



IMMIGRATION Canada

Applying for Permanent Residence from Within Canada

Humanitarian and Compassionate Cases



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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

People who want to live in Canada as permanent residents must normally apply for and obtain a permanent resident visa before they come here. A **permanent resident** is someone who can live in Canada permanently, but who is not a Canadian citizen. However, if you are already in Canada and you face **exceptional circumstances**, you may qualify for an exemption from the requirement to obtain a permanent resident visa from a visa office abroad. This guide explains the requirements for an exemption. It also contains the forms and information you need to apply for this exemption and for permanent resident status from within Canada. **Important:** There is **no** right of appeal for Humanitarian and Compassionate cases.

Do you qualify?

To qualify for an exemption based on Humanitarian and Compassionate (H&C) grounds, you must prove that your hardship is **unusual, excessive, or undeserved and the result of circumstances beyond your control**. The cost and inconvenience of applying from outside of Canada is **not** considered a hardship.

This exemption is for exceptional circumstances only. Unless humanitarian and compassionate grounds are substantiated, your application will be refused. If your application is refused, your processing fees will not be refunded.

Note: On February 18, 2005, the Minister announced a new public policy under which legal immigration status is no longer a requirement for spouses and common-law partners of Canadian citizens and permanent residents in Canada who wish to apply for permanent residence status provided that they have an **eligible** sponsor.

If your spouse or common-law partner wishes to sponsor you, you should apply using the application guide *Applying for Permanent Residence from within Canada - Spouse or Common-law Partner Class* (IMM 5289). Further information on applying under this class, including eligibility requirements, can be obtained by visiting our [Web site](#) or by contacting the [Call Centre](#).

If your spouse or common-law partner cannot sponsor you or you do not wish to be considered in this class, continue to use this application guide-*Application for Permanent Residence in Canada - Humanitarian and Compassionate Cases* (IMM 5291).

A family member in Canada may support your application by submitting a sponsorship that will be considered in conjunction with all other factors presented with your application. Sponsorships accepted in these circumstances are not a legal requirement for H & C considerations, nor are they in accordance with the regulations. However, a sponsorship may be an important factor if you are unable to support yourself. This is not a Family Class sponsorship and you will not be considered a member of the Family Class (see [Appendix D](#) for further details).

Note: If you are deemed to be eligible for permanent resident status on the basis of Humanitarian and Compassionate grounds, you will not be considered a member of the Family Class nor will you have the rights and privileges associated with the Family Class.

Other guides

This guide is only for applicants applying as a Humanitarian and Compassionate Case. If you think you may qualify to apply under a different class, consult the chart below.

If:	Then:
You came to Canada as a live-in caregiver for children, the elderly or the disabled.	Consult the guide, Applying for Permanent Residence from Within Canada: Live-in Caregivers (IMM 5290) .
You are the spouse or common-law partner of a Canadian citizen or permanent resident who is willing to sponsor your application for permanent residence.	Consult the guide Applying for Permanent Residence from Within Canada: Spouse or Common-law Partner Class (IMM 5289) .
You are the spouse or common-law partner of a Canadian citizen or permanent resident but are not eligible or do not wish to apply in the Spouse or Common-law Partner in Canada Class.	Use this guide; however, you must prove that you face unusual, excessive, or undeserved hardship that is the result of circumstances beyond your control.
You are under a removal order.	You may send us your H & C application and we will review it; however, submitting an application will not prevent your removal from Canada and there is no guarantee that your application will be approved.

To obtain these guides or receive information, visit our [Web site](#) or contact the Call Centre listed in the [Contact Information](#) section of this guide.

Further requirements

You and any family members must also:

- pass an immigration medical examination;
- pass criminal and security clearances; **and**
- have a valid passport or travel document.

Important: Family members include your spouse or common-law partner and dependent children. Family members who are not included on your application will not be able to be sponsored by you at a later date. If your family members are Canadian citizens or permanent residents, they do **not** have to meet the above mentioned requirements.

Dependent Children

You must include all dependent children from your current and previous relationships, whether they are in Canada or not, in this application. Dependent children not included on your application cannot be sponsored at a later date. A child must meet the requirements of **type A, B or C** below to be considered a dependent child:

Type A

He or she is under the age of 22 and single, that is, not married and not in a common-law relationship.

Type B

He or she married or entered into a common-law relationship before the age of 22 and, since becoming a spouse or a common-law partner, has

- been continuously enrolled and in attendance as a full-time student in a post-secondary institution accredited by the relevant government authority; and
- depended substantially on the financial support of a parent.

or

He or she is 22 years of age or older and, since before the age of 22, has

- been continuously enrolled and in attendance as a full-time student in a post-secondary institution accredited by the relevant government authority; and
- depended substantially on the financial support of a parent.

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 him/herself due to a medical condition.

To be considered dependent, the child must meet the definition of “dependent children” both at the time a complete application is made, and at the time permanent resident status is received. However, children under **type A** can be older than 22 when they become permanent residents, as long as they were under 22 when the application was made, and they are still single.

Note: Child custody disputes must be resolved before you submit your application.

Security Requirements

You and your family members (spouse/common-law partner and dependent children) must not be any risk to Canada. You and all your family members aged 18 and over who are not Canadian citizens or permanent residents must undergo background checks. This applies even to your family members outside Canada, whether or not they intend to join you here at a later date.

Note: Family members who are **outside Canada** cannot be processed for permanent resident status at the same time as you. However, you may be able to sponsor them, subject to the Immigration Regulations, as members of the Family Class once you receive permanent resident status. Refer to the guide *Sponsoring a spouse, common-law partner, conjugal partner or dependent child living outside of Canada*, which may be obtained by visiting our [Web site](#) or by contacting the [Call Centre](#).

For each country in which you or your family members have lived for more than six months during the past 10 years, you must provide a police certificate, clearance or record of no information. If you or your family members were under 18 years of age when you lived in one of those countries, you do not need to provide a police certificate for that country. 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.

How to apply for police certificates

STEP 1. CONSULT THE TABLES BELOW

For the following countries, police certificates should not be obtained before applying for immigration. You may receive special instructions at a later date about police certificates for these countries.

Afghanistan	Honduras	Singapore	Venezuela
Costa Rica	Hong Kong	Thailand	
Fiji	Poland	Ukraine	
French Polynesia	Saudi Arabia	United Kingdom	

If you have lived in one of the countries listed below, you **will need** additional forms before applying for immigration. If you do not have the forms, phone the Call Centre and they will mail them to you.

Argentina	South Korea	Sri Lanka	Russia
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STEP 2. 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 may be able to give additional information.

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

- a completed *Request for Police Certificates/Clearances and Authorization for Release of Information* form (**Appendix A**). (Make enough photocopies for everyone.)
- a set of fingerprints, if required
- your complete return mailing address (certificates will be sent directly to you)

STEP 3. PROVIDE DOCUMENTATION

You may have to provide fingerprints, photographs or a letter from Canadian immigration authorities explaining why you need a police certificate. Your local police or RCMP may be able to tell you where you can get fingerprints taken.

Take **Appendix B** and your photo identification (passport, travel document, etc.) with you when you go to get fingerprints taken. You may have to pay a fee.

STEP 4. SUBMIT THE CERTIFICATES

Include the police certificates and any supplementary forms 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 on the list, 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.

Criminal convictions

In Canada

If you or any of your family members have a conviction in Canada, you must seek a pardon from the National Parole Board before applying for permanent resident status. For further information, contact:

Clemency and Pardons Division

National Parole Board

410 Laurier Avenue West

Ottawa ON K1A 0R1

Telephone: 1-800-874-2652 (callers in Canada and the United States only)

Web site: www.npb-cnrc.gc.ca (application guide and forms can be downloaded from the site)

Outside of Canada

People with criminal convictions are usually not admitted into Canada. However, if a certain number of years have passed since the offence was committed, during which you or your family member were not convicted of another offence, you or your family member may be deemed rehabilitated.

You must provide police certificates or clearances and a full description of the circumstances surrounding the offence and the court record. This information will be reviewed and you will receive further instructions.

Consult the table below to determine how many years must have passed before you may be deemed rehabilitated.

Eligibility for Rehabilitation

The following table gives a summary of the type of offences and length of rehabilitation periods.

Conviction or offence	Rehabilitation period	
	When deemed rehabilitated ¹	When eligible to apply for rehabilitation ¹
Conviction of an offence outside Canada that, if committed in Canada, would be an indictable offence punishable by a maximum term of imprisonment of less than ten years	At least ten years after completion of the sentence imposed	Five years after completion of the sentence imposed
Commission of an offence outside Canada that, if committed in Canada, would be an indictable offence punishable by a maximum term of imprisonment of less than ten years	At least ten years after commission of the offence	Five years after commission of the offence

Conviction or offence	Rehabilitation period	
	When deemed rehabilitated ¹	When eligible to apply for rehabilitation ¹
Conviction or commission of an offence outside Canada, that, if committed in Canada, would be punishable by a maximum term of imprisonment of ten years or more	Not applicable	Five years from completion of the sentence or commission of the offence
Two or more summary conviction offences committed outside Canada	Five years after the sentence imposed is served or to be served	Not applicable
Two or more indictable offences committed in Canada	Five years after the sentence imposed is served or to be served.	Must apply for a pardon

¹The person must not have committed or been convicted of a subsequent offence.

Medical Requirements

You and all your family members and dependent children, who are not already Canadian citizens or permanent residents, must undergo and pass a medical examination. Instructions on medical examinations and how to proceed will be provided by the Case Processing Centre (Vegreville), after your application has been submitted.

Note that:

- If you are a divorced or separated parent, a minor child of whom you have joint or sole custody is considered a dependent family member, even if the child usually lives with the other parent and will not join you in Canada.
- You are responsible for paying all costs related to the medical examinations.
- Results are valid for 12 months from the date of the first examination.
- If you have any medical problems, you may have to go for more tests.

Important: Family members and dependent children who do not undergo and pass a medical exam cannot be sponsored by you at a later date.

About the medical examination

The examination includes a chest x-ray and radiologist's report for everyone in your family aged 11 years and over.

Bring the following items with you when you go for your examination:

- passports for yourself and your family members, plus a photocopy of the bio-data page of each passport (this is the page that shows your birth date, country of origin, etc.);
- immigration client identification numbers, if known;
- eyeglasses or contact lenses, if you or your dependent children wear them;
- previous medical reports, if any; and
- four recent photos of yourself and your dependent children (see [Appendix C](#) for photo specifications).

Tell the doctor about all past and present medical problems and conditions and provide any available documentation, such as physician's reports, treatment or prescriptions.

The doctor is responsible only for conducting the medical examination; he or she cannot answer questions or provide advice about the immigration process. The doctor also cannot provide you with the results of the medical examination; however, he or she will tell you if you have a health-related problem.

Where to go for the medical examination

You and any dependent children and family members in Canada must make an appointment with a panel doctor listed in designated medical practitioners. If you go to a doctor who is **not** on this list, you will have to redo the medical examination and pay the fees again.

Your dependent children and family members outside of Canada must also undergo a medical examination. They will be given instructions by the closest Canadian visa office.

What if I have already had a medical examination?

If you have already had an immigration medical examination, you must provide proof. Examination results may be found on your original work permit or on a page in your passport. If this is the case, provide a photocopy. Depending on how long ago the examination was completed or what the results were, you may have to redo the examination. We will let you know if a new examination is required.

Medical insurance

You may be able to receive medical insurance while your application is being processed. Contact your provincial or territorial health department to see if you are eligible.

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 [Dependent Children](#) section for further details.

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 and access to a computer with a printer.

Go to our Web site at www.cic.gc.ca and select “**On-Line Services**” from the menu bar at the top, then “**Payment of fees through the Internet**”.

Once you have paid the fees, you must print the official receipt and 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.

How to Complete the Forms

The following text does not contain instructions for all the boxes on the forms. Most questions are clear; instructions are provided only when necessary. Note the following:

- Print clearly with a black pen.
- Attach a separate sheet of paper, if you need more space, and indicate the number and/or letter of the question you are answering.
- You must answer all questions. If you leave any sections blank, your application will be returned to you and processing will be delayed. If any sections do not apply to you, answer “N/A” (“not applicable”).

Important: You must provide truthful and accurate information. Your responses will be verified. Processing will stop immediately if you give false or misleading information. It is a serious offence to make a false application.

Request for Exemption from Permanent Resident Visa Requirement (IMM 5001)

A – Personal Information

- 1:** Print your name as it appears in your passport or on your travel document or other valid identity document.
- 8:** Print the name of the country in which you last resided on a legal permanent basis. This is not a country where you were a foreign student or worker.

B – Family members in Canada

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

- 1:** List your spouse or common-law partner and all your dependent children who are **in Canada**. See the section [Dependent Children](#) for a definition of dependent children.
- 4:** **Put an “X” in the appropriate box to indicate the type of dependent child.** See the section [Dependent Children](#) to determine whether your child is type A, B or C.

C – Family Members Outside of Canada

If you do not have any family members outside of Canada, print “N/A” and proceed to Part D.

- 1:** List your spouse or common-law partner and **all** your dependent children, as defined in Part B, who are living outside of Canada. Provide their **complete** mailing address.

You must list your family members who are outside of Canada **whether or not you intend to sponsor them to come to Canada after you become a permanent resident**. Children must meet the definition of “dependent children” at the time of sponsorship application. See the [Dependent Children](#) section for further details.

Note: If your family members live in the People’s Republic of China, also print their names in pin yin.

- 5: Put an “X” in box A, B or C to indicate the type of dependent child as outlined in **Part B (Dependent Children)**.

H – Intended Occupation

Print the name of the occupation you think you will have if you become a permanent resident. You must have some experience in this industry in order to list it as your intended occupation. If you do not intend to work, print what you will be doing (e.g. homemaker, student, retiree).

M – Questions for Applicant

Read carefully and answer “Yes” or “No” on behalf of yourself and **all** your family members. For example, if your spouse or common-law partner has a “Driving Under the Influence” conviction in the United States, you must answer “Yes” for question 2. If your dependent child was charged for possession of drugs, but the case has not yet reached the courts, you must answer “Yes” for question 3.

If you answer “Yes” to any question, provide all details. Use a separate sheet of paper if necessary.

O – Declaration

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

Supplementary Information: Humanitarian and Compassionate Cases (IMM 5283)

This form helps us determine if there are sufficient humanitarian and compassionate grounds to process your case from within Canada. Be sure to explain in detail your situation and the reasons why you would suffer unusual and undeserved or excessive hardship if you had to submit an application for permanent residence from outside of Canada.

Use of a Representative (IMM 5476)

Complete this form if you are appointing a representative.

If you have dependent children aged 18 years or older, they are required to complete their own copy of this form if a representative is also conducting business on their behalf.

A **representative** is someone who has your permission to conduct business on your behalf with Citizenship and Immigration Canada. When you appoint a representative, you also authorize CIC to share information from your case file with this person.

You are not obliged to hire a representative. We treat everyone equally, whether they use the services of a representative or not. If you choose to hire a representative, your application will not be given special attention nor can you expect faster processing or a more favourable outcome.

The representative you appoint is authorized to represent you only on matters related to the application you submit with this form. You can appoint only **one** representative for each application you submit.

There are two types of representatives:

Unpaid representatives

- friends and family members who do not charge a fee for their advice and services
- organizations that do not charge a fee for providing immigration advice or assistance (such as a non-governmental or religious organization)
- consultants, lawyers and Québec notaries who do not, and will not, charge a fee to represent you

Paid representatives

If you want us to conduct business with a representative who is, or will be charging a fee to represent you, he or she must be authorized. Authorized representatives are:

- immigration consultants who are members in good standing of the Canadian Society of Immigration Consultants (CSIC)
- lawyers who are members in good standing of a Canadian provincial or territorial law society and students-at-law under their supervision
- notaries who are members in good standing of the *Chambre des notaires du Québec* and students-at-law under their supervision

If you appoint a paid representative who is not a member of one of these designated bodies, your application will be returned. For more information on using a representative, visit our [Web site](#).

Section B.

5. Your representative's full name

If your representative is a member of CSIC, a law society or the *Chambre des notaires du Québec*, print his or her name as it appears on the organization's membership list.

8. Your representative's declaration

Your representative must sign to accept responsibility for conducting business on your behalf.

Section D.

10. Your declaration

By signing, you authorize us to complete your request for yourself and your dependent children under 18 years of age. If your spouse or common-law partner is included in this request, he or she must sign in the box provided.

Release of information to other individuals

To authorize CIC 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 and from Canadian embassies, high commissions and consulates abroad.

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 CIC.

You must notify us if your representative's contact information changes or if you cancel the appointment of a representative.

Document Checklist (IMM 5280)

The [Document Checklist](#) will help you attach all the required documents to your application. **Include the Document Checklist with your application.**

Submitting Your Application

Once you have read and followed all the instructions in this guide send your application, including all of the items listed on the *Document Checklist*, to the Case Processing Centre.

Ensure your application forms are complete, signed and accompanied by any required supporting documents. Mail everything in a 23 cm x 30.5 cm (9" x 12") envelope. Address the envelope to:

Case Processing Centre
Vegreville AB
T9C 1W3

Ensure you write your name, return address and postal code in the upper left-hand corner of the envelope. Have the post office weigh your envelope before mailing it to make sure you have paid enough postage.

Updating your address or other information

If you change address after you have submitted your application, you must inform us immediately by using one of the following options:

- **On the Web:** Follow the instructions for filling out and submitting an electronic change of address form, using CIC's [on-line service](#).
- **By telephone:** Contact the Call Centre listed in the [Contact Information](#) section of this guide.

If you need to update information provided in your application, phone the Call Centre immediately. New information includes any changes to the details provided on the *Request for Exemption from Permanent Resident Visa Requirement (IMM 5001)*. For example, if you are convicted of a criminal offence, or you no longer want to continue with your application.

Important: If you leave Canada before permanent residence is approved, there is no guarantee that you will be allowed to re-enter the country, particularly if you require a Canadian visitor visa.

Checking your application status

You can find out the current status of your application by logging on to our Web site at www.cic.gc.ca and selecting On-Line Services – e-Client Application Status. You may also phone our Call Centre.

If you do not want your information available on-line, you can remove on-line information by logging on to www.cic.gc.ca and selecting On-Line Services – e-Client Application Status. You may also call our Call Centre and ask an agent to do this for you.

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

What Happens Next?

The Interview

Upon receipt, your application will be reviewed to assess the circumstances concerning your request for permanent residence as an H&C case. An interview or additional information and documentation may be required before a final decision can be made on your application. If an interview is required, you will be notified in writing in advance of the date, time and location of the interview. Any further required documents will also be outlined at this time.

Permanent resident status

If you and your family members meet all requirements, you and your family members in Canada will receive permanent resident status.

Family members who are outside Canada cannot be processed for permanent resident status at the same time as you. However, you may be able to sponsor them, subject to the Immigration Regulations, as members of the Family Class once you receive permanent resident status. Refer to the guide *Sponsoring a spouse, common-law partner, conjugal partner or dependent child living outside of Canada*, which may be obtained by visiting our [Web site](#) or by contacting the [Call Centre](#).

As permanent residents, you and your family members and dependent children inside Canada will have the right to live, study and work in Canada, and will be entitled to most social benefits accorded to Canadian citizens. You will also have the same legal obligations as Canadians, such as paying taxes and respecting other laws. Once you have met citizenship requirements, you may apply for Canadian citizenship and a Canadian passport.

There are a few limitations on permanent residents:

- You cannot vote in certain elections
- You may be ineligible for certain jobs requiring high-level security clearances
- If you or your family member commit a serious crime, you or your family member risk being deported from Canada

Permanent residents may leave and re-enter Canada as often as they wish as long as they spend at least two years of each five-year period in Canada.

Refusals

There are many reasons why an application may be refused. Some examples are:

- There are insufficient humanitarian and compassionate grounds to process the application from within Canada
- Arrangements for your care and shelter are inadequate
- You or your family members do not pass medical or security checks
- You or your family members do not provide valid passports or travel documents.

If your application is refused:

- You will be sent a letter informing you of the refusal
- You may be asked to leave Canada

If you wish to apply again, you must leave Canada and apply at a Canadian visa office abroad. You will have to pay new processing fees and there is no guarantee that your application will be approved.

If your application is refused due to insufficient humanitarian or compassionate factors, you may request written reasons for the negative decision.

Quebec residents

If you live in Quebec and your application has been approved on H & C grounds, you will then be assessed by the government of Quebec to determine if you are able to provide for yourself and your family members within the province. If the government of Quebec establishes that you are able to provide for yourself and your family members, you will be issued a *Certificat de sélection du Québec* (CSQ) from the *ministère de l'Immigration et des Communautés culturelles* (MICC) in Quebec. Your application will automatically be forwarded to MICC, who will send you further instructions.

Appendix A

**Case Processing Centre
Vegreville AB T9C 1W5
CANADA**

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

To Police or Relevant Authorities:

Canada Immigration requires the person named below to obtain an **original** police certificate for any 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)						
FROM		DATES		TO		ADDRESS(ES) WHILE RESIDENT IN _____ (Name of country)
Month	Year	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	Year	
Signature of applicant						
			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

Appendix B

Case Processing Centre
Vegreville AB T9C 1W5
CANADA

Fingerprints Request Letter

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"/>

Canada Immigration requires that applicants for permanent residence and their family members obtain original police certificates for any 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

Appendix C

Photo Specifications

Notes to the applicant

TAKE THIS WITH YOU TO THE PHOTOGRAPHER

- Immigration photographs are *not* the same as passport photographs.
- Make sure that you provide the correct number of photographs specified in the *Checklist*.

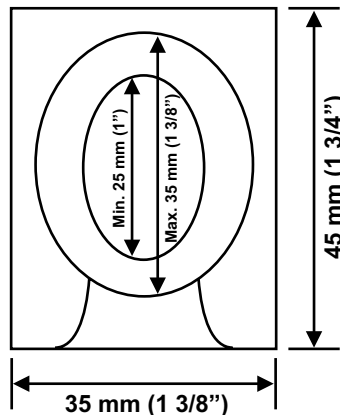
Notes to the photographer

The photographs must:

- show a full front view of the person's head and shoulders showing full face centred in the middle of the photograph;
- have a **plain white background**;
- be identical (black and white or colour) produced from the same untouched negative, or exposed simultaneously by a split-image or multi-lens camera;

The photos must:

- measure between 25 mm and 35 mm (1" and 1 3/8") from chin to crown
- have a 35 mm x 45 mm (1 3/8" x 1 3/4") finished size



Appendix

Important Information for Sponsors in H&C Cases

What does it mean to sponsor?

When you agree to sponsor, you must sign an **undertaking**. The undertaking is a promise to provide financial support for your family member'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.

Length of undertaking

Your obligations as a sponsor begin as soon as you sign the undertaking and is binding from the time H & C is granted. The chart below will help you determine for how long your undertaking will be valid.

Immigrant being sponsored	Length of undertaking
Your spouse or common-law partner	Three years (periods vary in Quebec) after the day he or she becomes a permanent resident
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 applicant to the government concerned. When in default you will not be allowed to sponsor other relatives.

Who is eligible to become a sponsor?

A Family member in Canada may support an H & C application by submitting a sponsorship to support their family member's H & C application. Sponsors must be Canadian citizens or permanent residents, aged 18 or over, living in Canada. Having a sponsor may be an important factor in the approval or refusal of an H & C application. However, a sponsorship is only one factor in making a decision on whether or not there are sufficient humanitarian or compassionate reasons to process the application from within Canada.

Note: Sponsorships accepted in these circumstances are not a legal requirements for H & C considerations. This is not a Family Class sponsorship and your sponsored relative will **not** be considered a member of the Family Class.

Who is not eligible to become a sponsor?

You may **not** sponsor if:

- relatives you sponsored in the past have received social assistance or welfare during the validity period of the sponsorship; or
- you have not made a required payment on an immigration loan; or
- you are in prison; or,
- you are bankrupt.

Note: This is only a summary of requirements. See the sponsorship application guide (IMM 5196) for further details.

Who can be sponsored?

H & C family sponsorship candidates include:

- your father, mother, grandfather or grandmother;
- 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 child under 18 who you intend to adopt and who is orphaned or abandoned and whose parents cannot be identified or a child who has been placed with a child welfare authority for adoption; or
- 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.
- your dependent children, including adopted children. Dependent children must meet the criteria in the chart listed in the [Overview](#) section of this guide.

Note: Most spouses and common-law partners in a genuine relationship with a Canadian citizen or permanent resident, regardless of status, may now apply for permanent residence in the Spouse or Common-law Partner in Canada class while remaining in Canada, provided they have an eligible sponsor. Further information on applying under this class, including eligibility requirements, can be obtained by visiting our [Web site](#) or by contacting the [Call Centre](#).

What to do if you've decided to sponsor your relatives

STEP 1. Obtain the *Sponsoring Parents, Grandparents, Adopted Children and other Relatives (IMM 5196)* guide from our [Web site](#) or by phoning a Call Centre listed in the [Contact Information](#) section of this guide.

STEP 2. Read only the following **three** sections of the *Sponsoring Parents, Grandparents, Adopted Children and other Relatives* guide:

- **Overview**
- **Completing the Sponsorship Forms:** On the *Application to Sponsor and Undertaking form* (IMM 1344A), section C, do not complete 6b and 6c. All other sections must be completed.
- **Document Checklist** (IMM 5287) : Leave the “Fee receipt” box blank. The processing fees for the sponsorship application are included in the fees your relatives paid for their application for permanent residence. The fee receipt will be

attached to the *Document Checklist – Humanitarian and Compassionate Cases* (IMM 5280).

- STEP 3.** Attach the sponsorship forms and supporting documents to your relatives' application for permanent residence that will be mailed to the Case Processing Centre in Vegreville, Alberta. (See the [Submitting Your Application](#) section of this guide for mailing instructions.)

May I appeal the decision if my relative's application is refused?

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