Immigration, Refugees and Citizenship Canada / Immigration, Réfugiés et Citoyenneté Canada
Information disclosed under the Access to Information Act
L'information divulguée en vertu de la loi sur l'accès à l'information

Archived: June 2, 2025 10:06:01 AM
From: Immigration Representatives / Représentants immigration (IRCC)
Sent: Wed, 22 Jan 2025 16:22:49
To:
Cc: Immigration Representatives / Représentants immigration (IRCC)
Subject: TR: (CPD-2025-0026) RE: Police Certificate For Citizenship Application - REP-2025-0083- Due 6-Feb-25
Importance: Normal
Sensitivity: None

Good day,

[redacted] **Immigration Representatives Mailbox**

Please note that this mailbox is intended for general guidance and does not provide responses to case-specific inquiries but have provided the following information as guidance. If you have case specific questions about a file, you are encouraged to submit the IRCC Web form.

Applicants must meet specific requirements to become a Canadian citizen namely,

- * be a permanent resident
- * have lived in Canada for 3 out of the last 5 years
- * have filed your taxes, if you need to
- * prove your language skills
- * pass a citizenship test
- * take the oath of citizenship

However, there are situations that can prevent you from becoming a Canadian citizen.

The requirement of **physical presence** is outlined in section **5(1)(c)(i)** of the Citizenship Act and states;

> **5 (1)** The Minister shall grant citizenship to any person who
>
> - **(a)** makes application for citizenship;
> - **(b)** [Repealed, 2017, c. 14, s. 1]
> - **(c)** is a permanent resident within the meaning of subsection 2(1) of the *Immigration and Refugee Protection Act*, has, subject to the regulations, no unfulfilled conditions under that Act relating to his or her status as a permanent resident and has
>
> - **(i)** been **physically present in Canada for at least 1,095 days during the five years immediately before the date of his or her application**

Citizenship Act (justice.gc.ca)

There are specific situations in which a person shall not be granted citizenship under 5(1), (2) or (4) or (11) or take the oath of citizenship.

Find out more about situations that may prevent you from becoming a Canadian citizen.

To determine that an applicant is **not prohibited under section 22 (3)** the applicant is required to provide a police certificate from each country, other that Canada, if the client was there;

Immigration, Refugees and Citizenship Canada / Immigration, Réfugiés et Citoyenneté Canada
Information disclosed under the Access to Information Act
L'information divulguée en vertu de la loi sur l'accès à l'information

- * in the past 4 years
- * for 183 days or more in a row
- * since the age of 18

Section 22(3) specifically states:

22 (3) Despite anything in this Act, a person shall not be granted citizenship under subsection 5(1), (2) or (4) or 11(1) or take the oath of citizenship if the person has been convicted of an offence outside Canada that, if committed in Canada, would constitute an indictable offence under any Act of Parliament, regardless of whether the person was pardoned or otherwise granted amnesty for the offence, and the conviction occurred during

- **(a) the four-year period immediately before the date of the person's application**; or
- **(b)** the period beginning on the date of the person's application and ending on the date that he or she would otherwise be granted citizenship or take the oath of citizenship.

Citizenship Act (justice.gc.ca)

More information on prohibitions can be found here under Step 3-Gather your documents Guide: Application for Canadian Citizenship: Adults - Subsection 5(1) CIT 0002 - Canada.ca.

We hope that this information is helpful. Should you have any additional questions please do not hesitate to reach out.

Thank you,

The Immigration Representatives Mailbox

De :
Envoyé : 9 janvier 2025 18:57
À : Immigration Representatives / Représentants immigration (IRCC) <IRCC.ImmigrationRepresentatives-Representantsimmigration.IRCC[redacted]
Objet : Police Certificate For Citizenship Application

Dear officer,

I am wondering why a police certificate is required for a period of 183 days spent outside of Canada in a row for a citizenship application 4 years immediately before the date of the application, while the physical presence requirement is a 5-year period?

One of my clients spent over 200 days in their first year of the 5-year period for calculation outside of Canada. If the police certificate is only required for the 4 years immediately, they technically do not need to provide such. I am wondering why the difference.

Immigration, Refugees and Citizenship Canada
Immigration, Réfugiés et Citoyenneté Canada
Information disclosed under the Access to Information Act
L'information divulguée en vertu de la loi sur l'accès à l'information

Thank you,