



PERMANENT RESIDENCE CARDS 101

RIGHTS, RESPONSIBILITIES,
REPLACEMENTS, AND RENEWALS

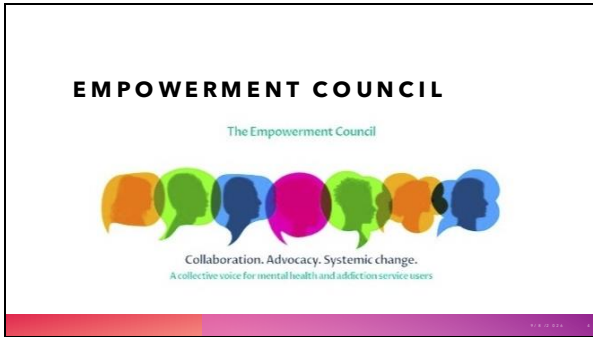
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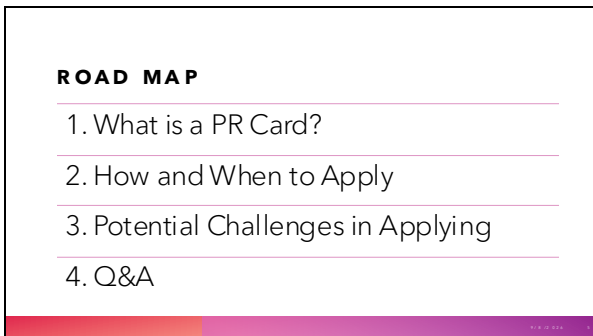
WHO WE ARE

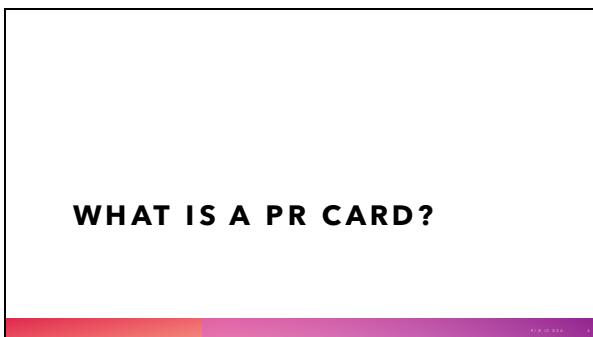


**Health Justice Clinic
in Mental Health
and Addictions**

A collaboration between the Empowerment Council and the
University of Windsor, Faculty of Law, funded by The Law
Foundation of Ontario.







WHAT IS A PR CARD?

- A PR Card is an identification card that proves you are a permanent resident of Canada.
- The card is needed when travelling outside of Canada or accessing social services.



WHAT IS PR STATUS?

- PR stands for "Permanent Resident". A Permanent Resident is someone who has immigrated to Canada but is not a Canadian citizen yet.
- There are many streams to apply for PR in Canada:
 - Refugees or protected persons (resettled in Canada or applying from within Canada)
 - Work-based programs (express entry for skilled workers, caregivers, & doctors)
 - Regional programs (e.g. Provincial Nominee Program)
 - Family sponsorship
 - Other specialized programs (e.g. for foreign nationals who were in state care)
- After you are granted PR status, your first PR card should be sent to you automatically by mail, unless you did not provide your photo/address within 180 days of immigrating

WHAT DO YOU NEED A PR CARD FOR?

- Re-entering Canada after travelling abroad (most important)
- Proof of identity / immigration status for the purposes of accessing rights afforded to permanent residents:
 - Accessing health care
 - Accessing social assistance
 - Living, working, or studying in Canada
 - Applying for Citizenship
 - (Increased) protection under Canadian law and the *Canadian Charter of Rights and Freedoms*

PERMANENT RESIDENT VS. CITIZEN

Activity	Permanent Resident	Canadian Citizen
Vote in elections	No	Yes
Run for public office	No	Yes
Work in all job sectors	Some restrictions	Yes
Meeting a residency requirement	Yes (730 days in 5 years)	No Requirement
Holding a Canadian Passport	No	Yes
Can travel freely worldwide	Limited	Yes
Guarantee re-entry into Canada	No	Yes
Can pass status to a foreign-born child	No	Yes

HOW AND WHEN TO APPLY

SITUATIONS WHERE YOU NEED A NEW PR CARD

Expired

Lost, stolen, or damaged

Legal name change

First PR card

ELIGIBILITY REQUIREMENTS

To be eligible for a PR card, you must:

- be a permanent resident of Canada;
- be physically present in Canada;
- meet the residency requirement ([Appendix A](#): Residency obligation);
- **not** be under an effective removal order;
- **not** be a Canadian citizen; **and**
- **not** be convicted of an offense related to the misuse of a PR card

WHAT IS REQUIRED FOR A PR CARD APPLICATION?

- A document checklist is provided online: form IMM5644. **Items on the checklist include:**
 - The document checklist, with each relevant box checked off
 - Proof you meet the residency obligation (2 pieces of evidence)
 - Proof of application fee payment
 - ID photos
 - A primary identity document (passport or travel document **only**)
 - Your previous PR Card
 - If **lost**: an incident report number or explanation
 - If **damaged**: proof of destruction
 - Additional forms or supporting documents, if they apply to you
- In **rare** cases, biometrics (ex. fingerprints) will also be required; see Guide IMM5445 for more information

IDENTIFICATION

- In your application, you will need a copy of **one** of the following primary identity documents:
 - your valid passport or travel document, **or**
 - the passport or travel document you had when you became a permanent resident (if applicable, include the passport page that was stamped when you arrived in Canada and became a permanent resident), **or**
 - the certificate of identity or travel document issued by the Minister of Immigration, Refugees and Citizenship Canada or a foreign country.
- **Please note** – The copy should show: the document type and number; issue and expiry date; your name; your photo; and your date of birth

IDENTIFICATION: EXCEPTIONS

In exceptional cases, if it is impossible for you to obtain any of the identity documents required, you must provide a:

- 1) copy of any identity document issued outside Canada **before** you came to Canada **or**
- 2) statutory declaration signed by you attesting to your identity **and** a statutory declaration also attesting to your identity signed by:
 - a person who knew you before you came to Canada (such as a family member) **or**
 - an official of an organization representing people from your country of nationality or past residence.

*All statutory declarations must be certified by an accredited commissioner of oaths. Provincial laws govern who can act in this position.

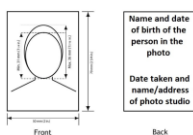
PHOTO REQUIREMENTS

Online applications

- 1 digital photo required
- Photo must be taken at a commercial photographer or studio
- Either a professional digital photo **OR** a scanned copy of a printed professional photo is required
 - *Pictures of a paper photo taken on your phone or camera will **NOT** be accepted
- Photo must be taken no more than **12 months** before you apply

Paper Applications:

- 2 identical printed photos required
- Photos must be taken at a commercial photographer or studio
- Photo must be taken no more than **12 months** before you apply



RESIDENCY OBLIGATION

- The Residency Obligation **must** be met to be eligible for a PR Card (See appendix A of Guide IMM 5445)
- **If you have been a permanent resident for five (5) years or more:**
 - You must have been physically present in Canada for a minimum of 730 days within the past five (5) years
- **If you have been a permanent resident for less than five (5) years:**
 - You must show that you will be able to meet the minimum of 730 days of physical presence in Canada within five (5) years of the date you became a permanent resident

You must provide copies of **2 pieces of evidence** that can show you meet the residency obligation. Examples include:

- employment records or pay stubs;
- bank statements;
- Canada Revenue Agency (CRA) Notice of Assessment for the five (5) years immediately before the application
- evidence that you received benefits from Canadian government programs;
- rental agreements;
- club memberships;
- or any other documents that prove you met your residency obligation

RESIDENCY OBLIGATION (CON'T)

- Applicants must provide a record of all their absences from Canada in the past 5 years (or since becoming a permanent resident if less than five 5 years ago) in the table provided on the IMM 5444 application
 - If you have spent **fewer than** 1095 days outside Canada, submitting the supporting documents listed on the previous slide is not mandatory. However, failing to provide them may impact the assessment of your residency obligation.
 - If you were outside Canada for **more than** 1095 days, you may count days you spent outside Canada towards the days required for you to meet the residency obligation in these situations: (See the Guide for more information)
 - Employment outside Canada
 - Accompanying a Canadian citizen outside Canada, or
 - Accompanying a permanent resident outside Canada

*Final option: Request H&C consideration for PR Card Application

FEE PAYMENT

- When applying for a PR card, you must pay a processing fee. The proof of payment must also be included in your application.

Item	Fee
Permanent Resident Card	\$50.00 per person
Biometrics (if required)	\$85.00 per person \$175.00 per family (two or more people applying together)

POTENTIAL CHALLENGES IN APPLYING

COMMON CHALLENGES IN APPLYING

Lost documents

Capacity concerns

Access to technology

Concerns about residency requirement

Urgent timeline

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LOST DOCUMENTS & OPTIONS

If you've lost your PR card, you must re-apply for a new PR card using the application kit (Applying for a Permanent Resident Card (IMM 5445)).

If you cannot provide supporting identity documents, you must provide the following:

- 1) copy of any identity document issued outside Canada before you came to Canada **or**
- 2) statutory declaration signed by you attesting to your identity **and** a statutory declaration also attesting to your identity signed by:
 - a person who knew you before you came to Canada (such as a family member) **or**
 - an official of an organization representing people from your country of nationality or past residence.

*All statutory declarations must be certified by an accredited commissioner of oaths. Provincial laws govern who can act in this position.

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UNIQUE CLIENT IDENTIFIER & VERIFICATION OF STATUS

Unique Client Identifier (UCI)

- UCI is a unique eight-to-ten-digit number that you can find on letters sent to you or on your immigration documents.
- If you do not have any of these and cannot recall your UCI, you can still complete an application and leave the UCI field blank.
- Even though you don't need a UCI, one way to obtain it is through a Verification of Status.

Verification of Status

- A Verification of Status document contains information that appeared on your original immigration document. This document can be used when you must provide proof of historical immigration information, such as the date and place of entry to Canada.

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CAPACITY CONCERNS

- In Ontario, adults are assumed capable of making decisions until proven they are not capable. A person is found incapable of making a decision if they do not understand:
 - The **information** relevant to the decision.
 - The **consequences** of making or not making it.
 - Both the information and consequences.
- Capacity is always **decision-specific** and **time-specific**.

CAPACITY CONCERNS CONT.

- IRCC generally requires applicant's to sign their own forms, which presumes they have the capacity to both understand and consent to the application.
- Capacity is a legal determination and it is decision-specific - someone might be incapable of making certain health or financial decisions but still capable of making decisions with respect to legal issues, such as immigration documentation.
- If a person is found not capable of signing, the forms must be signed by someone with the authority to act on their behalf (i.e. guardian or power of attorney). It's important to keep in mind that while someone might have a substitute decision maker, that doesn't mean the person has the legal authority to sign on the person's behalf.
- Proof of legal authority must be submitted along with the application.
- Keep in mind that this should be a last resort; where possible, the individual may sign with support including the use of an authorized representative.

CAPACITY CONCERNS CONT.

- Appointed guardians, substitute decision-makers (SDMs), Power of Attorneys (PoAs), or as a last resort, the Office of the Public Guardian and Trustee (PGT), may be legally authorized to make some decisions for adults found mentally incapable.
 - E.g.: Guardian of personal care or guardian of property

CAPACITY CONCERNS CONT.

- Other options:
 - Appointing a **representative**, and supporting the applicant in reviewing and signing forms or completing the declaration
 - Getting consent to involve a **"designated individual"** in the application, using an Authority to Release Personal Information to a Designated Individual (IMM 5475) form

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USE OF A REPRESENTATIVE

- A representative can complete forms, prepare supporting documents, answer questions, and communicate with IRCC through their own portal account.
- A representative can be **paid** or **unpaid**
 - **Paid:** Must be an **authorized representative** with IRCC (lawyers or paralegals in good standing, registered immigration consultants, or notaries (Quebec only))
 - **Unpaid:** Friends, family members, or third parties who do not charge fees or receive any compensation from the applicant or others

AUTHORIZED REPRESENTATIVES

- If you choose to use a paid representative, it is important to ensure that the representative you select is authorized to act on your behalf.
- You can verify whether a person is authorized to represent individuals in immigration matters.
 - Citizenship or immigration consultants must be members of the College of Immigration and Citizenship Consultants (CICC).
 - Lawyers or notaries must be members of a Canadian provincial or territorial law society (e.g. Law Society of Ontario (LSO)).
 - If a representative is not a member in good standing, you should not use their services.

APPOINTING A REPRESENTATIVE

- To appoint a representative, you must submit a [Use of a Representative Form \(IMM 5476\)](#) with your application.
 - The form must be signed by both you and your representative.
- It's important to keep in mind that a representative is not able to do the following:
 - Open a portal account for you.
 - Sign the application or complete the online declaration on your behalf
 - Log in using your username and passcode.

PAPER VS. ONLINE APPLICATIONS

- You can apply for a permanent resident card online or in paper form.
- Online: apply directly through the permanent residence online application portal.

Application Type	Pros	Cons
Online Application	- Available any time (24/7) - Quick and easy upload of all information, including payment. - No printing required	- Email address required for online submission - Tech issues
Paper Application	- Helpful for those with limited to no internet access - Helpful for those not comfortable with online options	- Mailing delays and longer processing times - Have to request permission from IRCC

HUMANITARIAN & COMPASSIONATE (H&C) GROUNDS

H&C Grounds for PR Card Renewal	H&C Application
- Applies to existing Permanent Residents applying for a new PR card. - Used when residency obligation is not met. - Must show exceptional circumstances beyond a person's control. - The intention is to keep existing PR status.	- Applies to individuals without PR status and facing removal (standalone application) - Must show compelling H&C factors and meet the following criteria: - they are a foreign national, - need exemption from IRPA or - are not eligible to apply for PR under any other immigration class but believe their circumstances justify H&C considerations. - The intention is to obtain permanent resident status.

URGENT REQUESTS

If you need your card to be processed urgently, you must meet certain criteria.

You must need your PR card to **travel** within the **next three months** for:

- your own serious illness,
- serious illness or death of a family member,
- work related to your current job or job opportunity or
- a crisis, emergency or vulnerable situation.

Average Processing Time – 27 days for replacement PR cards and 60 days for first card.

In order to find out the average processing time and check the status of your application, please go to <https://www.canada.ca/en/immigration-refugees-citizenship/services/application/check-processing-times.html>

URGENT REQUESTS CONT.

How to Request Urgent Processing?

- Online applications: select "yes, my request is urgent" in the online portal.
- Paper applications: must write "urgent" on the envelope.

What Supporting Documents are Required?

- Proof of travel (tickets or itinerary with dates and destination).
- Proof of payment for travel (showing date, amount and method).
- Letter explaining the urgency and proof of urgency (doctor's note, death certificate, employment letter).

FAQS

• What happens if my PR card expires?

- When your permanent resident card expires, you still have PR status and can stay in Canada. You may need your valid PR card for some provincial services.
- If you leave the country, you will need a valid PR card to return to Canada; otherwise you will have to apply for a **Permanent Resident Travel Document (PRTD)**.

• What happens if my PR card expires while I am outside of Canada?

- When your PR card expires, you still have PR status. To keep your status, you need to stay in Canada for a certain amount of time.
- You won't be able to use your PR card as a travel document. You will need to apply for a PRTD.

FAQS

- What should I do if my PR card has a mistake or something is missing?
 - If there is a mistake, you can apply for a reissued permanent resident card. However, if your name is longer than 28 characters, your name on your PR card will be shortened and will not be reissued.
- If I am granted citizenship, what happens to my permanent resident card?
 - Once you are granted citizenship, you are no longer a permanent resident, and your PR card will no longer be valid. Your PR card will be collected at the citizenship ceremony.

ADDITIONAL RESOURCES

- Guide IMM5445 - Applying for a PR card: www.canada.ca/en/immigration-refugees-citizenship/services/application/application-forms-guides/guide-5445-applying-permanent-resident-card-card-first-application-replacement-renewal-change-gender-identifier.html
- Permanent Resident Card Portal - <https://prson.spe1.apps.cic.gc.ca/en/login>
- Permanent Resident Card Travel Document - www.canada.ca/en/immigration-refugees-citizenship/services/permanent-residents/travel-document.html
- Urgent Processing - www.canada.ca/en/immigration-refugees-citizenship/services/permanent-residents/card/urgent.html
- Technical Support or Accommodations (paper or alternate format request) - www.canada.ca/en/immigration-refugees-citizenship/services/permanent-residents/card/applyhelp/alternate-format.html

Q&A
