



IMMIGRATION Canada

Applying for Permanent Residence from Within Canada

Humanitarian and Compassionate Considerations

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This application is made available free by Citizenship and Immigration Canada and is not to be sold to applicants.

**Cette trousse est également
disponible en français**

Contact Information

Web site

For more information on the programs offered by Citizenship and Immigration Canada, visit our Web site at www.cic.gc.ca. For some types of applications you can inform us of a change of address and find out what is happening with your application through [on-line services](#) on the Web site.

Within Canada

If you are in Canada, you can also phone our **Call Centre**. An automated telephone service is available seven days a week, 24 hours a day and is easy to use if you have a touch-tone phone. You can listen to pre-recorded information on many programs, order application forms, and for some types of applications the automated service can even update you on the status of your case.

When you call, have a pen and paper ready to record the information you need. Listen carefully to the instructions and press the number for the selection you want. At any time during your call, you may press * (the star key) to repeat a message, **9** to return to the main menu, **0** to speak to an agent, or **8** to end your call. If you have a rotary phone, wait for an agent to answer your call.

If you need to speak to an agent, you must call Monday to Friday between 8 a.m. and 4 p.m. local time.

From anywhere in Canada, call

1-888-242-2100 (toll-free)

Using a text telephone?

Call our TTY service from Monday to Friday between 8 a.m. and 4 p.m. local time at: **1-888-576-8502** (toll-free).

Outside Canada

If you are outside Canada, you can contact a Canadian embassy, high commission or consulate. Consult our [Web site](#) for addresses, phone numbers and Web site addresses of our visa offices.



This is not a legal document. For legal information, refer to the *Immigration and Refugee Protection Act and Regulations* or the *Citizenship Act and Regulations*, as applicable.

This publication is available in alternative formats upon request.

Overview

This instruction guide contains all the forms and information for a person in Canada to apply for permanent residence on humanitarian and compassionate grounds.

A **permanent resident** is a person who can live in Canada permanently but who is not a Canadian citizen.

Important: If you believe your situation merits humanitarian and compassionate consideration, you must clearly outline those reasons in your application.

Applications for permanent residence made on humanitarian and compassionate grounds are only approved in exceptional circumstances and it could take up to several years to process an application.

There is no guarantee that your application will be approved and **there is no right of appeal** for a refused application for permanent residence on humanitarian and compassionate grounds.

Warning: We may not request additional information from you. It is your responsibility to list any and all factors you wish to have considered at the time you submit your application.

Who may apply?

You may apply for permanent residence on humanitarian and compassionate grounds if you:

1. currently live in Canada;
and
2. are not eligible to apply for permanent residence from within Canada in any of these classes:
 - Spouse or Common-Law Partner;
 - Live-in Caregiver;
 - Protected Person; or
 - Temporary Resident Permit Holder**and**
3. believe you would experience unusual and undeserved or disproportionate hardship if you were required to leave Canada.

If your spouse or common-law partner is a Canadian citizen or permanent resident:

You are not required to have legal immigration status to apply for permanent residence in the Spouse or Common-Law Partner in Canada Class.

If your spouse or common-law partner **can** sponsor you, you should apply using the application Applying for Permanent Residence from Within Canada - Spouse or Common-law Partner Class (IMM 5289). Visit our [Web site](#) or contact our Call Centre listed on the [Contact Information](#) section for more information.

If your spouse or common-law partner cannot sponsor you, you may continue using this application.

Inadmissibility

If you or a family member is **inadmissible** to Canada, it is advisable that you resolve your inadmissibility **before** applying for permanent residence on humanitarian and compassionate grounds. Reasons for inadmissibility include, but are not restricted to: criminality, health, financial reasons, misrepresentation, having an inadmissible family member, etc.

Exemptions

In order to be considered for an exemption from any applicable criteria or obligation of the *Immigration and Refugee Protection Act*, including an exemption to overcome an inadmissibility, you must clearly indicate in your application the specific exemption(s) you are requesting. Provide all details related to your request including the reasons why you believe an exemption should be granted on humanitarian and compassionate grounds.

Submitting an application for permanent residence on humanitarian and compassionate grounds does not prevent or delay you from being removed from Canada if you are under a removal order. If you submit an application and you are under a removal order, you will have to leave on the specified removal date. We will continue to process your application and we will notify you of the decision on your application in writing.

What are humanitarian and compassionate grounds?

You must clearly demonstrate that you would experience unusual and undeserved or disproportionate hardship if you were required to leave Canada. The cost and inconvenience of applying outside Canada is not considered a hardship.

Your application will be assessed on the information you provide and a decision will be made based on your personal circumstances and whether it merits humanitarian and compassionate considerations.

We may **not** ask you for any additional information on the humanitarian and compassionate grounds you would like us to assess. You must ensure that **all** circumstances you wish to have considered are identified and included in your application. You must also include any documents which you believe will support your statements. You are responsible for providing evidence in support of any statement you make on your application.

Note: You must immediately report any change in your circumstances in writing. Refer to the section **Updating your address or other information** for details.

When reviewing your application, **if applicable**, the best interests of a child directly affected by the decision made on your application will also be taken into consideration. If you wish to have the best interest of a child considered, you must provide specific information and documents on how the child or children would be affected.

Note: The interests of a child do not outweigh all other factors in a case. The best interests of a child are only one of many important factors that will be considered when making a decision.

Support of your application (undertaking of assistance)

A family member or close relative in Canada may support your application by submitting a sponsorship (undertaking of assistance) that will be considered in conjunction with all other factors presented with your application. Sponsorship is a practical way for a family member or relative to support your application and demonstrates a commitment to support you in Canada. A sponsorship may be an important factor if your ability to support yourself is in question. For more information about sponsorship, refer to **Appendix C: Sponsor's Instructions**.

How to Apply?

Step 1. Gather the Required Documents

Step 2. Complete the Forms

Step 3. Pay the Fees

Step 4. Mail Your Application

Step 1. Gather the Required Documents

You and your family members in Canada must send all documents listed on the [Document Checklist](#) (IMM 5280).

Step 2. Complete the Forms

You and your family members must complete and sign the following forms:

- [Application for Permanent Residence from Within Canada–Humanitarian and Compassionate Considerations](#) (IMM 5001)
- [Supplementary Information–Humanitarian and Compassionate Considerations](#) (IMM 5283)
- [Use of a Representative](#) (IMM 5476), if applicable
- [Document Checklist–Humanitarian and Compassionate Considerations](#) (IMM 5280)

If you have a sponsor, refer to [Appendix C: Sponsor’s Instructions](#) for instructions on the following forms:

- [Application to Sponsor and Undertaking](#) (IMM 1344A)
- [Document Checklist–Sponsor](#) (IMM 5287)

This section does not contain instructions for all questions on the forms. Most questions are clear; instructions are provided only when necessary.

- Photocopy the blank forms so that you and your family members each have two copies: a working copy and a final copy. Keep the working copy for your records.
- Print clearly with a black pen.
- Answer in English or French. If applicable, add your native language script for all names and addresses on your application.
- Use additional sheets of paper if there is not enough space on the form. Indicate your name, the form's title and the number or letter of the question you are answering.

- You must answer **all** questions that apply to you. If a section does not apply to you, answer "N/A" ("Not applicable"). If you leave sections blank or mark "N/A" in a section that is relevant to your situation, your application will be returned and processing will be delayed.

Warning: You must provide truthful and accurate information. Processing will stop immediately if you give false or misleading information. Information provided may be verified. It is a serious offence to submit a false application.

Application for Permanent Residence from Within Canada – Humanitarian and Compassionate Considerations (IMM 5001)

Must be completed by:

- You, the principal applicant
- Your spouse or common-law partner if he or she is in Canada and is not a permanent resident or a Canadian citizen
- Your dependent children in Canada who are 18 years of age or older and are not permanent residents or Canadian citizens.

A- Applicant Information

1. Check the box to indicate whether you are the **principal applicant**, a **dependent child** aged 18 years or over of the principal applicant or **the spouse or common-law** of the principal applicant.

How many family members are included in this application?

This is the total number of people seeking permanent residence. Include yourself and family members listed in section B.

Languages:

Check the box to indicate if you speak, read or write English.

Check the box to indicate if you speak, read or write French.

Write your native language (the language you learned at home in childhood and still understand).

Check the box to indicate which of Canada's official languages (French or English) you use most frequently. If you do not use French or English, check the "Neither" box.

One of Canada's objectives with respect to immigration is to support and assist the development of minority language communities in Canada.

Note: This question is not used for selection purposes.

Check the box to indicate in which official language, French or English, you prefer to receive correspondence.

Check the box to indicate in which official language, French or English, you prefer to use if you are invited for an interview.

B – Family Members in Canada

You must identify **all** of your family members on your application form. Your family members in Canada may apply for permanent residence as part of your application.

Family members include your:

- spouse or common-law partner who is not a permanent resident or Canadian citizen; and
- dependent children who are not permanent residents or Canadian citizens.

You must list all family members, whether they wish to be considered in your application for permanent residence at this time or not. Also list family members whose location is unknown (including those missing or presumed dead). Family members who are not listed on your application will **not** be able to be sponsored by you at a later date.

Note: Separated or former spouses and separated or former common-law partners are not eligible family members.

Note: Your family members outside Canada cannot be processed for permanent resident status at the same time as you. However, you may be able to sponsor them to come to Canada as members of the Family Class once you are granted permanent resident status.

Common-law partner: A common-law partner is a person of the opposite or same sex with whom you are in a conjugal relationship and who is currently living with you and has done so for at least one year.

Dependent children: See [Appendix A: Dependent Children](#) for a complete definition.

If you do not have family members in Canada, print “N/A” and proceed to Part C.

Seeking permanent residence

If your family member is to be assessed for permanent residence check “Yes”, otherwise, check “No”.

If you answer "Yes", you must include the correct processing fees with your application. Refer to instructions in the [Step 3. Pay the Fees](#) section. If you answer "No", do not include the processing fees. If you want your family members to come at a later date, you will have to sponsor them and they will have to meet the definition of a "family member" at the time a complete application is received.

Type of dependent child

Check box A, B or C. See [Appendix A: Dependent Children](#) to determine whether your dependent child is type A, B or C.

Passport details or travel document details

Check the box that describes your family member's document. Refer to question 15 of section A of the form.

Client ID number

This number can be found in the top right-hand corner of your family member's work permit, study permit, or other temporary resident document. If they do not have one, leave this box blank.

Native language

Write your family member's native language (the language he/she learned at home in childhood and still understand).

Check the box to indicate which of Canada's official languages (French or English) your family member uses most frequently. If he/she does not use French or English, check the “Neither” box.

One of Canada's objectives with respect to immigration is to support and assist the development of minority language communities in Canada.

Note: This question is not used for selection purposes.

C – Family members living outside of Canada

Your family members outside Canada cannot be processed for permanent residence at the same time as you. However, you may be able to sponsor them to come to Canada as members of the Family Class if you are granted permanent resident status. Family members who are not listed on your application will not be able to be sponsored by you at a later date.

If you do not have family members outside of Canada, print “N/A” and proceed to [Supplementary Information – Humanitarian and Compassionate Considerations \(IMM 5283\)](#).

Type of dependent child

Check box A, B or C. See [Appendix A: Dependent Children](#) to determine whether your dependent child is type A, B or C.

Name of guardian

If your dependent children are living with a guardian, indicate the name and complete address of their guardian.

Address of family member or guardian

Provide a complete mailing address and current phone number for all your family members who live outside of Canada. The visa office will contact them or their guardian with instructions on the forms to be completed, medical exams, security checks and, if applicable, interviews.

D. Background information

22. Questions for applicant

Read each statement carefully. Answer “Yes” or “No” to the best of your knowledge on behalf of yourself, your spouse or common-law partner and your dependent children, whether or not they are completing their own form. You must provide truthful and accurate information in relation to each of the statements.

23. Declaration

You must sign and date this form. If you do not, your entire application and supporting documents will be returned to you.

Supplementary Information – Humanitarian and Compassionate Considerations (IMM 5283)

Must be completed by:

- You, the principal applicant
- Your spouse or common-law partner and your dependent children, who are 18 years of age or older, if they are in Canada and are not permanent residents or Canadian citizens **and only if** they have different humanitarian and compassionate grounds than you and are included in your application.

This information will be used to determine if there are sufficient humanitarian and compassionate grounds to process your case from within Canada and to exempt you from any criteria or obligations of the Act. You must ensure that you explain in detail your situation and all the reasons you would suffer hardship if you had to leave Canada.

Use of a Representative (IMM 5476)

Complete this form only if you are appointing a representative. To learn about who can represent you and for information about how to complete the form, refer to the [Instructions-Use of a Representative](#) (IMM 5561).

Release of information to other individuals

To authorize Citizenship and Immigration Canada to release information from your case file to someone other than a representative, you will need to complete form Authority to Release Personal Information to a Designated Individual (IMM 5475) which is available on our Web site at www.cic.gc.ca/english/applications/release-info or by phoning our Call Centre listed on the [Contact Information](#) section.

The person you designate will be able to obtain information on your case file, such as the status of your application. However, he or she will **not** be able to conduct business on your behalf with Citizenship and Immigration Canada.

Step 3. Pay the Fees

Processing fees

You must pay the processing fees for you and your family members **before** you submit your application.

Calculating your fees

Processing Fees	Number of Persons	Amount per Person	Amount Due
Principal applicant	1	x \$550	\$550
Spouse or common-law partner		x \$550	
Dependent child who is 22 years of age or older or who is married or in a common-law relationship, regardless of age		x \$550	
Dependent child who is under 22 years of age and single		x \$150	
AMOUNT PAYABLE	Total right column		\$

Right of Permanent Residence Fee

You will need to pay the **Right of Permanent Residence Fee** before your application for permanent resident status can be finalized. **We will send you a request to pay this fee** when we are ready to grant you permanent resident status. The fee is \$490 per person for you and your spouse or common-law partner.

Exemptions

The following people are exempt from paying the Right of Permanent Residence Fee:

- Your dependent children.
- You, if you are the principal applicant and the dependent child of a permanent resident or Canadian citizen. You must meet the definition of “dependent child” at the time of the application. See the [Application for Permanent Residence from Within Canada](#) –

Humanitarian and Compassionate Considerations (IMM 5001) section for further details.

- You and your spouse or common-law partner, if you are a protected person.

How to pay your fees

You have the option of paying your fees on our Web site or at a financial institution.

Option 1. Payment of fees on our Web site

To use this option, you need:

- a credit card;
- access to a computer with a printer;
- a valid email address; and
- follow these steps below.

Step	Action
1	Log on to our Web site at www.cic.gc.ca .
2	Select " <i>I Need To...</i> " on the right hand side of the page.
3	Click on <i>Pay My Application Fees</i> .
4	Click on <i>Pay fees online</i> .

Once you have paid the fees you must:

- print the official receipt;
- fill out by hand the “Payer Information” section;
- attach the bottom portion (copy 2) of this receipt to your completed application.

Option 2. Payment of fees at a financial institution

STEP 1. Fill in the total

Enter the “Amount payable” you have calculated at the bottom of the *Receipt* (IMM 5401).

Photocopies of the receipt are not accepted. If you need an original receipt, you can order it from our [Web site](#) or contact the Call Centre.

STEP 2. Complete the “Payer Information” sections on the back of the receipt

If you already know the Client ID assigned to you, enter the number in the box provided. If you do not know your Client ID, leave that box empty.

STEP 3. Go to a financial institution and make the payment

Bring the receipt with you. A financial institution representative will tell you which forms of payment are acceptable. There is no charge for the service.

STEP 4. Send your receipt

Attach the middle portion (Copy 2) of the receipt to your completed application. Keep the top portion (Copy 1) for your files.

Do not include any other type of payment with your application.

Incorrect payment

If you have sent insufficient fees, we will return your application with instructions. You must then pay the additional fees and mail everything back to us. This will delay the processing of your application. If you have overpaid, we will refund the overpayment. We will issue a cheque as soon as possible.

Refunds

To obtain a refund, you need to send a written request to withdraw your application to the processing centre. The **processing fee** is only refundable if we receive your request **before** processing has begun. Once we have started to process your application, there will be no refunds **regardless of the final decision**.

We will issue the refund to the person indicated on the “Payer Information” section of the receipt. If there is no name indicated on the receipt, we will send the refund to you.

Loan

There is a loan option to cover the cost of the Right of Permanent Residence Fee. Loans are **not** available for processing fees. To qualify, you must show that the loan is necessary and that you have the ability to repay it. If you have been in Canada for three years or longer, you must also show that you were unable to get a loan from a bank or other lending institution.

The Right of Permanent Residence Fee loan application is available on our [Web site](#) or by phoning the Call Centre listed in the Contact Information section.

Step 4. Mail Your Application

Send your application and the items listed on the *Document Checklist* (IMM 5280) in a large envelope. Do not fold documents. For your personal records, you should make photocopies of all documentation, forms and your fee receipt submitted with your application.

Address the envelope to:

Case Processing Centre
Vegreville, AB
T9C 1W3

Do not include pre-paid return envelopes. You may wish to send your application via registered mail or Xpresspost to track the delivery.

How to ensure your application is not returned to you

Did you:

- follow the steps outlined in section [How to Apply?](#)
- answer all questions on the forms?
- print "N/A" (not applicable) for questions that do not apply to you?
- sign the forms?
- include all necessary documents listed on the *Document Checklist*?
- provide clear photocopies?
- include certified English or French translations of documents written in another language?

While Your Application is Processed

Updating your address or other information

If you change your address, let us know immediately:

- **on the Web.** Use the electronic change of address form found in the “On-Line Services” section of our [Web site](#).
- **by telephone.** Contact the Call Centre.

If your personal situation changes after you have submitted your application, you must notify us in writing. A change in your personal situation can refer to any of the following: marital status, birth of a child, criminal convictions, change of employer, etc. You may also wish to remove a family member from your application or withdraw your application. Indicate your client ID number and your full name on all correspondence.

Send your notification to the following address:

Case Processing Centre
Vegreville, AB
T9C 1W5

Leaving Canada

Important: If you leave Canada while your application is in process, there is no guarantee that you will be allowed to re-enter.

Checking your application status

To find out the current status of your application, you may call our Call Center or follow these steps:

Step	Action
1	Log on to our Web site at www.cic.gc.ca .
2	Select " <i>I Need To...</i> " on the right hand side of the page.
3	Click on <i>Check My Application Status</i> .
4	Click on <i>Client Application Status</i> under " <i>Online Services</i> ".

If you do not want your information to be made available on-line, you can remove it by contacting our Call Center or by following these steps:

Step	Action
1	Log on to our Web site at www.cic.gc.ca .
2	Select " <i>I Need To...</i> " on the right hand side of the page.
3	Click on <i>Check My Application Status</i> .
4	Click on <i>Client Application Status</i> under " <i>Online Services</i> ".
5	Access your account.
6	Select the check box next to the message <i>Please don't show my application status on the Internet</i> .

Current processing times are updated weekly on our Web site at: www.cic.gc.ca/english/information/times/canada/process-in.asp.

What Happens Next?

Medical exam

You, and all your family members who are not already Canadian citizens or permanent residents, must undergo and pass an immigration medical exam, even if your family members are not processed for permanent residence with your application. **Do not have an immigration medical exam until we contact you.** We will provide instructions on medical exams after you send your application. You will not be able to sponsor family members who do not undergo and pass a medical exam.

If you live in Quebec

The provincial immigration authority, called the *Ministère de l'Immigration et des Communautés culturelles* (MICC), must also approve your application. You do not need to fill out extra forms; we will refer your application to the MICC on your behalf. If the MICC refuses your application, we will continue to process your application for permanent residence provided you no longer live in the province of Quebec.

The decision on your application

If your application has been properly completed and includes all the required documents, you will receive a letter informing you of the decision on your case and what you must do next. If you qualify for permanent residence, your family members outside Canada will be required to undergo a medical exam, and you and your family members will have to undergo criminality and security checks.

We may contact you to arrange an interview to verify or expand on information contained in your application.

If your application is approved, we will contact you to arrange a final interview. You will likely be granted permanent resident status at that interview.

If your application is refused, we will inform you in writing and you may be asked to leave Canada.

Questions?

If you still have questions after reading this instruction guide, visit our [Web site](#) or phone our Call Centre listed on the [Contact Information](#) section.

Appendix A: Dependent Children

Dependent children include:

- Your dependent children
- The dependent children of your spouse or common-law partner
- The dependent children of your dependent children

Note: This also includes children whom you have joint or sole custody even if the children usually live with the other parent and will not join you in Canada.

Type A	He or she is under the age of 22; and is single, (not married and not in a common-law relationship).
Type B	He or she has been continuously enrolled and in attendance as a full-time student in a post-secondary institution accredited by the relevant government authority and depends substantially on the financial support of a parent either <ul style="list-style-type: none">• since before the age of 22; or• since marrying or entering into a common-law relationship (if it happened before the age of 22).
Type C	He or she is 22 years of age or older, has depended substantially on the financial support of a parent since before the age of 22 and is unable to provide for himself or herself due to a medical condition.

When must my dependent children meet the definition?

Your dependent children must meet one of the above definitions on the day we receive your application and, for types B and C, they must continue to meet this definition for permanent residence to be granted or for a permanent resident visa to be issued.

Appendix B: Police certificates

You, and your family members who are 18 years of age and older and are not permanent residents or Canadian citizens must provide a valid police certificate, clearance or record of no information for each country **other than Canada** in which you have lived for more than six months consecutively during the past 10 years. If you or your family members were under 18 years of age when you lived there, you do not need to provide a police certificate.

It is your responsibility to contact the police or relevant authorities.

We will also do our own background checks to determine if you have any arrests or criminal convictions, or if you are a security risk to Canada.

Consult our Web site at www.cic.gc.ca/english/information/security/police-cert/index.asp for specific and up-to-date information on how to obtain police certificates from any country.

How to obtain police certificate

STEP 1. Apply for certificates

Certificates are usually issued by the police of the country concerned, but in some countries you will have to apply to municipal, provincial, federal or other government authorities. The country's embassy or consulate in Canada may be able to give additional information.

When applying for police certificates, you should include for each person:

- a completed “*Request for Police Certificates/Clearances and Authorization for Release of Information*” form. Make enough photocopies for everyone.
- a set of fingerprints, if required by the authority of the country. Your local police or RCMP may be able to tell you where you can get fingerprints done. Take the “*Fingerprint Request Letter*” and your photo identification (passport, travel document, etc.) with you when you go to get fingerprints taken. You may have to pay a fee.
- your complete return mailing address (certificates will be sent directly to you).
- one supplementary form, if you have lived in South Korea. To obtain the form, phone the Call Centre.

STEP 2. Submit the certificates

Include the police certificates with your application.

- If the police authorities notify you that they will submit the certificates directly to us, include this notice with your application.
- All police certificates must be **originals**; photocopies are not acceptable.
- If your certificates are in a language other than English or French, attach an original translation prepared by an accredited translator.

What if I cannot get the police certificates?

If you cannot get police certificates from any of the countries where you have lived, you must provide a written explanation with your application and an original letter from the police authority confirming that they will not issue a certificate.



Request for Police Certificates/Clearances and Authorization for Release of Information

ATTENTION: Police or Relevant Authorities

Immigration Canada requires the person named below to obtain an **original** police certificate for all countries where he or she has lived for six months or longer in the past 10 years. (This requirement is only applicable for countries where the person was **18 years of age or older when he or she lived there.**) The applicant has provided details in the box below that may assist you in processing the request and has also signed the form authorizing you to release the information to us.

Surname		Given name(s)	
Other surname(s) used (example maiden name, previous married names)			
Name in original script (example Farsi, Arabic, Chinese, etc.)			
Date of birth	Day 	Month 	Year
Place of birth			Sex <input type="checkbox"/> Male <input type="checkbox"/> Female
Citizenship			
Current address in Canada (number, street, city, province and postal code)			
DATES		ADDRESS(ES) WHILE RESIDENT IN _____ (Name of country)	
FROM	TO		
Month Year	Month Year		
I authorize the police or relevant authorities in the country/state named above to disclose to Immigration Canada details about any previous criminal convictions that may exist.			
_____		Day 	Month
Signature of applicant		Year Date	

Please send the police certificate directly **to the applicant**. If you are unable to provide a certificate/clearance, please send the applicant a written explanation. Thank you.

Manager
Case Processing Centre
Vegreville AB T9C 1W5
CANADA



Fingerprints Request Letter

ATTENTION: RCMP Detachment / Police Authorities

Surname	Given name(s)			
Client ID no. ▶	Date of birth ▶	Day	Month	Year
		<input type="text"/>	<input type="text"/>	<input type="text"/>

Immigration Canada requires that applicants for permanent residence and their family members obtain original police certificates for all countries where they have lived for six months or longer in the past 10 years. (Certificates are only required for countries where a person **was 18 years of age or older when he or she lived there.**) In order to apply for certificates, an **original** set of fingerprints is required for each certificate being requested.

Upon presentation of this letter, photo identification, and any applicable fees, please provide the applicant with the required fingerprints. The number of fingerprint forms required will depend on the number of police certificates being requested. For example, a person who requires certificates for three countries will need three sets of fingerprints.

Please give the fingerprint forms directly to the applicant. He or she will send them to the appropriate authorities outside of Canada.

Manager
Case Processing Centre
Vegreville AB T9C 1W5
CANADA

Appendix C: Sponsor's Instructions

Who is eligible to become a sponsor?

You may be eligible to sponsor if:

- you are 18 years of age or older;
- you are a Canadian citizen or permanent resident;
- you live in Canada;
- you have an income that is at least equal to the minimum necessary income. You will have to provide us with documents that show your financial resources for the past 12 months and prove you are financially able to sponsor a family member or close relative. You may solicit the help of a co-signer. The minimum necessary income is published in [Application to Sponsor a Member of the Family Class](#) (IMM 5196) or is available by phoning our Call Centre.

Who is not eligible to become a sponsor?

You may **not** sponsor if you are:

- in default of a previous sponsorship undertaking;
- in default of an immigration loan;
- in default of any court ordered support payment obligations;
- in prison;
- an undischarged bankrupt;
- in receipt of social assistance for a reason other than disability;
- subject to a removal order.

Note: This is only a summary of sponsorship ineligibilities. For more information, consult [Application to Sponsor a Member of the Family Class](#) (IMM 5196).

Who can you sponsor?

You may sponsor:

- your father, mother, grandfather or grandmother;
- your dependent children, including adopted children. Dependent children must meet the criteria listed in [Appendix A: Dependent Children](#);
- your brother, sister, nephew, niece, grandson or granddaughter, who is an orphan, under age 18 and who does not have a spouse or common-law partner;
- any of your other relatives if you do not have a spouse or common-law partner, son, daughter, mother, father, brother, sister, grandparent, aunt, uncle, niece or nephew who is a Canadian citizen or permanent resident, and no other family class relatives whom you could sponsor.

Note: If the applicant is your spouse or common-law partner and you are an eligible sponsor, your spouse or common-law partner should apply for permanent residence in the Spouse or Common-law Partner in Canada Class, whether or not he or she has legal immigration status.

For more information on the Spouse or Common-law Partner in Canada Class, visit our [Web site](#) or phone our Call Centre listed in the [Contact Information](#) section.

What does it mean to sponsor a family member or a close relative applying on humanitarian and compassionate grounds?

When you agree to sponsor, you must sign an **undertaking**. The undertaking is a promise to provide financial support for your family member or close relative's basic requirements for up to ten years (if they cannot support themselves). Sponsors must prove that they have enough income to fulfil sponsorship obligations.

Note: **Basic requirements** are food, clothing, shelter and other needs for everyday living. Dental care, eye care and other health needs **not** covered by public health services are also included. The undertaking ensures the applicant and his or her dependent children do not have to apply for social assistance.

When we process your family member or close relative's application we will consider all factors, including the undertaking. A sponsorship is not a legal requirement of an application for permanent residence on humanitarian and compassionate grounds; however, it may be an important factor if your family member or close relative is unable to support himself or herself.

Sponsors living in Quebec

If you live in Quebec, a copy of the sponsorship and related documents will be forwarded to the *Ministère de l'Immigration et des Communautés culturelles* for assessment of the undertaking.

The province of Quebec is responsible for determining whether sponsors living in the province have the financial ability to sponsor family members and the length of the undertaking.

Length of undertaking

Your obligations as a sponsor begin as soon as you sign the undertaking and are binding from the time your family member or close relative is granted permanent resident status. The chart below will help you determine for how long your undertaking will be valid.

Person being sponsored	Length of undertaking
Dependent children over 22 years of age	Three years after the day he or she becomes a permanent resident
Dependent children under 22 years of age	Ten years or until the child reaches 25 years of age, whichever comes first
All other cases	Ten years after the day he or she becomes a permanent resident

If payments from a federal, provincial or municipal assistance program are made while the undertaking is valid, you will be considered in default. You may have to repay any benefits received by the person you sponsored to the government concerned. When in default you will not be allowed to sponsor other family members or close relatives.

May I appeal the decision if my family member or close relative's application is refused?

No. There is no right of appeal for humanitarian and compassionate cases under any circumstances.

Steps to follow if you decide to sponsor your family member or close relative

- STEP 1.** Read section **Completing the Sponsorship Forms** of this appendix.
- STEP 2.** Complete the sponsorship forms.
- STEP 3.** Include the completed sponsorship forms and supporting documents in your family member or close relative's application for permanent residence.

Completing the Sponsorship Forms

The following will help you fill in the sponsorship forms. Most questions on the forms are clear; instructions are provided only when necessary. You must answer all questions. If any section does not apply to you, write "N/A" (Not Applicable).

If the space provided on the forms is insufficient to list any information, use an additional sheet of paper. Make sure you indicate the form's title and the number or letter of the question you are answering. Write your name and the page number at the top left corner of each additional sheet.

WARNING! You (and, if applicable, your co-signer) must provide complete and accurate information. The information provided may be verified. If you give false or misleading information, you could be guilty of misrepresentation and have to pay a fine of up to \$100,000 and face the risk of being imprisoned for a term of up to five years. It is a serious offence to submit a false application.

Application to Sponsor and Undertaking (IMM 1344A)

A – Sponsor

- 1. Check "To proceed with the application for permanent residence".
- 10. Indicate whether you are a citizen or a permanent resident of Canada. If you are a naturalized Canadian (that is, you came to Canada as a permanent resident and were later granted Canadian citizenship), write the date you became a Canadian citizen. If you are a permanent resident, write the date you became a permanent resident of Canada. The date is found in Box 45 of your *Immigrant Visa and Record of Landing* (IMM 1000) or on your *Confirmation of Permanent Residence* (IMM 5292).

B – Co-signer

Your spouse or common-law partner should complete this section **only** if he or she is co-signing the application.

- 8. Follow the instructions for question 10 of Section A.

C – Person being sponsored and his or her family members

(Attach a separate sheet if you need more space.)

Do not write in the boxes provided for length of undertaking and ID number. These are for official use only.

- 1. Give the details of the principal applicant (the person you want to sponsor). If the principal applicant has no country of nationality (stateless), enter his or her country of habitual residence.

2. If the principal applicant has a spouse or common-law partner living in Canada, give details. If the spouse or common-law partner of the principal applicant is outside Canada, give details in question 4.
3. If the principal applicant or his or her spouse or common-law partner have dependent children living in Canada, give details of these dependent children.
4. If the principal applicant has a spouse or common-law partner living outside Canada, give details. If the principal applicant or his or her spouse or common-law partner have dependent children living outside Canada, give details of these dependent children.

Note that if the principal applicant, or a family member referred to in question 3 or 4 is a dependent child, you must check box A, B or C, as applicable. See [Appendix A: Dependent Children](#).

6.
 - a) Print the **full** address where the principal applicant lives.
 - b) and c) Do not complete these sections, skip to question 7.
7. Print the mailing address where we can reach the principal applicant, if this address is different from the one in question 6 a).

D – Adoption

If you are sponsoring a child you have adopted while you were living in Canada or intend to adopt in Canada, check the appropriate box. If the child is already adopted, you must provide documentary evidence that you are the legal adoptive parent. See the *Document Checklist–Sponsor* (IMM 5287);

E – Eligibility Assessment

This section must be completed by the sponsor (and, if applicable, the co-signer.) It will help determine if you are eligible to sponsor and if your spouse or common-law partner is eligible to co-sign the application.

Note: If you find you are not eligible to sponsor, **do not** include your sponsorship forms in your family member or close relative’s application.

4. You must live in Canada and continue to do so when the person you want to sponsor and his or her family members become permanent residents.
16. If you have been charged with an offence under an Act of Parliament punishable by a maximum term of imprisonment of at least ten years, you may include your sponsorship forms in your family member or close relative’s application; however, we will not process it until the courts have made a decision on your case. If you are convicted of a serious offence, you may not be eligible to sponsor.

F – Residency Declaration

Write “Not Applicable” in this section.

G – Undertaking

Read this section carefully. Similar provisions apply to Quebec residents who sign an undertaking with the province.

H – Authority to disclose personal information

In addition to the information you are required to provide, we may ask government authorities in all countries where you have lived to share personal information they possess on your behalf.

I – Declaration

Read these sections carefully before signing Section J.

J – Signature(s)

You and, if applicable, your co-signer must sign this form. If you do not, your family member or close relative's entire application will be returned and it will cause delays in processing. Once the form is signed, it is a legal contract between you, your co-signer (if applicable) and the Minister of Citizenship and Immigration.

Document Checklist–Sponsor (IMM 5287)

The Document Checklist is a reference list to help ensure that you attach all required documents to your sponsorship application. If documentation is missing, the application will be returned to the person you wish to sponsor.

Copy 2 of your Receipt - Leave this box blank. The processing fees for the sponsorship application are included in the fees your family member or close relative paid for the application for permanent residence.

Include the *Document Checklist–Sponsor* in your family member or close relative's application.