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Legislative Summary

BILL C-3: AN ACT TO AMEND THE CITIZENSHIP ACT (2025)

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For clarity of exposition, the legislative proposals set out in the bill described in this legislative summary are stated as if they had already been adopted or were in force. It is important to note, however, that bills may be amended during their consideration by the Senate and House of Commons and have no force or effect unless and until they are passed by both houses of Parliament, receive Royal Assent and come into force.

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Legislative Summary of Bill C-3
(Legislative Summary)

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CONTENTS

1 BACKGROUND 1

1.1 First-Generation Cut-Off Rule, *Bjorkquist et al. v. Attorney General of Canada* and Suspensions of the Declaration of Invalidity 2

1.2 Legislative History Pertaining to "Lost Canadians" 2
1.2.1 *Canadian Citizenship Act* (1947) 2
1.2.2 *Citizenship Act* (1977) 3
1.2.3 *An Act to amend the Citizenship Act (adoption)* (2007) 3
1.2.4 *An Act to amend the Citizenship Act* (2008) 4
1.2.5 *Strengthening Canadian Citizenship Act* (2014) 4
1.2.6 Bill S-245, An Act to amend the Citizenship Act (granting citizenship to certain Canadians) 4
1.2.7 Bill C-71, An Act to amend the Citizenship Act (2024) 5

2 DESCRIPTION AND ANALYSIS 5

2.1 Restoration of Citizenship (Clauses 1(1), 1(3) and 1(13)) 5

2.2 First Generation Born Abroad Who Was Granted Canadian Citizenship Before 17 April 2009 (Clause 1(2)) 6

2.3 Citizenship and Death of a Canadian Parent (Clauses 1(4), 2 and 4(2)) 6

2.4 Renouncing Canadian Citizenship (Clauses 1(5) to 1(8), 1(11), 1(15), 6 and 7) 7

2.5 Citizenship by Descent (Clauses 1(8) to 1(10), 3, 4(1) and 5) 8

2.6 Provisions on Deemed Application and Citizenship Other Than by Way of Grant (Clauses 1(12), 1(14) and 1(15)) 9

2.7 Coming into Force (Clause 7) 10

3 COMMENTARY 10

LEGISLATIVE SUMMARY OF BILL C-3: AN ACT TO AMEND THE CITIZENSHIP ACT (2025)

1 BACKGROUND

Bill C-3, An Act to amend the Citizenship Act (2025),[1] was introduced in the House of Commons by the Honourable Lena Metlege Diab, Minister of Immigration, Refugees and Citizenship, on 5 June 2025. It essentially reproduces the measures in Bill C-71, An Act to amend the Citizenship Act (2024), which was introduced in the 44th Parliament and passed first reading in the House of Commons before dying on the *Order Paper* when Parliament was prorogued on 6 January 2025.[2]

Bill C-3 is the latest of a series of bills put forward in recent decades to address issues relating to "lost Canadians," a term referring to persons who, due to the evolution of the *Citizenship Act* over time, ceased to be Canadian citizens against their will or without their knowledge, or to individuals who thought they were Canadian citizens but, legally, never were.[3]

Bill C-3 amends the *Citizenship Act*[4] to, among other things:

- allow access to citizenship beyond the first generation for individuals born abroad or adopted abroad by a Canadian citizen on or after the date the bill comes into force, through a new "substantial connection" test requiring a parent to have been physically present in Canada for at least 1,095 days before the birth or international adoption of their child;[5]
- allow access to citizenship for persons born abroad or adopted abroad by a Canadian citizen before the date the bill comes into force, provided these individuals would have already been citizens if certain provisions amended by the bill had not been adopted;[6]
- restore citizenship to certain persons who failed to make an application to retain their citizenship under former section 8 of the *Citizenship Act*; and
- provide for a simplified citizenship renunciation process for those who would become citizens after the bill comes into force.

Bill C-3 was referred to the House of Commons Standing Committee on Citizenship and Immigration (CIMM) on 22 September 2025. Although CIMM tabled a report with amendments on 9 October 2025, the House of Commons adopted motions during report stage which had the effect of restoring the bill to its original form.[7] Bill C-3 was referred to the Standing Senate Committee on Social Affairs, Science and Technology (SOCI) on 6 November 2025. On 18 November 2025, SOCI reported the bill without amendments, but with observations.[8] CIMM's amendments and SOCI's report are discussed in section 3, "Commentary," of this legislative summary.

Bill C-3 received Royal Assent on 20 November 2025.

1.1 FIRST-GENERATION CUT-OFF RULE, *BJORKQUIST ET AL. V. ATTORNEY GENERAL OF CANADA* AND SUSPENSIONS OF THE DECLARATION OF INVALIDITY

Bill C-3 is the response to a 19 December 2023 Ontario Superior Court of Justice decision, *Bjorkquist et al. v. Attorney General of Canada*,[9] which declared unconstitutional the *Citizenship Act*'s limitation of citizenship by descent to the first generation born abroad to a Canadian citizen provided under section 3(3)(a) of the Act.[10] This is known variously as the first-generation "limit" or "cut-off," or the second-generation "limit" or "cut-off."[11]

Under section 3(3)(a) of the *Citizenship Act*, persons born abroad to a Canadian citizen generally do not acquire Canadian citizenship automatically at birth if their Canadian parent was also born abroad or adopted internationally and if they do not have another parent who was born in Canada or became a naturalized citizen before they were born.[12]

Similarly, under section 5.1(4)(a) of the *Citizenship Act*, persons born abroad who are adopted internationally by a Canadian citizen may not be eligible for a direct grant of citizenship if their Canadian adoptive parent was also born abroad or was granted Canadian citizenship as an international adoptee. Individuals who are not eligible for automatic citizenship or for a direct grant of citizenship must instead apply for citizenship through naturalization.[13]

In *Bjorkquist et al. v. Attorney General of Canada*, the Ontario Superior Court of Justice found that section 3(3)(a) of the *Citizenship Act* contravenes mobility and equality rights provisions of the *Canadian Charter of Rights and Freedoms*[14] and is therefore unconstitutional. The Court declared the provision to be of no force or effect pursuant to section 52 of the *Constitution Act, 1982*,[15] but suspended its declaration of invalidity for six months, initially giving the federal government until 19 June 2024 to amend the *Citizenship Act*. The Government of Canada chose not to appeal the ruling.[16]

In the months that followed, the Court extended the suspension of the declaration of invalidity, ultimately, to 20 January 2026.[17] The Court explained that "if no law is in force when the declaration of invalidity takes effect, the legislation will still be rendered unconstitutional and the second-generation limit will be of no force and effect."[18]

1.2 LEGISLATIVE HISTORY PERTAINING TO "LOST CANADIANS"

1.2.1 *Canadian Citizenship Act* (1947)

The concept of Canadian citizenship was first enshrined in law with the introduction of the *Canadian Citizenship Act* (the Act), which came into force on

1 January 1947.[19] Under the Act, a person born abroad could acquire Canadian citizenship from their Canadian father if the person was born in wedlock and from their Canadian mother if the person was born out of wedlock.[20]

In addition, the Act required people who acquired Canadian citizenship by descent to assert their citizenship by registering a declaration of retention between their 21st and 22nd birthdays. If they did not, the person ceased to be a Canadian citizen. This requirement was subsequently amended to provide that such a person could retain their Canadian citizenship either by registering the declaration between their 21st and 24th birthdays or by living in Canada on their 24th birthday.

1.2.2 *Citizenship Act* (1977)

The *Citizenship Act*, which came into force on 15 February 1977, replaced the 1947 Act with what has been described as "a more equitable statute."[21] In the 1977 Act, citizenship was conferred on the first generation born abroad regardless of the sex or marital status of their parents. In addition, the responsible minister was required to grant citizenship to any person born before the 1977 Act came into force, if that person was born abroad to a Canadian mother, among other criteria.[22]

With the coming into force of the *Citizenship Act* in 1977, the requirements for a person who acquired citizenship by descent to make a declaration of retention or to live in Canada on their 24th birthday were repealed. Nevertheless, those born prior to 1977 who had failed to comply with one of the two requirements lost their Canadian citizenship.[23]

Lastly, a provision in the 1977 Act stipulated that a person who was born outside Canada after 14 February 1977, and who derived Canadian citizenship from a parent who was also born outside Canada, ceased to be a Canadian citizen on their 28th birthday. To retain their citizenship, the person had to apply before their 28th birthday and have either resided in Canada for a year before applying or established a substantial connection with Canada (former section 8).[24]

Note that the *Citizenship Act* of 1977 remains in force today.

1.2.3 *An Act to amend the Citizenship Act (adoption)* (2007)

Coming into force on 23 December 2007, *An Act to amend the Citizenship Act (adoption)* (former Bill C-14) was enacted to allow persons adopted overseas to acquire Canadian citizenship by grant, rather than by first immigrating to Canada and then going through the naturalization process.[25]

1.2.4 *An Act to amend the Citizenship Act* (2008)

When it came into force on 17 April 2009, *An Act to amend the Citizenship Act* (former Bill C-37)[26] provided retroactive citizenship to most groups of "lost Canadians" by expanding the definition of a citizen.[27] However, it also established the first-generation cut-off rule under section 3(3)(a) of the Act, which allows citizenship by descent to be passed to only one generation born abroad.

At the same time, Bill C-37 repealed section 8 of the *Citizenship Act* which provided the mechanism that allowed Canadians who were second or subsequent generation born abroad to register and retain their citizenship by age 28. This provision did not address the situation of "lost Canadians" born since 15 February 1977 who were the second or subsequent generation born abroad and who had failed to apply to retain citizenship before age 28, or whose applications had not been approved.

1.2.5 *Strengthening Canadian Citizenship Act* (2014)

The *Strengthening Canadian Citizenship Act* (former Bill C-24),[28] which received Royal Assent in 2014, added new section 5.1(4) to the *Citizenship Act*. This section provides that the first-generation cut-off rule applies to a person adopted from abroad by a Canadian parent in the same way that it applies to a person born abroad to a Canadian parent.

Legislative amendments in the *Strengthening Canadian Citizenship Act* also extended citizenship to people who were born before the *Canadian Citizenship Act* came into force in 1947. As a result, new provisions were added to the *Citizenship Act* to take into account categories of people like those who were born or naturalized in Canada (and therefore were British subjects) before 1 January 1947, but who ceased to be British subjects and did not become Canadian citizens when the *Canadian Citizenship Act* came into force on 1 January 1947;[29] and people who were born outside Canada before 1 January 1947, for example, to a parent who became a citizen on 1 January 1947, but who did not themselves also become a citizen on that day.[30]

The provisions of the *Strengthening Canadian Citizenship Act* came into force on various dates, but all changes were in force by 11 June 2015.[31]

1.2.6 Bill S-245, An Act to amend the Citizenship Act (granting citizenship to certain Canadians)

Also of note is Bill S-245, An Act to amend the Citizenship Act (granting citizenship to certain Canadians), which was introduced in the Senate on 12 May 2022.[32] The version of Bill S-245 adopted by the Senate replicated the text of an earlier bill, Bill S-230, An Act to amend the Citizenship Act (granting citizenship to certain Canadians), which reached third reading in the Senate before dying on the *Order Paper* at the call of the 2021 federal election.[33]

Bill S-245 constituted an effort to address a category of "lost Canadians" who were not captured under previous legislative amendments, namely, persons born abroad to a Canadian parent between 15 February 1977 and 16 April 1981 and who may have been unaware of the requirement to apply to retain their citizenship before they reached 28 years of age.

Bill S-245 was referred to CIMM on 16 November 2022, which reported back to the House with amendments on 12 June 2023. CIMM introduced these amendments to address the unintended consequences of the limitation of citizenship by descent to the first generation born abroad created under Bill C-37 and to clarify the right to citizenship for internationally adopted persons, among others.[34] Bill S-245 had completed committee consideration in the House of Commons before dying on the *Order Paper* when Parliament was prorogued on 6 January 2025.

1.2.7 Bill C-71, An Act to amend the Citizenship Act (2024)

Bill C-71, An Act to amend the Citizenship Act (2024), contained largely the same amendments as Bill C-3.[35] On 28 November 2024, while Bill C-71 was still at second reading in the House of Commons, the Senate adopted a motion authorizing SOCI to examine the subject matter of Bill C-71 before the bill went to the Senate.[36]

In its report of 12 December 2024, SOCI indicated that it had heard broad support for the substantial connection test and urged the government to investigate possible inequities regarding adoptees.[37]

The Office of the Parliamentary Budget Officer estimated in December 2024 that over the five years following the coming into force of Bill C-71, 115,000 people could claim citizenship, costing approximately $20.8 million. The estimate assumed that Bill C-71 would come into force on 1 April 2025.[38] On 17 November 2025, during their appearance before SOCI on their study of Bill C-3, the interim Parliamentary Budget Officer indicated that "the assumptions behind [their] estimate remain[ed] sound."[39]

2 DESCRIPTION AND ANALYSIS

Clauses 1 to 5 of Bill C-3 amend various right-to-citizenship provisions under Part I of the *Citizenship Act*. These provisions are discussed in the following sections.

2.1 RESTORATION OF CITIZENSHIP (CLAUSES 1(1), 1(3) AND 1(13))

Section 3(1)(f) of the Act recognizes as Canadian citizens those persons who were previously Canadian citizens but who lost their citizenship for reasons other than those listed in sections 3(1)(f)(i) to 3(1)(f)(iii) of the Act and who did not resume

their citizenship before 17 April 2009. Under the Act, persons who lost their citizenship for the following reasons are not recognized as Canadian citizens:

- the person renounced their Canadian citizenship (section 3(1)(f)(i));
- the person's citizenship was revoked owing to false representation, fraud or concealment of material circumstances (section 3(1)(f)(ii)); or
- the person failed to make an application to retain their citizenship under former section 8 of the Act or made such an application that was subsequently not approved (section 3(1)(f)(iii)).

Clause 1(1) of the bill repeals one of these reasons, specifically section 3(1)(f)(iii) of the Act. Clauses 1(3) and 1(13) make consequential amendments to reflect this repeal.

2.2 FIRST GENERATION BORN ABROAD WHO WAS GRANTED CANADIAN CITIZENSHIP BEFORE 17 APRIL 2009 (CLAUSE 1(2))

Section 3(1)(h) of the Act, which was introduced by Bill C-37, recognizes as Canadian citizens by descent those persons who were born abroad to a Canadian parent between 1 January 1947 and 14 February 1977, and who became citizens by way of grant before 17 April 2009. Clause 1(2) of Bill C-3 amends section 3(1)(h) of the Act to specify that this provision applies to persons who were granted citizenship between 1 January 1947 and 16 April 2009.

2.3 CITIZENSHIP AND DEATH OF A CANADIAN PARENT (CLAUSES 1(4), 2 AND 4(2))

Sections 3(1.1) to 3(1.4) of the Act recognize Canadian citizenship in some cases where a person is not a citizen solely because of the death of a parent who would have qualified for citizenship but for their death. Clause 1(4) of Bill C-3 adds new section 3(1.5) to the Act to include another provision regarding citizenship in these cases. Under this new provision, a person is a citizen if the only reason for not qualifying for citizenship under section 3(1) of the Act is that their parent, or both their parent and grandparent, who would have otherwise qualified for citizenship under the bill, died before the coming into force of the bill.

Similarly, clause 4(2) of the bill replaces the text of section 5.1(6) of the Act to introduce a section related to the death of a parent in the case of internationally adopted persons. Specifically, amended section 5.1(6) of the Act provides that an adopted person may be granted citizenship if the only reason for not qualifying for citizenship under sections 5.1(1) to 5.1(3) of the Act is that their adoptive parent, or both their adoptive parent and grandparent, who would have otherwise qualified for citizenship under the bill, died before the coming into force of the bill.

Lastly, clause 2 of the bill amends section 4(2) of the Act. This section stipulates that, for the purpose of various provisions under Part I of the Act, a child born after the death of either of their parents is deemed to have been born before that date. This section is amended to add new section 3(3)(a)(i) as another provision to which section 4(2) of the Act applies. New section 3(3)(a)(i) refers to persons born abroad after the first generation to whom the provisions for citizenship by descent apply. Clause 1(8) of the bill adds section 3(3)(a)(i) to the Act.

2.4 RENOUNCING CANADIAN CITIZENSHIP (CLAUSES 1(5) TO 1(8), 1(11), 1(15), 6 AND 7)

Clauses 1(5) to 1(8) of Bill C-3 amend various sections of the Act that set out the non-application of provisions recognizing certain classes of Canadian citizens under section 3(1) of the Act. The circumstances for the non-application of these provisions are specified in the Act and are generally as follows:

- where, prior to specified dates, a person renounced their status as a British subject (i.e., made a declaration of alienage), had their status as a British subject revoked, or ceased to be a British subject as a consequence of the revocation of another person's status as a British subject; or
- where, on or after specified dates, a person became a citizen by way of grant and, subsequently, renounced their citizenship or had their Canadian citizenship revoked for false representation, fraud or concealment of material circumstances.

As a result of the amendments, the circumstances for the non-application of certain right-to-citizenship provisions are limited to persons renouncing their status as a British subject or their Canadian citizenship (amended sections 3(2.1), 3(2.2), 3(2.3) and 3(2.4)).

A similar non-application provision is included in clause 1(8) of the bill in relation to persons who became citizens by way of grant prior to the coming into force of this provision and who subsequently renounced their citizenship (new section 3(2.5)). Clauses 1(11) and 1(15) of the bill amend various provisions under Part I of the Act to reflect the addition of section 3(2.5).

Clause 6 of the bill amends section 27(1) of the Act to add a new regulation-making power for the Governor in Council. Under new section 27(1)(j.1)(iv), the Governor in Council may make regulations providing for the renunciation of citizenship by persons who are citizens as a result of the coming into force of the bill, who were born before the day on which the bill comes into force and who did not, before that day, become citizens by way of grant. Clause 1(11) of the bill makes amendments to section 3(6.2) of the Act to reflect the addition of section 27(1)(j.1)(iv).

2.5 CITIZENSHIP BY DESCENT (CLAUSES 1(8) TO 1(10), 3, 4(1) AND 5)

As briefly mentioned earlier, clause 1(8) of the bill also amends section 3(3) of the Act to eliminate the first-generation cut-off rule, thereby recognizing citizenship by descent beyond the first generation, based on a substantial connection test. This test requires a parent to have been physically present in Canada for at least 1,095 days before the birth or international adoption of their child.

Under amended section 3(3) of the Act, section 3(1)(b), which recognizes as Canadian citizens by descent those persons born abroad to a Canadian parent after 14 February 1977, does not apply to a person born abroad as of the date on which the bill comes into force if two sets of conditions apply:

- First:
  - at the time of the person's birth, only one of their parents was a citizen under any of sections 3(1)(b), 3(1)(c.1), 3(1)(e), 3(1)(g) to 3(1)(j) and 3(1)(o) to 3(1)(r) (which, among other things, confer or grant citizenship to persons born abroad in the first generation, including persons born abroad and adopted internationally by a Canadian citizen) and that parent was born abroad (new section 3(3)(a)(i)(A));
  - at the time of the person's birth, only one of their parents was a citizen under section 3(1)(f) (which restores Canadian citizenship to those persons who lost it for reasons other than those specified in the Act) and that parent was born abroad to a Canadian parent (new section 3(3)(a)(i)(B));
  - at the time of the person's birth, both of the person's parents were citizens under any of the provisions mentioned above and those parents were born abroad (new section 3(3)(a)(i)(C)); or
  - at any time, either one or both of the person's parents were citizens under provisions from prior legislation as stipulated under the Act (new sections 3(3)(b)(i)(A) to 3(3)(b)(i)(H)).
- Second:
  - before the person's birth, neither of their parents who was a citizen was physically present in Canada for at least 1,095 days (new sections 3(3)(a)(ii) and 3(3)(b)(ii)).[40]

Clause 4(1) of the bill amends section 5.1(4) of the Act to mirror the amendments to section 3(3) of the Act, but in relation to persons born abroad and adopted internationally by a Canadian citizen beyond the first generation, on the date the bill comes into force, or after. As a result of this amendment, these persons may now have access to the direct grant of citizenship. Clause 5 amends section 5.2 of the Act to reflect new sections 3(3)(b)(i)(A) to 3(3)(b)(i)(H) of the Act.

Clause 1(9) of the bill repeals two sections (sections 3(4) and 3(4.1)) that provide exceptions to the first-generation cut-off rule. The repealed sections are transitional provisions indicating that section 3(3) of the Act did not apply to certain persons who were already citizens when that section came into force.

Clause 1(10) of the bill repeals section 3(5.1) of the Act, which recognizes citizenship by descent for certain grandchildren of Canadians serving abroad who had previously gone through the immigration system and received a grant of citizenship. Clause 1(10) also repeals section 3(5.2) of the Act, which provides an exception to the application of section 3(5.1) for a person who has lost their citizenship for failure to make an application to retain it under former section 8 or who has made such an application that subsequently was not approved.

Lastly, clause 3 amends section 5(5) of the Act, which allows the minister to grant citizenship to stateless persons who meet certain conditions. The amendment replaces the condition under section 5(5)(a) of the Act to include a person who is born abroad on or after the day on which the bill comes into force (amended section 5(5)(a)).

2.6 PROVISIONS ON DEEMED APPLICATION AND CITIZENSHIP OTHER THAN BY WAY OF GRANT (CLAUSES 1(12), 1(14) AND 1(15))

Clause 1(12) adds section 3(6.4) to the Act to provide that a person to whom both sections 3(1)(b) and 3(1)(f) apply is deemed to be a citizen only under section 3(1)(f). Section 3(1)(b) of the Act recognizes as Canadian citizens by descent those persons born abroad to a Canadian parent after 14 February 1977, whereas section 3(1)(f) of the Act restores Canadian citizenship to those persons who lost their citizenship for reasons other than those specified in the Act.

Clause 1(12) also adds section 3(6.5) to the Act to provide that persons to whom certain right-to-citizenship provisions apply as a result of the coming into force of the bill (including sections 3(1)(b) and 3(1)(f) of the Act), and who became citizens by way of grant before the coming into force of the bill, are deemed never to have been citizens by way of grant, except in specified circumstances. Clause 1(15) amends section 3(9) of the Act, which provides the definition for the term “by way of grant,” to reflect the use of this term in new section 3(6.5).

Clause 1(14) of the bill replaces the text of section 3(7)(h) and repeals section 3(7)(i) of the Act to provide that a person to whom section 3(1)(b) applies is deemed to be a citizen from the time of their birth (amended section 3(7)(h)).

2.7 COMING INTO FORCE (CLAUSE 7)

Clause 7 provides that Bill C-3 comes into force on a day to be fixed by order of the Governor in Council.

3 COMMENTARY

Among other things, the CIMM amendments presented at the House of Commons on 9 October 2025 provided for a modified substantial connection test, under which a person would be required to have been physically present in Canada for 1,095 days "during any period of five consecutive years" before their child's birth or international adoption. CIMM also required an "adequate knowledge" of Canada and of one of Canada's official languages, as well as the conduct of a security assessment for adults born or adopted abroad on or after the coming into force of the bill. Lastly, the CIMM amendments provided new reporting requirements for the minister.[41] However, as mentioned early in this legislative summary, the House of Commons adopted motions which had the effect of restoring the bill to its original form.

In its report of 18 November 2025, SOCI acknowledged that Bill C-3 represents "meaningful progress in addressing injustices faced by many 'Lost Canadians,'" while highlighting certain areas in need of further improvement. Notably, the committee observed a continuing gap that affects some intercountry adoptees. The committee also acknowledged the complexity of the *Citizenship Act* and suggested a comprehensive modernization of the legislation that would include using plain language.[42]

NOTES

1. Bill C-3, An Act to amend the Citizenship Act (2025), 45th Parliament, 1st Session (S.C. 2025, c. 5). The Charter Statement for this bill was tabled in the House of Commons on 10 June 2025. Department of Justice Canada, *Bill C-3: An Act to amend the Citizenship Act (2025) – Charter Statement*, 10 June 2025.
2. Bill C-71, An Act to amend the Citizenship Act (2024), 44th Parliament, 1st Session.
3. For more information, see Richard Foot and Peggy Ann Osborne, "Lost Canadians," *The Canadian Encyclopedia*, 25 July 2017.
4. *Citizenship Act*, R.S.C. 1985, c. C-29.
5. In *Bjorkquist et al. v. Attorney General of Canada*, 2023 ONSC 7152 (CanLII), para. 9, the judge provides definitions for the following generations:
    a. gen zero: the applicants belonging to gen zero are Canadian-born citizens who had children abroad, or naturalized Canadian citizens who had children abroad after their naturalization, and whose children acquired Canadian citizenship automatically by descent.
    b. first generation born abroad: the applicants belonging to the first generation born abroad are the children who were born outside of Canada to parents belonging to

gen zero, and who automatically received Canadian citizenship by descent through their gen zero Canadian parent or parents.

c. second generation born abroad: the applicants belonging to the second generation born abroad are the children of the first generation born abroad, and who, as a result of s. 3(3)(a) of the *[Citizenship] Act*, did not receive citizenship automatically at birth from their Canadian parent or parents.

6. Immigration, Refugees and Citizenship Canada (IRCC), *The Government of Canada introduces citizenship by descent legislation for Canadians*, News release, 5 June 2025.

7. House of Commons, Standing Committee on Citizenship and Immigration (CIMM), *Bill C-3, An Act to amend the Citizenship Act (2025)*, Second report, 9 October 2025. See also House of Commons, *Debates*, 3 November 2025.

8. Senate, Standing Committee on Social Affairs, Science and Technology (SOCI), *Bill C-3, An Act to amend the Citizenship Act (2025), without amendment but with observations*, Second report, 18 November 2025.

9. *Bjorkquist et al. v. Attorney General of Canada*, 2023 ONSC 7152 (CanLII).

10. Note that this decision did not address the first-generation limit to citizenship in relation to persons adopted from abroad by a Canadian parent, provided under section 5.1(4) of the *Citizenship Act*. However, clause 4(1) of Bill C-3 amends this provision.

11. See, for example, IRCC, *Change to citizenship rules in 2025*; Julie Béchard, Penny Becklumb and Sandra Elgersma, *Legislative Summary of Bill C-24: An Act to amend the Citizenship Act and to make consequential amendments to other Acts*, Publication no. 41-2-C24-E, Library of Parliament, 8 July 2014; *Bjorkquist et al. v. Attorney General of Canada*, 2024 ONSC 3554 (CanLII); and *Bjorkquist et al. v. Attorney General of Canada*, 2023 ONSC 7152 (CanLII).

12. Government of Canada, *Changes to the first-generation limit on citizenship: Find out what you can apply for*, accessed 28 February 2025. Exceptions to the application of the first-generation cut-off rule include individuals whose Canadian biological or adopted parent or grandparent was employed outside Canada with the Canadian Armed Forces, the federal public administration, or the public service of a province or territory, and was not a locally engaged person. See IRCC, "Exceptions to the first generation limit," *Changes to citizenship rules 2009 to 2015*. See also *Citizenship Act*, R.S.C. 1985, c. C-29, s. 3(5).

13. IRCC, *Choose a process – Intercountry adoption*.

14. *Canadian Charter of Rights and Freedoms*, Part I of the *Constitution Act, 1982*, being Schedule B to the *Canada Act 1982*, 1982, c. 11 (U.K.).

15. *Constitution Act, 1982*, being Schedule B to the *Canada Act 1982*, 1982, c. 11 (U.K.).

16. *Bjorkquist et al. v. Attorney General of Canada*, 2023 ONSC 7152 (CanLII), paras. 280–283 and 325. See also IRCC, *Canada will not appeal decision that strikes down first generation limit to Canadian citizenship by descent*, Statement, 22 January 2024.

17. *Bjorkquist et al. v. Attorney General of Canada*, 2024 ONSC 3554 (CanLII); *Bjorkquist et al. v. Attorney General of Canada*, 2024 ONSC 4322 (CanLII); *Bjorkquist et al. v. Attorney General of Canada*, 2024 ONSC 6982 (CanLII); *Bjorkquist et al. v. Attorney General of Canada*, 2025 ONSC 1657 (CanLII); *Bjorkquist et al. v. Attorney General of Canada*, 2025 ONSC 2413 (CanLII); *Bjorkquist et al. v. Attorney General of Canada*, 2025 ONSC 6288 (CanLII).

18. *Bjorkquist et al. v. Attorney General of Canada*, 2024 ONSC 3554 (CanLII), para. 43.

19. While the terms "Canadian citizen" and "Canadian citizenship" were used in some pre-1947 statutes, the legal status of Canadian citizenship was created with the introduction of the *Canadian Citizenship Act* (CCA). See IRCC, "History of citizenship legislation," *Citizenship Program Overview*. For more information about the CCA, see Canadian Museum of Immigration at Pier 21, *Canadian Citizenship Act, 1946*.

20. CIMM, *Reclaiming Citizenship for Canadians: A Report on the Loss of Canadian Citizenship*, Second report, December 2007, pp. 6–8.

21. IRCC, "History of citizenship legislation," *Citizenship Program Overview*. See also Delphine Nakache and Yves Le Bouthillier, *Droit de la citoyenneté au Canada*, 2016, p. 6.

22. *Bjorkquist et al. v. Attorney General of Canada*, 2023 ONSC 7152 (CanLII), para. 138; *Citizenship Act*, R.S.C. 1985, c. C-29, s. 5(2)(b) (version in force from 31 December 2002 to 30 June 2003).

23. CIMM, *Reclaiming Citizenship for Canadians: A Report on the Loss of Canadian Citizenship*, Second report, December 2007, p. 6.

24. *Citizenship Act*, R.S.C. 1985, c. C-29, s. 8 (versions in force from 31 December 2002 to 16 April 2009).

25. *An Act to amend the Citizenship Act (adoption)*, S.C. 2007, c. 24. See also the Library of Parliament's legislative summary for this bill: Elizabeth Kuruvila, *Legislative Summary of Bill C-14: An Act to amend the Citizenship Act (adoption)*, Publication no. 39-1-LS-528-E, Library of Parliament, 24 September 2007; and IRCC, "History of citizenship legislation," *Citizenship Program Overview*.

26. *An Act to amend the Citizenship Act*, S.C. 2008, c. 14. See also Penny Becklumb, *Legislative Summary of Bill C-37: An Act to amend the Citizenship Act*, Publication no. 39-2-LS-591-E, Library of Parliament, 20 February 2014; and IRCC, "History of citizenship legislation," *Citizenship Program Overview*.

27. Bill C-37 expanded citizenship to five groups of people, two of which were considered "lost Canadians" when the bill was introduced. These included: (1) persons who lost citizenship for a reason other than renouncing their citizenship; persons who had citizenship revoked for a reason such as false representation; or persons who were second- or later-generation Canadians born abroad since February 1977 who lost citizenship because they failed to take the necessary steps to retain it by age 28; and (2) persons who were born abroad before 17 February 1977 to a Canadian parent but never became citizens. For more information, see Penny Becklumb, *Legislative Summary of Bill C-37: An Act to amend the Citizenship Act*, Publication no. 39-2-LS-591-E, Library of Parliament, 20 February 2014.

28. *An Act to amend the Citizenship Act and to make consequential amendments to other Acts*, S.C. 2014, c. 22, s. 4(9).

29. *Citizenship Act*, R.S.C. 1985, c. C-29, s. 3(1)(k).

30. Ibid., s. 3(1)(q). See also Julie Béchard, Penny Becklumb and Sandra Elgersma, *Legislative Summary of Bill C-24: An Act to amend the Citizenship Act and to make consequential amendments to other Acts*, Publication no. 41-2-C24-E, Library of Parliament, 8 July 2014.

31. IRCC, "History of citizenship legislation," *Citizenship Program Overview*.

32. Bill S-245, An Act to amend the Citizenship Act (granting citizenship to certain Canadians), 44th Parliament, 1st Session. See also Julie Béchard, Philippe A. Gagnon and Michèle-Lise Lepage, *Legislative Summary of Bill S-245: An Act to amend the Citizenship Act (granting citizenship to certain Canadians)*, Publication no. 44-1-S245-E, Library of Parliament, 18 July 2023.

33. Bill S-230, An Act to amend the Citizenship Act (granting citizenship to certain Canadians), 43rd Parliament, 2nd Session. This bill was considered by SOCI. See SOCI, *Evidence*, 16 June 2021.

34. CIMM, *Bill S-245, An Act to amend the Citizenship Act (granting citizenship to certain Canadians)*, Seventeenth report, 12 June 2023.

35. The one exception to this is the presence of coordinating amendments in Bill C-71 that were not reproduced in Bill C-3. Specifically, clause 7 of Bill C-71 coordinated the coming into force of clause 1(11) of that bill with clause 17 of Bill S-17 (short title: Miscellaneous Statute Law Amendment Act, 2023), given that they both proposed amendments to section 3(6.2) of the *Citizenship Act*. Like Bill C-71, Bill S-17 died on the *Order Paper* with the prorogation of the first session of the 44th Parliament. For additional information, see Bill C-71, An Act to amend the Citizenship Act (2024), 44th Parliament, 1st Session; and Bill S-17, An Act to correct certain anomalies, inconsistencies, out-dated terminology and errors and to deal with other matters of a non-controversial and uncomplicated nature in the Statutes and Regulations of Canada and to repeal certain provisions that have expired, lapsed or otherwise ceased to have effect, 44th Parliament, 1st Session.

36. Senate, *Debates*, 28 November 2024.

37. SOCI, *The subject matter of Bill C-71, An Act to amend the Citizenship Act (2024)*, Thirty-first report, 12 December 2024.

38. Eskandar Elmarzougui, *Bill C-71 (44-1): Amending the Citizenship Act (2024)*, Legislative Costing Note, Office of the Parliamentary Budget Officer, 19 December 2024.

39. SOCI, *Evidence*, 17 November 2025 (Jason Jacques, Interim Parliamentary Budget Officer, Office of the Parliamentary Budget Officer).

40. Note that the current physical presence requirement for permanent residents seeking to apply for citizenship is at least 1,095 days in the five years immediately before the date of application. By contrast, in Bill C-3, the 1,095 days do not need to be accumulated within a specific time frame, provided they are accumulated before the child's birth or international adoption. See IRCC, "Who can apply," *Apply for Canadian citizenship: adults and minor children*.

41. CIMM, *Bill C-3, An Act to amend the Citizenship Act (2025)*, Second report, 9 October 2025.

42. SOCI, *Bill C-3, An Act to amend the Citizenship Act (2025), without amendment but with observations*, Second report, 18 November 2025.