



Passport Office Bureau des passeports

Gatineau, Canada
K1A 0G3

Our file Notre référence
2618-0
Your file Votre référence

December 2, 2005

7/12/05
[Signature]
Mr. Oliver Bonham
Executive Director/Registrar
Association of Professional Geoscientists of Ontario
67 Yonge Street, Suite 1500
Toronto ON
M5E 1J8

Dear Mr. Bonham:

I am pleased to inform you that members of the Association of Professional Geoscientists of Ontario (APGO) are now acceptable as guarantors for Canadian passport applications.

Enclosed you will find information regarding the roles and responsibilities of passport guarantors and their associations. We trust that this information will be conveyed to all your members.

If you require any further information, you may contact Sheilagh Seale, Policy Officer at 819-953-9430 or via e-mail at sseale@pptc.gc.ca.

Yours sincerely,

Gary K. McDonald
Director General
Policy & Planning Bureau

Encl.

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PASSPORT CANADA GUARANTOR SYSTEM

Background

The Canadian passport issuing system was originally patterned after the British system. This includes the requirement for an independent third party to confirm the applicant's identity by countersigning both the application and photographs. The term for this person is "guarantor."

In addition to individuals being able to act as guarantors, certain groups also were identified as eligible to exercise the role of guarantors. These groups were chosen normally by reason of their occupation, being established in one community for long periods of time; being known by and knowing many people in the community; and generally were easily accessible to many people. Over the years, groups have been added to meet the needs of the travelling Canadian public.

Should Passport Canada need to investigate any of the information presented in an application, the guarantor commonly serves as a starting point for the verification of such information. The guarantor system has worked successfully and is an important security aspect for the Canadian passport issuing system.

Responsibilities of Associations

Currently, professional associations form a significant pool of eligible guarantors. To assist in confirming the qualification of an individual who has signed as a guarantor, associations are requested to provide Passport Canada with an annual updated list of their membership. This includes the names, business address, phone and fax numbers of all members.

In instances where Passport Canada has identified abuse of the guarantor privilege by an individual, Passport Canada expects the support of the individual's association when dealing with the issue.

Duties of a guarantor

The guarantor and the passport applicant

In signing as a guarantor in Canada, the guarantor:

- must be a Canadian citizen. The guarantor is not normally required to substantiate this, but proof could be requested;
- must have known the applicant personally for at least two years. To "have known the applicant personally" is interpreted to mean that there is a reasonable expectation that the guarantor is able

to authenticate personal information made by the applicant on the application form. If the application is for a passport for a child, the parent or guardian is the applicant and the guarantor is confirming knowledge not only of that person but also personal knowledge of the child;

- must sign the application, after it has been completed and signed by the applicant, and sign the back of at least one of the photographs. The application does not have to be signed by the applicant in the guarantor's presence;
- does not have to sign the application in the presence of the applicant;
- must provide this service free of charge. There is no legislative requirement obligating this, but Passport Canada may decide to refuse an application if it is apparent that the guarantor has charged a fee.

In signing as a guarantor outside Canada, the above rules apply with one exception, specifically that the guarantor need not be a Canadian citizen. For several reasons, the eligible guarantor list outside of Canada is limited. Outside of Canada some of the occupations and professions accepted for applications made in Canada might not exist, may have a different licensing requirement or be difficult to identify or verify. Also, the eligible guarantors outside Canada were chosen as they normally reside within the jurisdiction of the mission which allows local consular officials to quickly verify the identity of the guarantor.

The guarantor and Passport Canada

The guarantor's responsibilities do not stop with the affixing of his/her signature to the application and photograph(s). Each Passport Canada office has a responsibility to contact a significant percentage of guarantors on a random basis. If a guarantor is not available, or delays returning the call from Passport Canada, corresponding delays in the release of the passport and inconvenience to the applicant result. It is the responsibility of the guarantor to respond to these calls at the earliest opportunity.

A guarantor may also be contacted to assist in locating family or friends of an applicant. This primarily occurs when dealing with distressed Canadians abroad and when there is no contact name indicated in the "Person to Notify" section of the form, or if the person so identified cannot be located. This guarantor assistance could be requested at any time during the validity period of the passport which is normally five years.

If there is reason to investigate a passport application for fraudulent activity, the guarantor may be contacted for assistance by the RCMP who carry out investigations of this nature.

Guarantors and the Criminal Code

Potential guarantors should be aware of the importance of discharging this responsibility with prudence and caution. Section 57(2) of the Criminal Code of Canada states:

“Every one who, while in or out of Canada, for the purpose of procuring a passport for himself or any other person or for the purpose of procuring any material alteration or addition to any such passport, makes a written or oral statement that he knows is false or misleading (a) is guilty of an indictable offence and liable to imprisonment for a term not exceeding two years; or (b) is guilty of an offence punishable on summary conviction.”

A warning to all applicants and guarantors is placed directly before the sections where they must sign the application. It states:

“Any false statement, misrepresentation or concealment of any material fact on this form or any document presented in support of this application may lead to refusal or revocation of a passport and be grounds for criminal prosecution.”

Right of refusal by a guarantor

Although technically eligible to sign as guarantor, a person may decline when requested to do so. This decision may be general in nature (does not sign passport applications at any time) or may be a situational decision (for example the guarantor does not feel they know the applicant sufficiently well enough to meet the responsibility).

Refusal by Passport Canada to accept an individual as a guarantor

Any guarantor who abuses the system by:

- signing for individuals without meeting the criteria;
- refusing to cooperate with Passport Canada during the guarantor check procedures either by refusal to take the call, delays in responding to the call or other negative reaction; or
- otherwise hindering Passport Canada procedures may result in the refusal by Passport Canada to accept his/her signature in this capacity in future.

Statutory Declaration in Lieu of Guarantor

An applicant who is unable to obtain the signature of an eligible guarantor may complete a Statutory Declaration in Lieu of Guarantor which is signed before a commissioner of oaths, notary public, justice of the peace or other official who is authorized to administer oaths. In such cases, it is not necessary that the official know the applicant personally. A copy of the Statutory Declaration in Lieu of Guarantor has been attached to this document.