker and dropdown work in Adobe Acrobat Reader and most desktop PDF readers. If your reader does not show a result, use the interactive checker on the Neximm webpage for this guide, or apply the TEER rule in section 4.

> **TEER 0 and 1 are not in the list** because every TEER 0 and 1 occupation qualifies. The checker accepts those codes too.

6. The 16-Month Rule

The PGWP must be valid for **at least 16 months after the date IRCC receives** the spouse's application (officer instructions). Count from the receipt date, not from the date the PGWP was issued. A PGWP of 18 months or less leaves little or no time, so apply early.

PGWP EXPIRY	LATEST DATE IRCC CAN RECEIVE THE SPOUSE'S APPLICATION
December 31, 2028	August 31, 2027
January 31, 2028	September 30, 2026 (already passed in October 2026, so not eligible)

Exemptions

- **Quebec health care workers:** from May 25, 2026, the 16-month rule does not apply if the principal was recruited by Quebec as a registered nurse (NOC 31301), respiratory therapist (32103) or medical laboratory technologist (32120) under one of three Quebec projects. The spouse enters **CONJOINTSANTEQC** in the job title box (IRCC).
- **BC Significant Investment Projects:** spouses of workers on a listed project enter **SIPSPOUSEBC** in the job title box (IRCC).

> **Refusal risk:** IRCC's sample refusal is for a principal whose permit is valid for less than 16 months after receipt, under R200(1)(c)(ii) (officer instructions).

7. If the PGWP Is Not Issued Yet

While a graduate waits for a PGWP decision, they may work under paragraph R186(w). A spouse **cannot** be issued a C41 permit while the graduate is still working under R186(w). That authorization lasts until the PGWP is actually issued (officer instructions).

SITUATION	WHAT HAPPENS
Apply together as a family group when the PGWP application is submitted	IRCC assesses the PGWP first, then finalizes the spouse's permit. The PGWP application can count as proof of the 16-month duration, but proof of eligible employment is still needed.
Spouse applies after the PGWP application, but before it is approved	The PGWP must be issued before IRCC decides the spouse's application, and the graduate must be employed in an eligible TEER occupation.
Spouse asks for priority processing before the PGWP is approved	Refused, because the graduate is still working under R186(w).
PGWP already issued	The spouse applies on their own, with the PGWP and the employer letter.

8. Applying From Inside or Outside Canada

Spouse inside Canada

The spouse must have valid temporary resident status, be on maintained status under R183(5), or be eligible to restore their status, and must be able to apply from inside Canada under R199 (officer instructions, R199 instructions).

SPOUSE'S CURRENT STATUS	WHAT TO DO
Visitor	Apply online before visitor status ends. The spouse can stay while IRCC decides, but cannot work until the permit is approved (IRCC Help Centre).
Holds a work permit, such as a C42 permit from the student years	Apply for the C41 permit before the current permit expires. The spouse can keep working under the same conditions while IRCC decides (IRCC Help Centre).
Student	Apply online. In the online tool, select "Worker" as the current status (IRCC).
Status expired less than 90 days ago	Apply for the permit and restoration of status together. The spouse cannot work until approved (IRCC).
Status expired more than 90 days ago	Restoration is no longer possible from inside Canada. Get advice before any further step.

Answer the online questions **exactly** as IRCC instructs (IRCC):

QUESTION IN THE ONLINE TOOL	ANSWER
What is your current immigration status in Canada?	Work permit holder or student: **Worker**. Visitor, or working without a work permit: **Visitor**.
Are you a spouse, common-law partner or dependent child of a foreign worker who holds a valid work permit or is approved for a work permit?	**Yes**

> **Do not flagpole:** Since December 23, 2024, work permits are generally no longer issued to people who leave Canada and come straight back to the border to get one. Apply online (CBSA).

Spouse outside Canada

The spouse applies online from outside Canada, gives biometrics if required, and may also need a visitor visa or eTA depending on their citizenship. Answer the questions this way (IRCC):

QUESTION IN THE ONLINE TOOL	ANSWER
How long are you planning to stay in Canada?	**Temporarily—more than 6 months**
Will you be coming to Canada under an active public policy or special measure announced by IRCC?	**No**

QUESTION IN THE ONLINE TOOL	ANSWER
Are you a spouse, common-law partner or dependent child of a person who has or is applying for a work permit?	**Yes**
What type of work permit do you want to apply for?	**A work permit for a spouse of an international student, or for a family member of a worker**

9. Documents Checklist

Because a PGWP is open, the spouse must show what job the PGWP holder actually does (officer instructions, IRCC). Tick each item as you collect it.

- ☐ Spouse's valid passport, and current immigration document if in Canada
- ☐ Proof of relationship: marriage certificate, or Statutory Declaration of Common-law Union (IMM 5409) with proof of living together
- ☐ Copy of the PGWP, showing it is valid for 16 months or more after the application date
- ☐ Employer letter from the PGWP holder's current Canadian employer (or the job contract): job title, NOC code and TEER, main duties, start date, hours and pay
- ☐ Helpful: recent pay stubs, to show the job is ongoing and the family can be supported
- ☐ For a self-employed PGWP holder: business ownership, business number, premises and proof they perform the main NOC duties
- ☐ For the Quebec health care exemption: the Quebec letter of selection, and the code CONJOINTSANTEQC in the job title box
- ☐ Fee payment receipt, and biometrics if required
- ☐ Medical exam proof, if the spouse plans to work in health care, with children, or in another field that needs one

Employer letter tip: The letter must show the PGWP holder is employed when the spouse applies and until IRCC decides. Send an updated letter if the job changes while the application is in process (officer instructions).

10. Renewals and Extensions

The spouse can renew a C41 permit if they still meet all C41 rules. When the spouse applies, the principal must hold, or be approved for, a work permit valid for at least **16 months** (officer instructions). The renewal cannot go past the PGWP expiry or the spouse's passport expiry (IRCC).

> **Permits issued before January 21, 2025:** A spouse in Canada with an older C41 permit may renew under the earlier rules only to match the end date of the **same** work permit the principal held then, with 6 months or more left on it. If the principal has since received a new permit, the current rules apply (C41 and C46 instructions).

11. Permit Length, Conditions and Fees

The permit can last until the end of the PGWP holder's authorized stay, or until the spouse's passport expires, whichever comes first. IRCC records employer and occupation as "Open" and the NOC as 99999 (officer instructions).

FEE (CAD)	AMOUNT
Work permit processing fee	$155
Open work permit holder fee	$100
Biometrics (if required)	$85
Restoration of status (if needed)	See the IRCC fee list

12. Common Refusal Reasons

REFUSAL REASON	WHAT IT LOOKS LIKE	HOW TO PREPARE
Less than 16 months left	The PGWP is valid for less than 16 months after receipt	Apply as early as you can
PGWP not issued	The graduate is still working under R186(w) when IRCC decides	Apply as a family group, or wait for the PGWP
Ineligible occupation	TEER 4 or 5, or a TEER 2 or 3 job not on the list	Check the NOC against section 5
No proof of the job	No employer letter with NOC and duties, or proof of ongoing work	Send a detailed, recent employer letter
Relationship not genuine	Little proof of the marriage or of 12 months of living together (R4)	Send strong relationship proof

13. How Neximm Can Help

Spousal open work permits for PGWP holders depend on the exact NOC code, the employer letter and the months left on the PGWP. A weak letter or late application can leave your spouse unable to work.

Neximm Immigration is an RCIC-led consultancy based in Dehradun, India. A licensed Regulated Canadian Immigration Consultant advises on and represents your file. We check the occupation, dates and every document before you apply.

- **NOC and TEER review:** matching the PGWP holder's duties to the right code
- **Timing:** working out the last date to apply under the 16-month rule
- **Employer letter:** what it must include for IRCC
- **Status planning:** visitor, worker or restoration options for a spouse inside Canada
- **Relationship evidence:** marriage and common-law proof that meets IRCC standards
- **Application preparation:** forms, uploads, fees and follow-up with IRCC

Book your SOWP assessment today

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Official IRCC sources

IRCC program delivery instructions – Spouses of workers in high-skilled occupations [R205(c)(ii) – C41]: https://www.canada.ca/en/immigration-refugees-citizenship/corporate/publications-manuals/operational-bulletins-manuals/temporary-residents/foreign-workers/exemption-codes/public-policy-competitiveness-economy/spouses-common-law-authorized-work-high-skilled-occupations.html

IRCC – Open work permits for family members of foreign workers: who can apply: https://www.canada.ca/en/immigration-refugees-citizenship/services/work-canada/special-instructions/spouses-dependent-children/eligibility.html

IRCC – Open work permits for family members of foreign workers: how to apply: https://www.canada.ca/en/immigration-refugees-citizenship/services/work-canada/special-instructions/spouses-dependent-children/apply.html

IRCC – C41 and C46 instructions (renewals and PGWP applicants): https://www.canada.ca/en/immigration-refugees-citizenship/corporate/publications-manuals/operational-bulletins-manuals/temporary-residents/foreign-workers/public-policy-competitiveness-economy/c41-c46.html

IRCC – 2026 updates to Canadian interest instructions: https://www.canada.ca/en/immigration-refugees-citizenship/corporate/publications-manuals/operational-bulletins-manuals/updates/2026-canadian-interest-imp.html

IRCC notice – Changes to open work permits for family members (January 14, 2025): https://www.canada.ca/en/immigration-refugees-citizenship/news/notices/changes-open-work-permits-family-members-temporary-residents.html

IRCC – Persons who may apply from within Canada (R199): https://www.canada.ca/en/immigration-refugees-citizenship/corporate/publications-manuals/operational-bulletins-manuals/temporary-residents/foreign-workers/persons-who-may-apply-within-canada.html

IRCC Help Centre – Maintained status for work permit applicants: https://ircc.canada.ca/english/helpcentre/answer.asp?qnum=188

CBSA – Ending flagpoling for work and study permits: https://www.canada.ca/en/border-services-agency/news/2024/12/ending-flagpoling-for-work-and-study-permits-at-the-border.html

IRCC – If your work permit expired (restoration): https://www.canada.ca/en/immigration-refugees-citizenship/services/work-canada/extend/expired-permit.html

IRCC fee list: https://ircc.canada.ca/english/information/fees/fees.asp

ESDC – NOC TEER categories: https://noc.esdc.gc.ca/Tutorial/TutorialTeerCategory

Statistics Canada – Introduction to NOC 2021: https://www.statcan.gc.ca/en/subjects/standard/noc/2021/introductionV1

This guide offers general information and is not legal advice. It is based on IRCC web pages and program delivery instructions reviewed in October 2026. IRCC rules can change at any time. Contact Neximm Immigration for advice on your own situation.