



## COVID-19 : Entry by Business Visitors, Technicians & Specialists

Information for Industry

March 24, 2021

The Canada Border Services Agency (CBSA) is committed to minimizing the risk of spreading COVID-19 in Canada while supporting Canada's critical infrastructure, economic services, supply chains and cross-border employment. To that end, the CBSA will deny entry to any foreign national who displays symptoms of COVID-19 or whose travel is for an optional or discretionary purpose, such as tourism, recreation or entertainment.

### Residents of Canada

All Canadian residents must quarantine or isolate for 14 days upon arrival in Canada unless they are exempted by the [\*Minimizing the Risk of Exposure to COVID-19 in Canada Order \(Quarantine, Isolation and Other Obligations\) \(QIOO OIC\)\*](#).

Certain essential service providers are exempt from the requirement to quarantine as per Schedule 2, Table 1 of the QIOO OIC, as determined by the [Chief Public Health Officer](#) (CPHO). This includes:

- Persons in the trade or transportation sector who are important for the movement of goods or people, including truck drivers and crew members on any aircraft, shipping vessel or train, and that cross the border while performing their duties or for the purpose of performing their duties;
- Persons who must cross the border regularly to go to their normal place of employment, including critical infrastructure workers (Energy and Utilities, Information and Communication Technologies, Finance, Health, Food, Water, Transportation, Safety, Government and Manufacturing), provided they do not directly care for persons 65 years of age or older within the first 14 days after their entry to Canada; and
- Technicians or specialists specified by a government, manufacturer, or company, who enter Canada as required for the purpose of maintaining, repairing, installing or inspecting equipment necessary to support critical infrastructure (Energy and Utilities, Information and Communication Technologies, Finance, Health, Food, Water, Transportation, Safety, Government and Manufacturing) and are required to provide their services within 14 days of their entry to Canada and have reasonable rationales for the immediacy of the work and the inability to plan for a 14 day quarantine.

Canadian residents returning to Canada as cross-border workers must cross the border "regularly to go to their normal place of employment" to be eligible for this exemption. The traveller must present evidence to suggest that their normal place of employment is in the United States and that they travel there regularly from their residence in Canada. "Regularly" is generally considered daily or weekly travel. Persons who live and work in Canada, but whose families live in the U.S., will not qualify for this exemption if they return to Canada from weekend trips to visit their family in the U.S. In other words, this exemption only applies to persons who reside in one country and work in the other.

Canadian residents returning from working in the United States, and whose main employment in Canada is as technicians or specialists supporting critical infrastructure, are exempt from the 14 day quarantine requirement **only if they have clearly articulated a reasonable rationale for why they must return to work immediately and why the 14-day quarantine period is not possible**. This rationale may include, but is not limited to, urgent safety reasons or the unanticipated shutdown of a production line. A technician or specialist who is required to do work in the U.S. must plan for a 14 day quarantine period upon returning to Canada. Indicating that they are required to return to work within this 14 day period is not a reasonable rationale. The traveller will need to articulate why their return to work within the 14 day period could not have been foreseen prior to their travel to the U.S. An acceptable rationale would, however, be an emergency or other event which could not have been anticipated by the employee prior to their travel abroad. Additionally, being the only technician or specialist who is qualified to do the work in Canada is not, on its own, a reasonable rationale. The reasonable rationale must always lead to why, **planning** for a 14 day quarantine period, was not possible. Financial considerations, such as the cost to the employer, client or employee, will not be considered. This exemption does not apply to management unless they are working in a hands-on capacity as a technician/specialist.

In their rationale, travelers should demonstrate the urgency of the work which could not have allowed for planning for quarantine. Alternatively, technicians or specialists whose work is not urgent, can provide the CBSA officer with documents indicating that they can only perform this specific work in Canada due to work obligations immediately prior to, and after their travel to Canada. In other words, travelers must show that they have other binding commitments which do not permit them to complete a 14 day quarantine.

Note that any explanation or plan to limit the spread of COVID-19 in the work place (such as wearing of masks, a partial quarantine, testing, etc.) will not be assessed as part of the request as it has no bearing on the exemption.

If the traveller cannot demonstrate how they meet the exemption criteria at the time of entry, the CBSA officer will notify the traveller of their requirement to quarantine. For individuals who fall under the technician or specialist category, the frequency of travel is not a relevant factor in making a determination on quarantine requirements unless they fall within the definition of cross-border worker.

This exemption is also not applicable to persons employed in Canada as technicians or specialists who return from leisure or personal travel abroad.

## **Non-Residents of Canada**

### *What is a Business Visitor?*

For the purpose of applying subsection R186(a) of the [Immigration and Refugee Protection Regulations](#), a business visitor is a foreign national who either seeks to engage in international business activities in Canada without directly entering the Canadian labour market (see note), or meets one of the following definitions:

- (a) purchases Canadian goods and services for a foreign business or government, or receiving training or familiarization in respect of such goods and services;
- (b) receives or gives training within a Canadian parent or subsidiary of the corporation that employs him outside Canada; or
- (c) represents a foreign business or government for the purpose of selling goods for that foreign business or government, but is not engaged in making sales to the general public.

*Note: The primary source of remuneration for the business activities is outside Canada AND the principal place of business and actual place of accrual profits remain predominately outside Canada.*

Business visitors may be from any field of employment or business. The application of the above definition, and the following provisions, is irrespective of the field, industry or sector of employment or business.

*What You Need to Know if You Are a Foreign National Coming to Canada as a Business Visitor (including Executives), Technician or Specialist*

### Travelling from the United States (U.S.)

In accordance with the [Minimizing the Risk of Exposure to COVID-19 in Canada Order \(Prohibition of Entry into Canada from the United States\)](#), foreign nationals seeking to enter Canada as business visitors from the U.S. must:

1. Not display symptoms of COVID-19; **and**
2. Must be able to demonstrate that they can meet the requirement to quarantine under the [Minimizing the Risk of Exposure to COVID-19 in Canada Order \(Quarantine, Isolation and Other Obligations\)](#); **and**
3. Not be travelling for an optional or discretionary purpose, such as tourism, recreation or entertainment; **and**
4. If five years of age or older, be in possession of a valid negative COVID-19 molecular test performed on a specimen collected in the US no more than 72 hours prior to arrival, unless exempt from the requirement **OR** in possession of a positive COVID-19 test performed on a specimen taken between 14 and 90 days prior to arrival.

All business visitors, unless otherwise exempt from the QIOO OIC, must quarantine for 14 days upon arrival in Canada. Only persons listed in Schedule 2, Table 1 of the QIOO OIC are exempt from this requirement. Although the CPHO has made a

class exception for persons seeking entry for essential services<sup>1</sup>, business visitors and executives are generally excluded from this exemption.

**Important: If you are unable to quarantine according to your purpose of travel and intended length of stay, and you are otherwise not exempted from the QIOO OIC, you will not be permitted to enter Canada, regardless of the purpose of your trip.**

Some travellers may qualify for an ad hoc national interest exemption from quarantine issued by Global Affairs Canada pursuant to the QIOO OIC. Applications for a national interest exemption letter (NIEL) must be submitted ahead of time through your nearest Canadian Embassy or Consulate.

If you meet conditions 1 and 2, the purpose of your travel will be considered non-optional or non-discretionary if you can demonstrate to a CBSA officer that your presence in Canada is required. **Site visits, business meetings, pre-sale inspections, due-diligence visits and other related activities do not constitute sufficient reason to be in Canada.**

**Note:** Not all business travel is considered non-discretionary. In making this determination, the CBSA will take into account factors such as the nature of the proposed work, the availability of in-Canada resources to perform the work; the availability and feasibility of the use of virtual resources; the timing of the travel vis-à-vis the proposed work timeframe, etc. Travellers will be expected to provide documentation in support of travel including, but not limited to:

- Proof of employment that is outside of Canada
- Contracts, agreements, purchase orders with Canadian entity
- Proof of training being received or given with a Canadian parent or subsidiary
- Description of intended activities while in Canada.

#### Travelling from a Country Other than the U.S.

In accordance with the [Minimizing the Risk of Exposure to COVID-19 in Canada Order \(Prohibition of Entry into Canada from any Country other than the United States\)](#), foreign nationals seeking to enter Canada from a country other than the U.S. must:

1. Not display symptoms of COVID-19; **and**
2. Qualify for an exemption listed in section 3(1) of the Order; **and**
3. Not be travelling for an optional or discretionary purpose, such as tourism, recreation or entertainment.

Business visitors are exempt from the requirement to apply for a work permit. Therefore, they do not benefit from subsections 3(l) or (m) of the OIC. These travellers will be required to meet another exemption. Some travellers may qualify for an ad hoc national interest exemption letter (NIEL) issued by Immigration, Refugees and Citizenship Canada or Global Affairs Canada pursuant to subsection 3(1)(k) of the OIC. Applications for a NIEL must be submitted ahead of time through your nearest Canadian Embassy or Consulate.

If you meet conditions 1 and 2, the purpose of your travel will be considered non-optional or non-discretionary if you can demonstrate to a CBSA officer that your presence in Canada is required. **Site visits, business meetings, pre-sale inspections, due-diligence visits and other related activities do not constitute sufficient reason to be in Canada.**

**Note:** Not all business travel is considered non-discretionary. In making this determination, the CBSA will take into account factors such as the nature of the proposed work, the availability of in-Canada resources to perform the work; the availability and feasibility of the use of virtual resources; the timing of the travel vis-à-vis the proposed work timeframe, etc.

#### *Quarantine Upon Arrival in Canada*

All international travellers, including business visitors, must quarantine or isolate for 14 days upon arrival in Canada unless they are exempted by the [Minimizing the Risk of Exposure to COVID-19 in Canada Order \(Quarantine, Isolation and Other Obligations\)](#).

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<sup>1</sup> See below for more information on some exempted classes of persons.

Certain essential service workers are exempt from the requirement to quarantine as per Schedule 2, Table 1 of the QIOO OIC, as determined by the Chief Public Health Officer:

- Persons in the trade or transportation sector who are important for the movement of goods or people, including truck drivers and crew members on any aircraft, shipping vessel or train, and that cross the border while performing their duties or for the purpose of performing their duties;
- Persons who must cross the border regularly to go to their normal place of employment, including critical infrastructure workers (Energy and Utilities, Information and Communication Technologies, Finance, Health, Food, Water, Transportation, Safety, Government and Manufacturing), provided they do not directly care for persons 65 years of age or older within the first 14 days after their entry to Canada;
- Technicians or specialists specified by a government, manufacturer, or company, who enter Canada as required for the purpose of maintaining, repairing, installing or inspecting equipment necessary to support critical infrastructure (Energy and Utilities, Information and Communication Technologies, Finance, Health, Food, Water, Transportation, Safety, Government and Manufacturing) and are required to provide their services within 14 days of their entry to Canada and have reasonable rationales for the immediacy of the work and the inability to plan for a 14 day quarantine;

A resident of the United States entering as cross-border worker, must cross the border “regularly to go to their normal place of employment” to be eligible for this exemption. The traveller must present evidence to suggest that their normal place of employment is in Canada and that they travel there regularly from their residence in the U.S. “Regularly” is considered daily or weekly travel. Persons who live and work in Canada, but whose families live in the U.S. (or vice versa), will not qualify for this exemption if they return to their country of residence from weekend trips to visit their family in the other country. In other words, this exemption only applies to persons who reside in one country and work in the other.

Technicians and specialists seeking entry to Canada **must provide a rationale as to why work must start immediately and why the 14 day quarantine period is not possible**. This rationale may include, but is not limited to, urgent safety reasons or the unanticipated shutdown of a production line. A technician or specialist who is required to do work in Canada must plan for a 14 day quarantine period upon entering Canada. Indicating that they are required to work within this 14 day period is not a reasonable rationale. The traveller will need to articulate why their work within the 14 day period could not have been foreseen prior to their travel. An acceptable rationale would, however, be an emergency or other event which could not have been anticipated by the employee prior to their travel. Additionally, being the only technician or specialist who is qualified to do the work in Canada is not, on its own, a reasonable rationale. The reasonable rationale must always lead to, why **planning** for a 14 day quarantine period, was not possible.

Financial considerations, such as the cost to the employer, client or employee, will not be considered. This exemption does not apply to management unless they are working in a hands-on capacity as a technician/specialist. Entry to Canada to oversee an operation would not generally meet the threshold for exemption. If the traveller cannot demonstrate how they meet the exemption criteria, the CBSA officer will notify the traveller of their requirement to quarantine.

Technicians or specialists travelling for testing, validation or approval of equipment (for sale or export) do not meet the definition of essential service provider. This definition is only extended to technicians or specialists who enter Canada to maintain, repair, install or inspect equipment critical to Canada’s infrastructure in order to keep goods and services moving. Non-discretionary travel for other business, such meetings (i.e. apex meeting), will be subject to quarantine.

## Requirements for entry and after entry to Canada

### Testing Requirements

All travellers entering Canada by air and land are required to provide proof of a valid COVID-19 molecular test (including a polymerase chain reaction (PCR) or reverse transcription loop-mediated isothermal amplification (RT-LAMP)), unless they are exempted by the [\*Minimizing the Risk of Exposure to COVID-19 in Canada Order \(Quarantine, Isolation and Other Obligations\)\*](#) and, if arriving by air, [\*Transport Canada’s Interim Order Respecting Certain Requirements for Civil Aviation Due to COVID-19, No. 18\*](#).

### Valid COVID-19 Molecular Test Results

Documentation must include the following:

- the person’s name and date of birth or age;
- the name and civic address of the laboratory that administered the test;

- the date the specimen was collected;
- the test method used; and
- the test results.

#### *Planning to arrive by land*

Travellers entering Canada by land must provide proof of a valid COVID-19 molecular test upon entry to Canada.

Unless otherwise exempt, travellers aged 5 or older must be in possession of either:

- a negative COVID-19 molecular test performed on a specimen taken in the United States no more than 72 hours before entry to Canada; **or**
- a prior positive COVID-19 molecular test performed on a specimen collected between 14 - 90 days before entry to Canada. This specimen need not have been collected in the United States.

Limited exemptions to these requirements exist, such as:

#### Cross-border workers & Trade and Transport Workers

- a person who must enter Canada regularly to go to their normal place of employment or to return from their normal place of employment in the United States, if they do not directly care for persons 65 years of age or older within the 14-day period that begins on the day on which the person enters Canada
- a person in the trade or transportation sector who is important for the movement of goods or people, including a truck driver or crew member on any aircraft, shipping vessel or train, who enters Canada for the purpose of performing their duties as a member of that sector

#### *Planning to arrive by aircraft (commercial or private)*

Travellers entering Canada by aircraft must provide proof of a valid COVID-19 molecular test prior to their scheduled departure to Canada.

Unless otherwise exempt, travellers aged 5 or older must be in possession of either:

- a negative COVID-19 molecular test performed on a specimen collected no more than 72 hours before the aircraft's initial scheduled departure time to Canada; **or**
- a prior positive COVID-19 molecular test performed on a specimen collected between 14 - 90 days before the aircraft's initial scheduled departure time to Canada.

For more information on the COVID-19 test requirements and exemptions, please visit [Travel.gc.ca](https://travel.gc.ca) website here.

### **On arrival testing**

#### *Arriving by land*

All travellers who are required to quarantine have to take a COVID-19 molecular test on arrival as well as toward the end of their 14-day quarantine, unless they are specifically exempt from this requirement pursuant to Schedule 2, Table 3 of the QIOO OIC. The Government of Canada will run 16 testing sites at ports of entry across Canada. Five ports of entry will initially be available with 11 additional as of March 4, 2021.

#### *Arriving by aircraft*

All travellers who are required to quarantine have to take a COVID-19 molecular test on arrival as well as toward the end of their 14 day quarantine, unless they are specifically exempt from this requirement pursuant to Schedule 2, Table 2 of the QIOO OIC.

Furthermore, all travellers arriving by air who are not exempt from quarantine and from the on-arrival testing requirement are also required to reserve, prior to departure to Canada, a 3-day stay in a government-authorized hotel, at their own cost, while they await the results of their arrival test. Travellers must present proof of having reserved and pre-paid for their accommodation through ArriveCAN. These hotels will be located near each of the four international airports accepting international flights, in Vancouver, Calgary, Toronto and Montreal. Travellers will also be required to take another COVID-

19 molecular test later during their 14-day quarantine. Travellers will be provided with a COVID-19 test kit and instructions before leaving the airport.

[The list of government-authorized hotels is available here.](#)

### **Quarantine Plan and Contact Information**

It is mandatory for all travellers seeking entry to Canada by air or by land to provide the following information electronically using ArriveCAN before entering Canada:

- Travellers subject to quarantine: A suitable quarantine plan that includes, among other things, the civic address of the place where they plan to quarantine and their contact information (e.g., phone, email address).
- Travellers exempt from quarantine: Their contact information (i.e., phone and email address).

### **While in Canada**

Individuals that have been exempted from the requirement to quarantine, including those who have completed the mandatory 14-day quarantine must ensure to wear a mask or face covering while in public.

Wear a **medical mask** (if not available, wear a non-medical mask or cloth face covering) if you're experiencing symptoms and will be:

- in close contact with others
- going out to access medical care

Wear a **non-medical mask or cloth face covering** to help stop the spread of COVID-19, especially if it's not possible to consistently maintain a 2-metre physical distance from others. Wear your mask or cloth face covering safely and make sure it fits well.

In some jurisdictions, the use of masks in many indoor public spaces and on public transit is now mandatory. You can check with the [local public health authority](#) on the requirements for your location.

### **General Information**

**All foreign nationals seeking to enter Canada, regardless of the purpose of trip or their status, must meet all admissibility requirements pursuant to the [Immigration and Refugee Protection Act](#). Meeting the conditions of the COVID-19 travel restrictions does not overcome or otherwise supersede admissibility requirements.**

The Public Health Agency of Canada (PHAC) administers and enforces Canada's quarantine provisions. For more information, including possible quarantine exemptions, you may visit PHAC's [COVID-19 web page](#).

If you are flying to Canada, you can expect that your airline agent will conduct a health check to ensure that you are healthy enough to fly. In addition, the airline agent may also ask that you provide proof of your eligibility to travel and that you meet all conditions for travelling to Canada set out above. Failure to do so may result in the airline not permitting you to travel.

**Note: If you have concerns with a CBSA officer's decision at the border, please ask to speak with a Superintendent. Though the Superintendent may not always be able to override the officer's decision, they may be able to add perspective or review the case.**

If you have questions or require further information about the CBSA, please visit our website at [www.cbsa-asfc.gc.ca](http://www.cbsa-asfc.gc.ca) or call toll free 1-800-461-9999 (from Canada and the U.S.) or 1-204-983-3500 or 1-506-636-5064 (outside of Canada and the U.S.). For those with hearing or speech impediments, you may contact our TTY at 1-866-335-3237.

The CBSA provides this information as guidance only, and it should not be interpreted as a guarantee of an outcome at the border. Final decisions on admissibility and quarantine are made by a CBSA officer at the port of entry.

This information is current as of the date on the document. Orders in Council and Government of Canada travel restrictions are subject to change. For up-to-date information on COVID-19, please visit the Government of Canada's COVID-19 web page: <https://www.canada.ca/en/public-health/services/diseases/coronavirus-disease-covid-19.html>.