

Convictions that make you ineligible

This guide has been provided to assist tow or vehicle storage operators and tow truck drivers to determine potential disqualifications from the Towing and Vehicle Storage Oversight program. Please note this is a guide only, if you believe you may have a disqualifying conviction refer to [Section 2 of Ontario Regulation 167/23](#) or seek a legal professional for advice.

Glossary

Section: Refers to the conviction code section that is affiliated with the offence under the Criminal Code of Canada, or the Controlled Drug and Substances Act.

Disclaimer: Conviction codes are subject to change without notice, if you have been convicted or found guilty of an equivalent offence, you may still be ineligible for a certificate. Seek a legal professional for clarification.

Description of Offence: Provides a brief description of the offence, for more details of the offence please view the Criminal Code of Canada or the *Controlled Drug and Substance Act*.

Disqualifying Period: Refers to the amount of time the conviction disqualifies the applicant. Please note that the disqualification period starts from the date of conviction (not the day of the offence).

Resources:

[Towing and Storage Safety and Enforcement Act](#)

[Ontario Regulation 167/23](#)

[Get a towing or vehicle storage certificate | Ontario.ca](#)

[Criminal Code of Canada](#)

[Controlled Drug and Substances Act](#)

Controlled Drug and Substances Act

Section	Description of Offence	Disqualifying Period
5	Trafficking in substance / possession for the purpose of trafficking	10 years

6	Importing and exporting / possession for purpose of exporting	10 years
7	Production of substance	10 years
7.1	Possession, sale, etc., for use in production of or trafficking in substance	10 years

Criminal Code of Canada
Part II.1 – Terrorism Offences

Section	Description of Offence	Disqualifying Period
83.01	Terrorism	Indefinite
83.02	Providing or collecting property for certain activities	Indefinite
83.03	Providing, making available etc., property for service for terrorist purposes	Indefinite
83.04	Using or possessing property for terrorist purposes	Indefinite
83.06	Admission of foreign information obtained in confidence	Indefinite
83.07	Mistaken identity	Indefinite
83.08	Freezing of property	Indefinite
83.12	Offences - freezing of property, disclosure or audit	Indefinite
83.13	Seizure and restraint of assets	Indefinite
83.18	Participation in activity of terrorist group	Indefinite
83.181	Leaving Canada to participate in activity of terrorist group	Indefinite
83.19	Facilitating terrorist activity	Indefinite
83.191	Leaving Canada to facilitate terrorist activity	Indefinite
83.2	Commission of offence for terrorist group	Indefinite
83.201	Leaving Canada to commit offence for terrorist group	Indefinite
83.202	Instructing to carry out activity for terrorist group	Indefinite
83.21	Instructing to carry out terrorist activity	Indefinite

83.22	Instructing to carry out terrorist activity	Indefinite
83.221	Counselling commission of terrorism offence	Indefinite
83.23	Concealing person who carried out terrorist activity	Indefinite
83.231	Hoax - terrorist activity	Indefinite

Part III - Firearms

Section	Description of Offence	Disqualifying Period
85	Using firearm (or imitation firearm) in commission of offence	5 years
86	Careless use of firearm, etc. / contravention of storage regulations, etc.	5 years
87	Pointing a firearm	5 years
88	Possession of weapon for dangerous purpose	5 years
89	Carrying weapon while attending public meeting	5 years
90	Carrying concealed weapon	5 years
91	Unauthorized possession of prohibited weapon or restricted weapon	5 years
92	Possession of firearm knowing its possession is unauthorized	5 years
93	Possession at unauthorized place	5 years
94	Unauthorized possession in motor vehicle	5 years
95	Possession of prohibited or restricted firearm with ammunition	5 years
96	Possession of weapon obtained by commission of offence	5 years
98	Breaking and entering to steal firearm	5 years
98.1	Robbery to steal firearm	5 years
99	Weapon trafficking	5 years
100	Possession for purpose of weapons trafficking	5 years
101	Transfer without authority	5 years

102	Making automatic firearm	5 years
103	Importing or exporting knowing it is unauthorized	5 years
104	Unauthorized importing or exporting	5 years
104.1	Altering cartridge magazine	5 years
105	Losing or finding	5 years
106	Destroying	5 years
107	False statements	5 years
108	Tampering with serial number	5 years
109	Mandatory prohibition order	Ineligible for as long as order is in effect
110	Discretionary prohibition order	Ineligible for as long as order is in effect
117.01	Possession contrary to order / failure to surrender authorization	5 years

Part V – Sexual Offences

Section	Description of Offence	Disqualifying Period
150	Sexual offences	Indefinite
150.1	Consent no defence	Indefinite
151	Sexual interference	Indefinite
152	Invitation to sexual touching	Indefinite
153	Sexual exploitation	Indefinite
153.1	Sexual exploitation of person with disability	Indefinite
155	Incest	Indefinite
160	Bestiality / compelling the commission of bestiality / bestiality in presence of or by child	Indefinite

161	Order of prohibition	Indefinite
162	Voyeurism	Indefinite
162.1	Publication, etc., of an intimate image without consent	Indefinite
162.2	Prohibition order	Indefinite
163	Obscene materials	5 years
163.1	Making child pornography / distribution, etc., of child pornography / possession of child pornography / accessing child pornography	Indefinite
167	Immoral theatrical performance	5 years
168	Mailing obscene matter	5 years
170	Parent or guardian procuring sexual activity	Indefinite
171	Householder permitting prohibited sexual activity	Indefinite
171.1	Making sexually explicit material available to child	Indefinite
172	Corrupting children	Indefinite
172.1	Luring a child	Indefinite
172.2	Agreement or arrangement - sexual offences against child	Indefinite
173	Indecent acts	5 years

Part VII – Offering, providing or obtaining sexual services for consideration

Section	Description of Offence	Disqualifying Period
213	Stopping or impeding traffic	5 years

Part VIII – Offences against the person and reputation

Section	Description of Offence	Disqualifying Period
219	Criminal negligence	Indefinite

220	Causing death by criminal negligence	Indefinite
221	Causing bodily harm by criminal negligence	Indefinite
222	Homicide	Indefinite
235	Punishment for murder	Indefinite
236	Manslaughter	Indefinite
239	Attempt to commit murder	Indefinite
240	Accessory after fact to murder	Indefinite
241	Counselling or aiding suicide	Indefinite
244	Discharging firearm with intent	Indefinite
245	Administering noxious thing	Indefinite
246	Overcoming resistance to commission of offence	Indefinite
248	Interfering with transportation facilities	Indefinite
264.1	Uttering threats	5 years
265	Assault	5 years
266	Assault	5 years
267	Assault with a weapon or causing bodily harm	5 years
268	Aggravated assault	Indefinite
269	Unlawfully causing bodily harm	5 years
269.01	Aggravating circumstance - assault against a public transit operator	5 years
269.1	Torture	Indefinite
270	Assaulting a peace officer	5 years
270.01	Assaulting a peace officer with a weapon causing bodily harm	5 years
270.02	Aggravated assault of a peace officer	5 years
270.1	Disarming a peace officer	5 years

271	Sexual assault	Indefinite
272	Sexual assault with a weapon, threats to a third party or causing bodily harm	Indefinite
273	Aggravated sexual assault	Indefinite
273.3	Removal of child from Canada	5 years
279	Kidnapping / forcible confinement	Indefinite
279.01	Trafficking in persons	Indefinite
279.011	Trafficking of a person under the age of eighteen years	Indefinite
279.02	Material benefit – trafficking / material benefit – trafficking of person under 18 years	5 years
279.03	Withholding or destroying documents – trafficking / withholding or destroying documents – trafficking of a person under 18 years	5 years
279.04	Exploitation / organ or tissue removal	5 years
279.1	Hostage taking	5 years
280	Abduction of person under age of 16, 17, 18	5 years
281	Abduction of person under age of 14, 15, 16	5 years
282	Abduction in contravention of custody or parenting order	5 years
283	Abduction	5 years
286.1	Obtaining sexual services for consideration	5 years

Part VIII.1 – Offences relating to conveyances

Section	Description of offence	Disqualifying period
320.13	Dangerous operation / operation causing bodily harm / operation causing death	5 years
320.14	Operation while impaired / operation causing bodily harm / operation causing death	5 years

320.15	Failure or refusal to comply with demand / accident resulting in bodily harm / accident resulting in death	5 years
320.16	Failure to stop after accident / accident resulting in bodily harm / accident resulting in death	5 years
320.17	Flight from peace officer	5 years
320.18	Operation while prohibited	5 years
320.36	Authorized use of bodily substance / unauthorized use or disclosure of results	5 years
320.37	Refusal to take sample	5 years

Part IX – Offences against rights of property

Section	Description of Offence	Disqualifying Period
322	Theft	5 years
323	Oysters (theft)	5 years
324	Theft of bailee of things under seizure	5 years
325	Agent pledging goods, when not theft	5 years
326	Theft of telecommunication device	5 years
327	Possession of device to obtain use of telecommunication facility or service	5 years
328	Theft by or from person having special property interest	5 years
330	Theft by person required to account / effect of entry in account	5 years
331	Theft by person holding power of attorney	5 years
332	Misappropriation of money held under direction	5 years
333	Taking ore for scientific purpose	5 years
333.1	Motor vehicle theft	5 years
334	Punishment for theft	5 years
335	Taking motor vehicle or vessel or found therein without consent	5 years

336	Criminal breach of trust	5 years
338	Fraudulently taking cattle or defacing brand	5 years
339	Taking possession etc., of drift timber / dealer in second-hand goods	5 years
340	Destroying documents of title	5 years
341	Fraudulent concealment	5 years
342	Theft, forgery, etc., of credit card / unauthorized use of credit card	5 years
342.01	Instruments for copying credit card data or forging or falsifying credit cards	5 years
342.1	Unauthorized use of computer	5 years
342.2	Possession of device to obtain use of computer system or to commit mischief	5 years
343	Robbery	5 years
344	Robbery	5 years
345	Stopping mail with intent	5 years
346	Extortion	5 years
347	Criminal interest rate	5 years
348	Breaking and entering	5 years
348.1	Aggravating circumstance - home invasion	5 years
349	Being unlawfully in dwelling-house	5 years
350	Entrance	5 years
351	Possession of break-in instrument / disguise with intent	5 years
352	Possession of instruments for breaking into coin-operated or currency exchange devices	5 years
353	Selling, etc., automobile master key	5 years
353.1	Tampering with vehicle identification number	5 years
354	Possession of property obtained by crime / obliterated vehicle identification number	5 years
355	Possession of property (punishment)	5 years

355.2	Trafficking in property obtained by crime	5 years
355.3	In rem prohibition	5 years
355.4	Possession of property obtained by crime – trafficking	5 years
356	Theft from mail	5 years
357	Bringing into Canada property obtained by crime	5 years
358	Having in possession when complete	5 years
361	False pretense / exaggeration	5 years
362	False pretense or false statement / presumption from cheque issued without funds	5 years
363	Obtaining execution of valuable security by fraud	5 years
364	Fraudulently obtaining food, beverage or accommodation	5 years
366	Forgery	5 years
368	Use, trafficking or possession of forged document	5 years
368.1	Forgery instruments	5 years
369	Exchequer bill paper, public seals, etc.	5 years
372	False information / indecent communication / harassing communications	5 years
374	Drawing document without authority, etc.	5 years
375	Obtaining, etc. by instrument based on forged document	5 years
376	Counterfeiting stamp, etc. / counterfeiting mark	5 years
377	Damaging documents	5 years
378	Offences in relation to registers	5 years

Part X – Fraudulent transactions

Section	Description of Offence	Disqualifying Period
380	Fraud / affecting public market	5 years

381	Using mail to defraud	5 years
382	Fraudulent manipulation of stock exchange transactions	5 years
382.1	Prohibited insider trading / tipping	5 years
383	Gaming in stocks or merchandise	5 years
384	Broker reducing stock by selling for their own account	5 years
385	Fraudulent concealment of title documents	5 years
386	Fraudulent registration of title	5 years
387	Fraudulent sale of real property	5 years
388	Misleading receipt	5 years
389	Fraudulent disposal of goods on which money advanced	5 years
390	Fraudulent receipts under bank act	5 years
391	Trade secret / trade secret – prior knowledge	5 years
392	Disposal of property to defraud creditors	5 years
393	Fraud in relation to fares, etc. / fraudulently obtaining transportation	5 years
394	Fraud in relation to valuable minerals / sale of valuable minerals / purchase of valuable minerals	5 years
394.1	Possession of stolen fraudulently obtained valuable minerals	5 years
396	Offences in relation to mines	5 years
397	Falsification of books and documents	5 years
398	Falsifying employment record	5 years
399	False return by public officer	5 years
400	False prospectus, etc.	5 years
401	Obtaining carriage by false billing	5 years
402.2	Identity theft / trafficking in identity information	5 years

403	Identity fraud	5 years
405	Acknowledging instrument in false name	5 years
406	Forging trademark	5 years
407	Offence (forging trademark)	5 years
408	Passing off (forging trademark)	5 years
409	Instruments for forging trademark	5 years
410	Other offences in relation to trademarks	5 years
411	Used goods sold without disclosure	5 years
414	Presumption from port of shipment	5 years
415	Offences in relation to wreck	5 years
416	Distinguishing mark on public stores	5 years
417	Applying or removing marks without authority / unlawful transactions in public stores	5 years
418	Selling defective stores to her majesty	5 years
419	Unlawful use of military uniforms or certificates	5 years
420	Military stores	5 years
421	Evidence of enlistments	5 years
422	Criminal breach of contract	5 years
423	Intimidation	5 years
423.1	Intimidation of a justice system participant or a journalist	5 years
423.2	Intimidation – health services	5 years
424	Threat against internationally protected person	5 years
424.1	Threat against united nations or associated personnel	5 years
425	Offences by employers	5 years
425.1	Threats and retaliation against employees	5 years

426	Secret commissions	5 years
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Part XI – Wilful and forbidden acts in respect of certain property

Section	Description of offence	Disqualifying period
429	Wilfully causing event to occur	5 years
430	Mischief	5 years
431	Attack on premises, residence or transport of internationally protected person	5 years
431.1	Attack on premises, accommodation or transport of united nations or associated personnel	5 years
432	Unauthorized recording of a movie / unauthorized recording for purpose of sale, etc.	5 years
433	Arson – disregard for human life	5 years
434	Arson – damage to property	5 years
434.1	Arson – own property	5 years
435	Arson for fraudulent purpose	5 years
436	Arson by negligence	5 years
436.1	Possession of incendiary material	5 years
437	False alarm of fire	5 years
438	Interfering with saving of wrecked vessel	5 years
439	Interfering with marine signal, etc.	5 years
440	Removing natural bar without permission	5 years
441	Occupant injuring building	5 years
442	Interfering with boundary lines	5 years
443	Interfering with boundary marks, etc.	5 years
445	Injuring or endangering other animals	5 years
445.01	Killing or injuring certain animals	5 years

445.1	Causing unnecessary suffering	5 years
446	Causing damage or injury	5 years
447	Arena for animal fighting	5 years
449	Making (counterfeit money)	5 years
450	Possession, etc., of counterfeit money	5 years
451	Having clippings, etc.	5 years
452	Uttering, etc., counterfeit money	5 years
453	Uttering coin	5 years
454	Slugs and tokens	5 years
455	Clipping and uttering clipped coin	5 years
456	Defacing current coins	5 years
457	Likeness of bank-notes	5 years
458	Making, having or dealing in instruments for counterfeiting	5 years
459	Conveying instruments for coining out of mint	5 years
460	Advertising and dealing in counterfeit money, etc. / fraudulent use of money genuine but valueless	5 years
461	When counterfeit complete	5 years