

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/record-suspensions



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

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

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Cat No.: PS94-24/2019E ISBN: 978-0-660-30879-1

August 2019

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.

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) **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.



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.

Get your court information (if required)

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.

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 Armed Forces only)

- → IF YOU ARE NOT a current or past member of the Canadian Armed 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 Branch:

Access to Information and Privacy Branch

Library and Archives Canada 550 de la Cité Boulevard Gatineau, Quebec J8T 0A7

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 Branch:

Access to Information and Privacy Branch

Library and Archives Canada 550 de la Cité Boulevard Gatineau, Quebec J8T 0A7

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	<u> </u>
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 Armed 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.

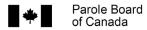
→ Mail your application form and original copies of all official documents to:

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

Notes







COURT INFORMATION FORM Record Suspension Application

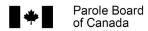
Please print clearly using black or blue ink. Answer all questions.

SECTION A: Personal information																
1. What is your full legal name? (Fill in your name and o	date of birth at the	top c	of pag	je 2.)												
Last Name:		First Name(s):														
2. Have you ever used another name other than your I	legal name (e.g.	nickn	ames	s)?												
No Yes If YES, please write the other	r names below (ir	nclude	alias	ses, n	ickna	mes,	, prev	ious	marri	ed na	mes	s, etc.)):			
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3. What is your gender? Male Female) Another Gende	er	4.	. Wha	atis y	your	date	of bi	rth?	Y	Y	Y	Y	M N	1 D	D
SECTION B: Contact information																
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6. What is your telephone number?								<u> </u>								
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Name of Authorized Officer of the Court: Please put																		
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➤ Signature:					Da	ate:									st	amp	her	e.



LOCAL POLICE RECORDS CHECK FORM Record Suspension Application

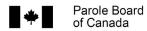
Please print clearly using black or blue ink. Answer all questions.

SECTION A: Personal information												
1. What is your full legal name? (Fill in	your name and d	ate of birth at the	top of page 2.)									
Last Name:		First Na	ame(s):									
2. Have you ever used another name o	ther than your l	egal name (e.g.	nicknames)?									
◯ No ◯ Yes If YES, please v	write the other na	mes below (inclu	de aliases, nick	names, previous marri	ed names, etc.):							
Other Last Name((s)		Other First Name(s)									
3. What is your gender?	Female A	Another Gender	er Gender 4. What is your date of Y Y Y M M D I									
5. Do you have a driver's licence?	No Yes											
If YES, what is your driver's licence numb	er?			Province/Territory								
SECTION B: Contact information												
6. What is your mailing address?												
Apartment/House Number and Street Add	dress			City/Town								
Province/Territory/State	Postal Code/	Zip Code		Country/Nation								
7. What is your telephone number?			1									
8. Where have you lived during the las	t 5 years? (Inclu	de your current a	ddress. P.O. bo	xes will not be accer	pted.)							
Apartment/House Number and Street Address	City/Town	Province/ Territory/State	Country/Nation	From (YYYY-MM)	To (YYYY-MM)							
					present							
SECTION C: Applicant authorization	on – Sign and o	date below.										
9. You must write in the name of the po			sign and date	this form.								
I hereby authorize												
		(write in name o	of police service h	ere)								
to release to the Parole Board of Canada	information that	it is legal for the p	oolice to divulge) <u>.</u>								
Applicant's Signature				 Y Y Y	Date Y M M D D							
Sign here: ▶												
10. Ask the police service to fill in the or you and back side filled in by the police		s form. Include the	nis form in your	application with the fro	ont side filled in by							

Please complete the other side of this form. ▶



APPLICANT INFORMAT	IION – You must fi	ll in this inforn	nation.											
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Full legal name:				Date of birth (YY	YY-N	1M-D	D):							
SECTION D: FOR POLIC	CE USE ONLY. Do	not write in th	is sectio	on.										
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Offense description	Sentence	Place of sen	tanaa	Arresting police			Date	e of s	sente	nce				
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► Convictions(s) for simple	e possession of can	nabis in addition	to those	appearing on CPIC										
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Can you confirm that the su	bstance was cannabis	s? No	Yes											
Offence description	Arresting police			Date	e of s	sente	nce							
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Can you confirm that the su	bstance was cannabis	s? O No	Yes											
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Police representative info	rmation				,									
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CANNABIS RECORD SUSPENSION APPLICATION FORM

Please print clearly using black or blue ink. Answer all questions.

PERSONAL INFORMATION - Yo	ou mus	t answer a	ll questions.											
1. What is your full legal name? (Fill in your name and date of birth at the top of page 2 as well.)														
Last Name:			F	First Name(s):										
2. Have you ever used another nar	ne othe	er than you	r legal name (e	g. nickr	names)	?								
○ No ○ Yes If YES, p	lease w	rite the other	er names below	(include	aliases	, nicknames, p	revious married	l names, e	etc.)					
Other Last Na	ame(s)			Other First Name(s)										
3. What is your gender?	e 🔾	Female () Another Gend	er		at is your date pirth?	, Y Y Y	YMM	D	D				
CORRESPONDENCE AND RES	IDENC	E INFORI	MATION - You	must a	nswer a	all questions.								
5. What is your mailing address? Is	s this t	he address	of a represent	ative?	\bigcirc	No Yes	3							
All information about the Board's o	decision	will be sen	t to this address	except i	in cases	where the Boa	ard must conta	ct you dire	ctly.					
Apartment/House Number and Stree	t Addre	SS				City/Town								
Province/Territory/State		Postal Cod	de/Zip Code	de Country/Nation										
6. Do you prefer to communicate in all official letters and the Record				clude) Er	nglish	rench							
7. Where have you lived during the	last 5	years? (Ind	clude your currer	nt addres	ss. P.O.	boxes will no	t be accepted	.)						
Apartment/House Number and Street Address	· I CIIV/IOWD I						From (YYYY-MM)		To (YYYY-MM)					
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Please complete the other side of this form ▶



APPLICANT	INFORMAT	ΓΙΟΝ – Υοι	ı must fill i	n this i	nformation.										
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Full legal name							te of birth (<u> </u>				
CONTACT IN	IFORMATIC	ON - You m	nust answe	r all qu	uestions. The Pa	role Board v	will need to	cor	ntact	you	dire	ctly.			
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If you do no	t have a telep	ohone, provi	ide a mailinç	g addre	ess:										
9. Email addre	ess:														
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Name:						lephone num									
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○ No	O YES -	Former	O YES	S - Curre	ent YE	S – Former c	or current re	serv	e me	mbe	r				
Military Service	: Identification	1 M D D	Date o Discha	-	Y	Y	Y	Y	M N	1 D	D				
Provide the cor	mplete mailin	g address c	of your unit.	(Your c	commanding offic	er may be co	ontacted.)								
Unit Name	Sub-Unit Na	ame Stree	t Address o	r P.O. E	Box Number	City/Tov	vn Pro	vince	e/Ter	rritory	y	Pos	stal C	ode	
12. What is yo	ur Fingerpri	nt Section	(FPS) Num	ber?			I								
CONVICTION	N INFORMA	TION - Pro	ovide as m	uch inf	formation as pos	ssible below	<i>i</i> .								
13. Do you ha Criminal R	ve any other Record, inclu					○ No ○) Yes If	YES	S, pro	ovide	e deta	ails b	elow	r:	
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NEED ASSISTANCE?

Contact the Parole Board of Canada at:

1-800-874-2652 (toll free)

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