

Global Immigration alert

December 2025

Canada

Bill C-3, the “Lost Canadians” Act comes into force, removing first generation limit to Canadian citizenship

Executive summary

On 15 December 2025, Canada amended its Citizenship Act through Bill C-3, an Act to Amend the Citizenship Act (2025). The changes have significant benefits for “Lost Canadians” who had no path to a citizenship grant under previous law.

Prior to Bill C-3, Canada’s Citizenship Act limited Canadian citizenship rights to first-generation born or adopted outside of Canada where the Canadian parent was either born or naturalized in Canada before their child was born or adopted. In other words, a person born outside of Canada to a Canadian parent had no pathway to citizenship by descent.

The Canadian citizenship landscape changed in 2023 following the Bjorkquist case. In this case, the Ontario Superior Court of Justice found that aspects of the Citizenship Act’s first-generation limit were unconstitutional. In response to this decision, on 5 June 2025, the government introduced Bill C-3 to address this and offer “Lost Canadians” a pathway to citizenship by descent.

What is new in Bill C-3?

Bill C-3 automatically extends Canadian citizenship to people born outside of Canada to a Canadian parent in a second or later generation before 15 December 2025.

The new law also removes the first-generation limit for anyone born to or adopted by a Canadian parent outside of Canada after 15 December 2025, if the person can prove that their Canadian parent had a substantial connection to Canada. The Canadian parent must have spent at least three

years (1095 days) of cumulative time in Canada before the birth or adoption to meet the test. The person applying for the citizenship grant does not need to demonstrate a personal substantial connection or demonstrate any previous physical presence in Canada.

What this means

As of 15 December 2025, Immigration, Refugees and Citizenship Canada can now recognize new eligibility criteria for proof of citizenship applications. Going forward:

- People born outside of Canada to a Canadian parent beyond the first generation automatically became citizens by operation of law when Bill C-3 came into effect.
- People adopted outside of Canada on or before 15 December 2025 by a Canadian parent that was born or adopted outside of Canada can now apply for a grant of citizenship.
- People adopted outside of Canada after 15 December 2025 by a Canadian parent that was born or adopted outside of Canada can apply for a grant citizenship. They must provide evidence that their parent had a substantial connection to Canada before they were born or adopted.

EY will continue to monitor these developments. Should you have any questions, we encourage you to contact one of our immigration professionals.

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