

Canada

Immigration country brief



The purpose of this Immigration Country Brief is to serve as a resource and provide a general overview of the immigration requirements related to business visitors and employment authorization in Canada. The information contained in this document is provided as a resource only and should not be construed as legal advice. If you have any further enquiries regarding the applicability of this information, please contact Crown's Immigration Manager, Americas.

Overview: Business visas

Entry visa requirements for visits to Canada are dependent upon the applicant's citizenship. Based on reciprocity agreements, citizens of some countries may not need a visa to visit Canada for the purposes of business for stays of up to 90 days.

Visa types

Temporary resident visa (TRV)

Summary: The visa allows an individual entry to Canada for the purposes of a short business visit.

Maximum stay: Six months.

Processing time: Typically, a visa takes anywhere from two days to three weeks depending on the Embassy/Consulate.

Activities permitted:

- Participating in meetings, conferences or trade fairs
- Buying Canadian products or services for a foreign entity
- Conducting or attending in-house training programs
- Overseeing the installation of equipment purchased outside Canada
- Performing after-sales activities, as long as the contract or warranty is part of an original sale or lease agreement

Limitation or special requirements:

For any activities other than those listed below, or if the person will receive payment from a Canadian source, or engage in any productive employment, a work permit is normally required.

Overview: Employment authorization

Foreign nationals who wish to work or undertake gainful employment in Canada are required to obtain work authorization. Several categories are available for application depending on purpose and length of stay.

Work permit types

Intra-company work permit

Canada allows for the transfer of certain employees (executives, senior managers and specialized knowledge workers) to the Canadian branch, subsidiary or affiliate of an international company, without the involvement of Employment and Social Development Canada (ESDC).

Work permits acquired through this program are exempt from the requirement to obtain a Labor Market Impact Assessment (LMIA). In order to qualify for a work permit as an intra-company transferee, a business enterprise "is or will be doing business" in both Canada and the foreign country.

An applicant seeking a work permit to open a new office on behalf of the foreign enterprise may also qualify, having established that the enterprise in Canada is expected to support a managerial, executive or specialized knowledge worker.

Maximum stay: Initial work permits for transferees will be valid for at most three years. Transferees entering Canada to open or work in a new office will be granted permits valid for up to one year.

Extensions may be granted for up to two years at a time. Executive transferees can be granted permits for up to seven years in total. Specialized knowledge workers are expected to more quickly pass on their expertise and can receive permits valid for up to five years in total.

Processing time: One-five days, Port of Entry.

Dependents: Employment visa holders can bring their spouses and children who are aged 21 years or under to live with them while on assignment in Canada.

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Work permit subject to Labor Market Opinion

This program permits employers to hire foreign workers to fill labor and skill shortages in Canada. Workers can be hired abroad or already be in Canada. Employers must prove they can't find suitable Canadians or permanent residents to fill the jobs, and that a foreign worker will not have a negative impact on the labor market. Employers also have to demonstrate that wages are consistent with the prevailing wage rate and working conditions meet provincial labor market standards. Have confirmation of a Labor Market Impact Assessment (LMIA) which is supplied by Employment and Social Development Canada (ESDC). To confirm that an employer can employ a foreign

worker for that position; some jobs do not require a Labor Market Impact Assessment (LMIA).

Maximum stay: Two years.

Processing time: Approximately eight weeks or longer.

Dependents: Employment visa holders can bring their spouses and children who are aged 21 years or under to live with them while on assignment in Canada. This list is not all-inclusive; other visa classifications may exist. The above are the most common employment-related work permits.

Additional information and resources

- Citizenship and Immigration Canada: www.cic.gc.ca/english
- Canadian Embassies/Consulates www.embassyworld.org

