Parole Board of Canada Cannabis Record Suspension Guide

Step-by-step instructions and application forms

DO YOU NEED HELP TO APPLY?

Contact the Parole Board of Canada at:

Toll-free Info Line: 1-800-874-2652 cannabis-suspension@pbc-clcc.gc.ca Canada.ca/cannabis-record-suspension



Were you convicted only of simple cannabis possession?

Have you completed your sentence(s) (except fines and victim surcharges)?

If so, you can apply directly to the **Parole Board of Canada** for a Cannabis Record Suspension.

This guide will show you how.

You do not need a lawyer or representative to apply.

The Parole Board of Canada treats all applications fairly and is the only federal government agency that can make record suspension decisions.

IMPORTANT:

Answer all questions truthfully and completely. Hiding information or making false statements could cause your application to be returned to you or your record suspension to be revoked or ceased at a later date.

Produced and published by:

Parole Board of Canada

For additional copies of this publication, contact: Public Affairs and Partnerships Parole Board of Canada 410 Laurier Avenue West Ottawa, ON K1A OR1

Original documents are important*

Your application must include original documents with original signatures and original office seals or stamps from the courts and police or it will be returned. Forms that have been tampered with will also be returned.

*Note: Photocopies of ID documents (such as driver's licenses and birth certificates) are accepted.

Electronic copies are available at: Canada.ca/cannabis-record-suspension Aussi disponible en français

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August 2019

There are 5 steps to apply for a cannabis record suspension

If you are eligible and have completed all your sentences (except fines and victim surcharges), you can apply for a cannabis record suspension by completing the following 5 steps.

- ➤ Use this guide if you were only convicted of simple possession of cannabis. If you were convicted of other offences (e.g., assault) in addition to a simple possession of cannabis conviction, please use the regular record suspension guide.
- **>** If you have outstanding fines or victim surcharges, you are still **eligible** to apply. Any unpaid fines will not be forgiven and provincial and federal governments may choose to enforce their payment later, even if you receive a record suspension.
- ➤ If your criminal record or local police records check(s) <u>clearly show</u> you were convicted only of simple possession of <u>cannabis</u>, and your only sentence was a fine or victim surcharge or both, you do not need to obtain your court information.





Get your criminal record

Get your fingerprints taken. Visit an <u>accredited</u> fingerprinting company or a police service that can submit your fingerprints **electronically**.

Ask your local police service if they offer this service or visit www.rcmp-grc.gc.ca/en/where-do-get-a-criminal-record-check for more information.

Your electronic fingerprint submission must clearly state you are applying for a record suspension.

Wait to receive your criminal record (criminal convictions, conditional and absolute discharges) or a **Certification of No Criminal Record** from the RCMP. Any documents provided by the RCMP must be included with your application.

When you receive your criminal record, check it to ensure all your simple possession of cannabis convictions are included. It is your responsibility to report all your convictions to the Parole Board of Canada.

If ALL your convictions **are included**, go to STEP 2 (next page).

If any of your conviction(s) **is/are missing**, see below.

If any simple possession of cannabis convictions are missing from your criminal record, you must get a **Proof of Conviction for each one**. To get this, contact the court that heard your case and/or the police service that arrested you.

The **Proof of Conviction must** include:

- **Date and court** where you were sentenced;
- **Offence** that resulted in your conviction;
- **> Sentence** you received;
- > Arresting police force.

If the court and/or police service do not have a record of your convictions, call the Parole Board of Canada's toll-free info line: **1-800-874-2652**.



Get your local police records check(s)

- → You must get a local police records check for:
 - > The city or town where you live now (your current address); AND
 - ➤ Each city or town where you lived during the last 5 years (if you lived in that place for 3 months or more).

How to get a local police records check

Fill in all questions on page 1 of the Local Police Records Check Form at the end of this guide.

Tip: Photocopy it for each local police service you contact.

Contact the local police service for the address where you live now. If you have lived in different places during the last 5 years, you must contact the police service for each place. If you are not sure who to contact, ask your local police service.

Show your criminal record to each local police service and ask them to fill in the section on the **Local Police Records Check Form** called **For Police Use Only** (page 2).

You will need to show them a current photo ID and a second piece of ID. **Tip:** Contact the local police service in advance to find out the types of ID they accept.

IMPORTANT!

The Parole Board of Canada will return your application if your **Local Police Records Check Form** does not include the following information:

- > All information required in the **For Police Use Only** section on page 2;
- > Signature and date stamp of the local police service;
- **>** Local police service official seal or stamp.

STEP 3

Get your court information (if required)

If your criminal record or local police records check(s) **clearly show** you were convicted only of simple possession of **cannabis**, and your only sentence was a fine or victim surcharge or both, you do not need to obtain your court information.

If your criminal record or local police record check(s) **does not clearly show** that you were convicted only of simple possession of cannabis, and that your sentence was only a fine or victim surcharge or both, you **MUST** obtain your court information. This must include proof of payment for any restitution or compensation order (including date of final payment)*.

Answer questions 1 to 6 on the Court Information Form at the end of this guide.

Tip: Make copies of the form in case you need to provide the same information to another court.

Contact the court that heard your case

If you were sentenced in more than one court, you must ask each of them to complete the form. Give each court a copy of your criminal record and ask them to fill in the section **For Court Use Only**.

IMPORTANT! Make sure each court:

- **>** Fills in all of the **For Court Use Only** section;
- Includes all of your convictions from that court;
- **>** Signs and dates the form;
- Includes an official court seal or stamp on the form.

Tip: Ask for extra copies of all court documents. You may need them in the future. It will be easier to get copies now in case they are not available after your record suspension is ordered.

Check that the information on the **Court Information Form** is the same as your criminal record.

➤ If the information on the Court Information Form and criminal record do not match, or if the court has a record of conviction that is not on your criminal record, ask the court for a Proof of Conviction (see STEP 1).

^{*} If you were ordered to pay restitution to an individual or entity, courts may not be able to confirm payment. If this is the case, call the PBC at 1-800-874-2652.



Get your Military Conduct Sheet

(current and former members of the Canadian Forces only)

- → IF YOU ARE NOT a current or past member of the Canadian Forces, go to STEP 5 on the next page.
- → **IF YOU** <u>ARE</u> a current or past member of the Canadian Forces (Regular or Reserve), you <u>must</u> get a certified, signed and dated copy of your **Military Conduct Sheet** by contacting the appropriate organization below. If no conduct sheet exists, you must provide a letter from your Commanding Officer or the appropriate organization, which indicates that no information is available.

FOR CURRENT REGULAR OR RESERVE MEMBERS:

You must request a Military Conduct Sheet from your Commanding Officer.

FOR FORMER REGULAR MEMBERS:

> If you left on or after January 1, 1998, contact the Department of National Defence Access to Information and Privacy (ATIP) Section under the *Privacy Act*:

Director, Access to Information and Privacy

National Defence Headquarters
Major-General George R. Pearkes Bldg.
101 Colonel By Drive
Ottawa. Ontario K1A 0K2

www.canada.ca/content/dam/dnd-mdn/migration/assets/FORCES_Internet/docs/en/transparency/d2797-em-1-.pdf

If you left <u>before January 1, 1998</u>, contact the Library and Archives Canada ATIP Section:

Access to Information, Privacy and Personnel Records Coordinator

Library and Archives Canada 395 Wellington Street Ottawa, Ontario K1A 0N4

www.bac-lac.gc.ca/eng/transparency/atippr/Pages/ Online-requests-forms.aspx

FOR FORMER RESERVE MEMBERS:

> If you left on or after March 1, 2008, contact the Department of National Defence Access to Information and Privacy (ATIP) Section under the *Privacy Act*:

Director, Access to Information and Privacy

National Defence Headquarters
Major-General George R. Pearkes Bldg.
101 Colonel By Drive
Ottawa, Ontario K1A 0K2

www.canada.ca/content/dam/dnd-mdn/migration/assets/FORCES_Internet/docs/en/transparency/d2797-em-1-.pdf

If you left <u>before March 1, 2008</u>, contact the Library and Archives Canada ATIP Section:

Access to Information, Privacy and Personnel Records Coordinator

Library and Archives Canada 395 Wellington Street Ottawa, Ontario K1A 0N4

www.bac-lac.gc.ca/eng/transparency/atippr/Pages/ Online-requests-forms.aspx

IMPORTANT!

- Include all correspondence from your Commanding Officer, National Defence or Library and Archives Canada with your application.
- Make sure that your request for your Military Conduct Sheet includes the following information:
 - ✓ Shows that the reason for the request is for a Record Suspension Application;
 - ✓ Your first and last name (if it has since changed, it must state your name at the time);
 - ✓ Your date of birth:
 - ✓ Your Military Identification Number or Service Number;
 - ✓ Your signature;
 - Enlistment and discharge dates.



Fill in the Cannabis Record **Suspension Application Form**

→ You must use the Cannabis Record Suspension Application Form at the end of this guide.

Important: The Cannabis Record Suspension Application Form is valid for 12 months from the date you sign it.

Make sure you have:

- **>** Answered all questions on **both sides** of the form;
- **>** Answered all questions truthfully and completely;
- **>** Signed and dated the form. As the applicant, the form **must be signed by you**;
- > Included a photocopy of an ID document (federal, provincial or municipal) with your name, date of birth and signature;
- **>** Photocopied all of your application documents for your own records and future reference.

Tip: The Parole Board of Canada must be able to contact you now and in the future. If we cannot contact you or verify your information, your application may not be processed. If your mailing address changes, you must send the Parole Board of Canada a letter with your new mailing address. This letter should include:

> Your name

- **>** Your Record Suspension Application Personal Reference Number
- **>** Your new mailing address
- **>** Your signature. As the applicant, the letter **must be signed by you**.

Send the letter to:

Parole Board of Canada Clemency and Record Suspension Division 410 Laurier Avenue West, 5th Floor Ottawa, Ontario K1A 0R1

Important: Even after you receive a cannabis record suspension, you must continue to advise the Parole Board of Canada of a change in your address.

Answer all questions in the Cannabis Record Suspension Application Form

If you do not answer all the questions on both sides of the form, the Parole Board of Canada will return your application and documents. Print in BLOCK letters using <u>black</u> ink only.

Tip: If you need more space to include all the information, attach additional pages to your application.

Before you submit your application

CANNABIS RECORD SUSPENSION APPLICATION CHECKLIST

Have you included these documents in your application?

1.	Original Criminal Record or Certification of No Criminal Record AND Proof of Conviction Documents	
2.	Original Local Police Records Check Form(s)	
3.	Original Court Information Form(s) (if required)	
4.	Original Military Conduct Sheet (if you are a current or former member of the Canadian Forces)	
5.	Photocopy of your ID document(s)	
6.	Original Cannabis Record Suspension Application Form	

Tip: Keep a photocopy of everything you send to the Parole Board of Canada.

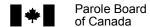
→ Mail your application form and original copies of all official documents to:

Parole Board of Canada
Clemency and Record Suspension Division
410 Laurier Avenue West, 5th Floor
Ottawa, Ontario K1A 0R1

Notes

Notes

Notes



COURT INFORMATION FORM

Record Suspension Application
Please print clearly using black ink. Answer all questions.

SECTION A: Personal information			
1. What is your full legal name? (Fill in	your name and date of birth	t the top of page 2.)	
Last Name:		Given Name(s):	
2. Have you ever used another name of	ther than your legal name	e.g. nicknames)?	
No Yes If YES, pleas	e write the other names belo	N.	
Previous last na	me(s)	Previous first and other name	(s)
3. What is your gender? MALE	FEMALE	4. What is your date of birth (YYYY-MM-DD)?	
SECTION B: Contact information			
5. What is your mailing address?			
Apartment/House Number and Street Address	City/Town	Province Postal Code	Country
6. What is your phone number?		_	
FOR COURT USE ONLY. Do not write in	n this section.		
Name and Address of Court:		Phone number: ()	
Court Name	Street Address	City/Town Province	Postal Code
Offence information – For court use on	ly. Must include all convic	ons that the court holds.	
Offence information # 1			
Offence Description	Sentence	Place of Sentence Date	of Sentence
Method of trial: Summary	Indictable Unable	confirm Court reference #	
If unable to confirm method of trial, state r	eason why:		
The court can confirm the substance is ca	nnabis No	Yes N/A	
Have all fines, victim surcharges, restit	utions, compensation orde		Yes
If they have been paid in full, date of the la	ast payment ►	Y Y M M D D	
Outstanding amount (if any): \$		y the nature of the outstanding amount (e.g., n order, costs, etc.)	
Is the outstanding amount related only to Criminal Code on or after October 24, 20		r 13, 2018?	11-1
The court can confirm no outstandi	ng monies are owed ► [ate of last payment if known:	M D D
Our records have been destroyed	► Date destroyed	Y	· · ·



COURT INFORMATION FORM
Record Suspension Application
Please print clearly using black ink. Answer all questions.
st fill in this information.

Pewrite the full legal name and date of		ded on the fro	nt of this for	m						
Rewrite the full legal name and date of birth of the applicant as provided on the front of this form. Full legal name: Date of birth (YYYY-MM-DD):										
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Offence information – For court use only. Do not write in this section.										
Offence information # 2										
Offence Description	Sentence		Place o	f Sen	tence				ate of Ser	
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Method of trial: Summary Indictable Unable to confirm Court reference #										
If unable to confirm method of trial, stat	e reason why:									
The court can confirm the substance is	cannabis No	Yes	N	I/A					•	
Have all fines, victim surcharges, res	stitutions, compensation or	ders and oth	er costs be	en pa	iid in fu	ıll?		No	Y	'es
If they have been paid in full, date of the	e last payment	YYY	(M I	Л	D [
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Is the outstanding amount related only Criminal Code on or after October 24, 2	to a victim surcharge imposed	d under section	n 737 of the) [No		Ye	S		
The court can confirm no outstan	ding monies are owed ▶	Date of last p	ayment if kr	nown:	Y	Y	Υ	Y	1 M	D D
Our records have been destroyed	ed ► Date destroyed	YY	Y Y	М	М	D	D	ı	I	
Offence information # 3										
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Offence Description	Sentence		Place o	r Sen	tence		Y		ate of Sei	ntence M D D
Method of trial: Summary	Indictable Unable	to confirm	Court refer	ence :	#					
If unable to confirm method of trial, stat	e reason why:									
The court can confirm the substance is	cannabis No	Yes	N	I/A						
Have all fines, victim surcharges, res	stitutions, compensation or	ders and oth	er costs be	en pa	id in fu	ıll?		No	Y	'es
If they have been paid in full, date of the	e last payment ►	YYY	/ M I	M	D [)				
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Is the outstanding amount related only to a victim surcharge imposed under section 737 of the Criminal Code on or after October 24, 2013 and on or before December 13, 2018?										
The court can confirm no outstan	ding monies are owed ►	Date of last p	ayment if kr	nown:						
Our records have been destroye	ed ► Date destroyed	YY	YY	М	М	D	D		nkonkonkonkonkon	
COURT AUTHORIZATION - Please s	7	rm.								
Name of Authorized Officer of the Cour	t									Please put
				Y	Y Y	Y	М	M D	D	court seal
► Signature:			Date:							or stamp here.

LOCAL POLICE RECORDS CHECK FORM

Record Suspension Application Please print clearly using black ink. Answer all questions.

SECTION A: Personal informati	on				
1. What is your full legal name	? (Fill in your name	e and date of birth	n at the top of page 2.)		
Last name:			Given name(s):		
2. Have you ever used another	name other than	your legal name	e (e.g. nicknames)?		
No Yes If YES, plea	se write the other r	names below.			
Previous	last name(s)			Previous first and oth	er name(s)
			<u> </u>		
3. What is your gender?	MALE F	EMALE	4. What is your date of	of birth (YYYY-MM-DD)?	
5. Do you have a driver's licen	ce? No	Yes If YES, what licence num	at is your driver's nber?	Pro	vince:
SECTION B: Contact information	on				
6. What is your mailing address	ss?				
Apartment/House Number and Street Address		City/Town	Province	Postal Code	Country
7. What is your phone number	?				
8. Where have you lived during	g the last 5 years?	Include your cur	rent address. P.O. boxes	will not be accepted.	
Apartment/House Number and Street Address	City/Town	Province	Country	From (YYYY-MM)	To
and Street Address				(1111-141141)	(YYYY-MM) Present
					Fresent
SECTION C: Applicant authorize	ation – Sign and (late helow			
9. You must write in the name	•		u must sign and date thi	is form	
	-	_	u must sign and date tin	s ioiii.	to release to the
I hereby authorize (write in name Parole Board of Canada informat			vulge.		<u> </u>
0' 1				Dete aggress	n):
Sign here: ▶	(Appli	cant's Signature)		Date (YYYY-MM-DI	J).
10. Ask the Police Service to filled in by the Police Service	fill in the other si		nclude this form in your ap	oplication with the front side	filled in by you and back side

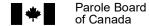
Please complete the other side of this form. ▶



LOCAL POLICE RECORDS CHECK FORM

Record Suspension Application
Please print clearly using black ink. Answer all questions.

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SECTION D: FOR POLICE U											
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T		in addition to those appearing		T		Date	of se	nter	nce		
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an you confirm that the substa	nce was cannabis?	No Yes									
		No Yes police and all charges regard	dless of disposition includir	ng pro	vinc	ial co	nvict	ions	s/cha	rges	
	o incidents involving		dless of disposition including			Date	of oc	curr	ence		_
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CANNABIS RECORD SUSPENSION APPLICATION FORM

Please print clearly using black ink. Answer all questions.

SECTION A: Personal inform	mation					
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2. Have you ever used anot	her name other t	han vour legal n				
-	please write the ot					
	us last name(s)				Previous first and other	name(s)
						(-)
3. What is your gender?	MALE	FEMALE	4. What is	your date of bir	th (YYYY-MM-DD)?	
SECTION B: Correspondence						
5. What is your mailing add All information about the Board					es eard must contact vou direct	Hv.
All illioimation about the boar	a 3 accision will be	Som to this addr	cos except in cas	ics where the bo	ara masi comaci you uncoi	.y.
Apartment/House Number and Stre	eet Address	City/Town	Pr	ovince	Postal Code	Country
6. Do you prefer to commun	icate in English o	or French? (This	will include all	official letters a	and the Record Suspensi	on document.)
English F	rench					
7. Where have you lived duri	ng the last 5 year	rs? Include vour	current addres	s PO hoxes w	ill not be accepted	
7. Whole have you hved dun	ng the last o year	o. moluuc your		0. 1 . 0 . D0X00 W	iii not be accepted.	
Apartment/House Number and Street Address	City/Town	Province	Country	Postal Code	From (YYYY-MM-DD)	To (YYYY-MM-DD)
						_ ,
						Present
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Please complete the other side of this form▶



CANNABIS RECORD SUSPENSION APPLICATION FORM

Please print clearly using black ink. Answer all questions.

• •		n this information.	es provided on th	e front of this	form:					
Full legal name:	ai name ai	id date of bitti of the applicant a	as provided on the		Date of birth (YYYY-м	M-DD):				
Contact information – Answer all questions. The Board will need to contact you directly.										
8. Phone number: Can we leave a voicemail message? No Yes										
If you do not have	a phone, p	rovide a mailing address:								
9. Can we contact	t someon	e else about your application	? No	Yes	► If YES, write dov	wn their name and phon	e number:			
Name:					Phone number:					
10. Have you ever been a member of the Canadian Forces? (If YES, see Step 4 of the Canadian Record Suspension Guide and fill in the information below.)										
NO	YES – F	ormer		Military Serv	ice ID Number					
	YES – C									
	YES – Fo	ormer or current reserve member	er							
Date of enrolment (YYYY-MM-DD):		Date of disc	harge (YYYY-MM-DD):					
Provide the comple	te mailing	address of your unit. (Your com	manding officer	may be contac	eted.)					
Unit Name		Sub-unit Name Street Ad	dress or P.O. Box I	Number	City/Town	Province	Postal Code			
		ovide as much information as			- ,					
		convictions that do not appeing convictions in another co		No Y	es If YES, provid	e details below:				
Offence	ru, mciuu	Arresting Police	Sente	nce	Date (YYYY-MM-DD)	Court (Street/Ci	ty/Province)			
Applicant authoriza	ation									
12. The information you provide in this application is collected under the authority of the <i>Criminal Records Act</i> for the purpose of processing your request for a record suspension. You have the right to the correction of, access to and protection of your personal information under the <i>Privacy Act</i> . Personal information collected during the investigation of your application will be stored in Personal Information Bank Number PBC PPU 010 and can be checked by writing a request to the Access to Information and Privacy Coordinator, Parole Board of Canada, 410 Laurier Avenue West, Ottawa, ON K1A 0R1. Exempt personal information provided by external partners to process this application cannot be provided upon request.										
You must sign	and date t	his form to confirm the following	ı:							
quality control, for the disclos	I understand that the information may be used in a record suspension decision, to conduct inquiries and may be used in summary form for reporting, quality control, performance measurement, evaluation, research purposes, and to establish an inventory of record suspensions. I grant permission for the disclosure of relevant personal information about me with justice system participants as defined in the <i>Criminal Code</i> , as may be deemed necessary for the purpose of the investigation related to this application and for the purpose of any record suspension decision.									
		ents made by me in this appli ned as incomplete.	cation are true	and complete	. Failure to sign th	is authorization will re	sult in your			
Sign here: ▶				[Date (YYYY-MM-DD):					
		(Applicant's Signature)								

NEED ASSISTANCE?

Contact the Parole Board of Canada at:

1-800-874-2652 (toll free)

cannabis-suspension@pbc-clcc.gc.ca
Canada.ca/cannabis-record-suspension