



November, 2013

File:

RE: Application for a Permanent Resident Card

Dear client;

This office has initiated a Permanent Resident Determination investigation as a result of your application for a Permanent Resident Card. The purpose of the investigation is to determine whether or not you have met your residency obligations as a Permanent Resident of Canada as per section A28 of the *Immigration and Refugee Protection Act*. In order to establish that you have complied with the residency requirements, you will be required to satisfy the Department that you have been physically present in Canada for at least 730 days in the past 5 years, or that your circumstances are otherwise allowed for by the Act.

A permanent resident complies with the residency obligation provisions if, for at least 730 days with respect to every five year period, the permanent resident is physically present in Canada, or:

- Is accompanying abroad a spouse or common-law partner or in the case of a child, their parent who is a Canadian citizen
- Being employed abroad, on a full-time basis, by a prescribed "Canadian business" or in the public service of Canada or of a province
- Is accompanying abroad a Canadian permanent resident spouse or common-law partner, who is also outside of Canada and who is employed, on a full-time basis, by a prescribed "Canadian business" or in the public service of Canada or of a province.
- Humanitarian and compassionate considerations, taking into account the best interests of a child directly affected by the determination, justifying the retention of the permanent resident status

In light of the investigation, **please complete and return the enclosed "Determination of Permanent Resident Status" questionnaire** together with photocopies of any supporting documentation and, if applicable, any humanitarian and compassionate considerations relating to the determination of your permanent resident status **within thirty (30) days** of the date of this letter. This form must be completed in full. Answer every question and do not leave any of the questions blank. If the question is not applicable to you please put a line through the question.

You must provide: Photocopies of all pages of all passports that have been valid during the past 5-years (currently valid or expired). Passport stamps, visas and any



other documents that are not in English or French **must** be accompanied by a **certified translation done in Canada in one of those official languages.**

Also, you are requested to complete and submit the attached "**Absence History Form**" as well as the following documentation that supports your declaration of physical presence in Canada on your application:

Examples of information permanent resident may provide include:

- Social Insurance Number, Driver's Licence and Health Card
- If you are married, your marriage certificate. If your spouse is a Canadian citizen, proof of his/her citizenship.
- If you have children, their birth certificates and school records or proof of employment. Note that if your children are of school age it is necessary to provide proof of school registration during the previous five years.
- Proof of income for last 5 years (Notice of Assessment from the Canada Revenue Agency or copies of you pay-cheque stubs)
- Current letter from your employer.
- Letter from the provincial health insurance authority with your personal claim history for the past five years.
- Letter from your family doctor or dentist stating when you first became his/her patient and listing the dates of all appointments.
- Letter from HRSDC showing contributions to the Canada Pension Plan for the last 5 years
- Patient Medical Expenses list/record from your pharmacy showing name, address and telephone number of the pharmacy and listing dates of service.
- Bankbook(s) or bank statement(s) from financial institution(s) in Canada indicating account activity for the last 5 years. These should show the financial operations of your household.
- Master Card, Visa and/or other credit card statements for the last 5 years.
- Deeds, mortgage papers or leases/rental agreements for the last 5 years.
- Utility bills (e.g. hydro, gas, telephone, cable TV, etc.) for last 5 years.
- Please provide an explanation and court documents relating to convictions or outstanding criminal charges against you.
- If the date of an entry to Canada is not documented by an entry stamp in your passport, alternative proof of entry such as an airline ticket or boarding pass will be required.

If you are employed, work for a Canadian business outside Canada, or are self-employed, the following documents applicable to your situation will be required:

- Letter of employment signed by your company official indicating the nature of the business and the number of employees in Canada
- copy of your position profile in the company
- your company's accounting records to establish travel expenses
- A copy of corporate Notices of Assessment, specifically "T2 Corporate", for the past 5 years.
- Receipts and Invoices concerning commercial premises (leases, monthly rental invoices/receipts with cancelled cheques, operating permits/licences, strata



- authorization, utility bills, insurance premiums and proof of payments for equipment, improvements, vehicles, inventory, etc.)
- Receipts for all Revenue Canada remittances
 - List the contracts you have obtained through your business activities listing the clients and company representatives you have dealt with personally. Reference letters must include the name, address and telephone numbers of the business owners and/or representatives.
 - Documents related to your business operations, such as trade/industry licences and or permits, taxation documents (GST/HST/PST remittances, tax returns), photographs of the business, advertisements, invoices, bills of lading, contracts, annual reports, balance sheets and statements of income and expenses.
 - Your T4/T4A Summary and Statement of Remunerations, cancelled pay cheques, the payroll registry, CRA source deduction receipts, TDI's, Records of Employment, proof of WSIB remittances.
 - Documents concerning financial activities: complete financial statements, tax reports with notices of assessment, business bank statements with cancelled cheques, signing authorities, ledgers, loans and other credit agreements.
 - Management: signed business contracts, agreements, correspondence, cheques and directives to staff, purchase orders, receipts and invoices in your name for office equipment, furniture, machinery, etc.

Important note on humanitarian and compassionate considerations

If you have acquired less than 730 days physical presence in Canada in the last five years or if you record less than 730 days in Questions 15, 16, 17 and 18 of the Residency questionnaire, please indicate if there are any humanitarian and compassionate considerations that would justify the retention of your permanent residence status and overcome the breach of your residence obligation.

Please note that the responsibility rests with the permanent resident to provide sufficient information and evidence to satisfy an immigration officer that the residency obligation has been/will be met.

Submissions must be sent to the following address:

Citizenship and Immigration Canada

If you need more than 30 days to provide the information/documents requested, please write to this office and explain why and how much more time you require. In addition, if you require clarification or more information, please contact the CIC Call Centre at 1-888-242-2100.

Please confirm whether you are presently in Canada. If you are presently outside Canada and do not possess a valid Permanent Resident Card you must contact

the nearest Canadian Visa Office to apply for a travel document should you wish to return to Canada.

Note: As per sections 126, 127 and 128 of the Immigration and Refugee Protection Act, it is an offence under the law to directly or indirectly misrepresent or withhold material facts relating to your application.

Should you fail to comply with this request within the thirty (30) day period, a decision may be made on your case, based on the information currently on file.

If there is insufficient information on file to render a decision and you failed to provide it when requested, or to appear for a personal interview, your case will be abandoned. Abandonment will occur 180 days from the date of initial request.

In addition, if you require clarification or more information, please write to us at the address at the top of this letter or contact the CIC Call Centre at 1-888-242-2100 or visit our website at website at: www.cic.gc.ca

The client number shown in the upper right corner of this letter is your personal identification number. This number provides access to information on your file. For your own protection, you should not allow any other person to use this number. Please include this number on all correspondence.

Sincerely,

Citizenship and Immigration Officer / Agente de Citoyenneté et Immigration
Canada
Government of Canada | Gouvernement du Canada

Attach: Absence History Form
 Questionnaire: Determination of Permanent Resident Status



Citizenship and Immigration Canada

Immigration File #:

Date 2013

Dear Sir;

This letter refers to your application for a Permanent Resident Card. Please note Section A28 (1) of the Immigration and Refugee Protection Act requires permanent residents to comply with a residency obligation contained therein (i.e. being physically present in Canada for 730 days within a five year period).

On , we received a fax stating that you wish to withdraw your application for a Permanent Resident Card.

Please note that you are **required to comply with the request to complete the permanent resident determination questionnaire**. Please complete the attached documents and return to this office in order to proceed with your application.

The client number shown in the upper right corner of this letter is your personal identification number. This number provides access to information on your file. For your own protection, you should not allow any other person to use this number. Please include this number on all correspondence.

With regards,

Citizenship and Immigration Officer



QUESTIONNAIRE: DETERMINATION OF PERMANENT RESIDENT STATUS

A separate form must be filled out by all individuals regardless of age, who are permanent residents. In the case of a child under the age of 14, this form must be filled out and signed by one of the child's parents or official guardians.

I prefer my request to be processed in English French

PART I - PERSONAL INFORMATION

1. Your full name - as it appears on your Record of Landing (IMM 1000) or Confirmation of Permanent Residence (IMM 5292) or (IMM 5688)

| | | |
|-----------------------|---------------|-------------|
| Family name (surname) | Given name(s) | Middle name |
|-----------------------|---------------|-------------|

1a. Other names e.g. maiden name, son/daughter of, other family name, other given name

2. Sex: Male Female

3. Date of birth (YYYY-MM-DD)

4. Place of birth

| | | |
|-----------|----------------|---------|
| Town/City | State/Province | Country |
|-----------|----------------|---------|

5. Marital status (choose one)

Single Engaged Married Widowed Separated Divorced Other

6. Date of granting of permanent residence or landing in Canada (YYYY-MM-DD)

7. City or port of entry of granting of permanent residence or landing in Canada

7a. Were there any terms and conditions applied to you at the time you were granted permanent residence or landed in Canada? Yes No

7b. If so please provide details of those conditions, and how and when you met them

8. Serial number on Record of Landing (IMM 1000) or Confirmation of Permanent Residence (IMM 5292) or (IMM 5688)

9. Address where you permanently reside in Canada

| | | |
|----------------|----------|-------------|
| No. and Street | | Apt. no. |
| City/Town | Province | Postal code |

10. Present address outside of Canada

| | | | |
|----------------|----------------|----------|-------------|
| No. and Street | | Apt. no. | |
| City/Town | Province/State | Country | Postal code |

11. Your mailing address

| | | |
|----------------|----------|-------------|
| No. and Street | | Apt. no. |
| City/Town | Province | Postal code |

PERSONAL INFORMATION (continued)

12. Country of citizenship

13. Passport number

14. Date of expiry (YYYY-MM-DD)

PART II

A permanent resident of Canada has the right to enter and remain in Canada, subject to the provisions of the *Immigration and Refugee Protection Act*.

To facilitate the determination of whether a person is in compliance with the residency obligation under the Act, an officer requires the following information.

For the period since you have been granted permanent residence or landed in Canada, or in the five (5) year period immediately prior to the date of your application for a permanent resident card, if you were granted permanent residence or landed more than five (5) years ago:

15. Please indicate the periods when you have been physically present in Canada

| Dates | | Address | City/town | Total no. of days |
|-------------------|-----------------|---------|-----------|-------------------|
| From (YYYY-MM-DD) | To (YYYY-MM-DD) | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| TOTAL* | | | | |

* If the total number of days is equal to or greater than 730 days, please skip to question 20.

If you have not been physically present in Canada for at least 730 days, please answer the following questions:

16. During your absences from Canada have you been accompanying a Canadian citizen who is your spouse, common-law partner, or in the case of a child, your parent? Yes No

If so please indicate your relationship to the Canadian citizen and their name and the dates of these absences:

_____ **Name **** **Relationship** Canadian citizen spouse Canadian citizen common-law partner Canadian citizen parent

** Please attach proof of that person's Canadian citizenship and relationship to you.

Please indicate the periods of absence from Canada when you were accompanying the person named above

| Dates | | Address | Country | Total no. of days |
|-------------------|-----------------|---------|---------|-------------------|
| From (YYYY-MM-DD) | To (YYYY-MM-DD) | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| TOTAL | | | | |

PART II (continued)

17. During your absences from Canada, have you been employed outside of Canada on a full time basis by a Canadian business, or in the public service of Canada or of a province of Canada? Yes No

| Dates | | Address | Country | Total no. of days |
|-------------------|-----------------|---------|---------|-------------------|
| From (YYYY-MM-DD) | To (YYYY-MM-DD) | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| TOTAL | | | | |

Please attach proof of this employment.

18. During your absences from Canada have you been accompanying a permanent resident of Canada, who is your spouse, common-law partner or in the case of a child, your parent, and who has been employed outside of Canada on a full time basis by a Canadian business, or in the public service of Canada or of a province of Canada? Yes No

_____ Relationship Permanent resident spouse Permanent resident common-law partner Permanent resident parent
 Name **

** Please attach proof of that person's permanent residence, their relationship to you, and proof of their employment.

| Dates | | Address | Country | Total no. of days |
|-------------------|-----------------|---------|---------|-------------------|
| From (YYYY-MM-DD) | To (YYYY-MM-DD) | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| TOTAL | | | | |

19. If the sum total number of days indicated in questions 15, 16, 17 and 18 above are less than 730 days:

- a. Please indicate if there are any humanitarian and compassionate considerations that would justify the retention of your permanent residence status and overcome any breach of your residence obligation.
- b. Please include any humanitarian and compassionate considerations relating to the best interests of any child directly affected by a determination of your permanent residency in Canada.

The information you provide in this document is collected under the authority of the *Immigration and Refugee Protection Act* and is stored in personal information bank number C1C PPU 068. The information is protected under the provisions of the *Privacy Act* and is accessible to you upon request.

20. I certify that the information given on this form and in any documents attached is correct, complete and accurate. If this form pertains to a child under the age of 14, I certify that I am one of the child's parents or guardians.

I understand the foregoing statements, having asked for and obtained an explanation on every point that was not clear to me. I further understand that the information provided by me may be verified and hereby consent to such verification activities. I also understand that it is a serious offence to provide false or misleading information and may result in loss of my permanent resident status and may be grounds for my prosecution or removal from Canada.

Signature

Date (YYYY-MM-DD)