



What you should know about being a bondsperson

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What's your role as a bondsperson?

As a bondsperson, you'll deposit and/or promise to pay money to ensure that the person in detention follows all conditions of the release order. You may also consider offering the person in detention a place to live.

The Immigration Division (ID) member hearing the case will decide if your offer, along with other conditions, is a suitable alternative to detention.

If the person doesn't obey all the release conditions, the Canada Border Services Agency (CBSA) may keep the money you deposited and/or promised to pay. If you're aware that the person isn't complying with the release order, you must notify the CBSA immediately to fulfill your responsibilities as a bondsperson.

What makes you a suitable bondsperson?

You will be expected to attend the detention review hearing and you should be ready to testify. Your testimony will help the ID member assess your suitability as a bondsperson.

Some factors that the member may consider in determining your suitability as a bondsperson include, but are not limited to:

- being a Canadian citizen or permanent resident of Canada, if promising to pay a performance bond (guarantee)
- being at least 18 years old
- being present and currently residing in Canada, if promising to pay a performance bond (guarantee)
- knowing the person in detention
- coming forward of your own free will
- willing to deposit or sign a promise to pay your own money
- offering supervision to the person in detention
- offering residence to the person in detention

How much money is required?

It's up to you to determine the amount of money that you're willing to deposit and/or promise to pay. At the detention review hearing, the ID member will decide on the final amount required to be deposited or promised.

What are the types of bonds?

There are 2 types of bonds:

- cash bonds (deposits)
- performance bonds (guarantees)

What's a cash bond (deposit)?

A cash bond is money that you deposit with the CBSA during the time you're acting as a bondsperson.

The ID member will determine the amount of the bond at the detention review hearing. It's the CBSA's responsibility to advise you of the method of deposit for cash bonds.

The cash bond you deposit must be your own funds and can't be the funds of the person in detention. The person in detention won't be released from detention until these funds have been deposited. The methods of deposit are administered by the CBSA.

What's a performance bond (guarantee)?

A performance bond is money that you promise to pay to the CBSA if the detained person doesn't respect their conditions of release.

You risk losing the money that you promise to pay if the person doesn't respect the conditions of their release order while you're acting as a bondsperson. The ID member will determine the amount of the bond at the detention review hearing.

The CBSA will assess your capacity to fulfill your commitment for the performance bond. For example, the amount you qualify for will depend on the documented proof you provide to demonstrate your current assets, such as proof of home ownership or annual income. If you don't have any income or assets, you may not qualify to post a performance bond.

When will your responsibilities as a bondsperson end?

Each case is different and there's no set period of time when your responsibilities will end.

As a bondsperson, you're responsible for the supervision of the person released from detention until their immigration matters have concluded. This means you could be a bondsperson for weeks, months or, in some cases, even years.



You'll only get your money back at the end of this period if the person you were supervising has followed all the conditions of their release order. If the person breaches any condition of the release order, you're at risk of losing the money you've deposited and/or promised to pay.

What if you want to change a condition or remove yourself as a bondsperson?

It's expected that you'll remain as a bondsperson until the person's immigration matters have concluded. In exceptional cases, such as the proposal of a new bondsperson, you may be removed as a bondsperson by an ID member.

In these exceptional cases, should you no longer wish to act as a bondsperson, you must apply in writing to the ID. You must also send copies of your application to the CBSA and the person concerned or their counsel, if represented.

There's no guarantee that your request will be granted. Sometimes a new hearing may be required, or the request may simply be granted or denied in writing, without a hearing taking place.

In preparing your application, you are encouraged to use the Application to vary conditions of release form: [https://irb-cisr.gc.ca/en/forms/Documents/Application%20to%20vary%20release%20conditions%20form%20\(EN\).pdf](https://irb-cisr.gc.ca/en/forms/Documents/Application%20to%20vary%20release%20conditions%20form%20(EN).pdf). This form also includes detailed information on how to submit your application.

Where can you find more information?

For more information on detention reviews, visit What you should know about detention review hearings: <https://www.irb-cisr.gc.ca/en/hearings-reviews/Pages/DetRevMot.aspx>.

Important notice

This guide provides general information about being a bondsperson. It is not intended or provided as legal advice.