Travel and Immigration: Update on Restrictions in Canada

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Since the start of the COVID-19 pandemic, Canada has imposed a series of travel and immigration restrictions for all travelers who are not Canadian citizens or permanent residents. These regulations govern both commercial airline carriers transporting foreign nationals to Canada and immigration processes and procedures for those seeking to visit, study, or work in Canada. For ease of reference, we have summarized these restrictions as follows:

Visitors

For foreign nationals seeking to visit Canada from outside the United States, travel will not be permitted save for individuals who, among other criteria, are:

Immediate family members (spouse or common-law partner, dependent child or dependent child of a dependent child, parent or step-parent, guardian or tutor) of a Canadian citizen or permanent resident.

Travelling for a non-discretionary purpose. It is important to note that officers of the Canada Border Service Agency make the final determination on admission into Canada at a Canadian port of entry. Recently, officers have been interpreting the entry into Canada of immediate family members of Canadian citizens or permanent residents narrowly and refusing admission to some family members.

Foreign nationals seeking to visit Canada from the United States must demonstrate that their reason for entering Canada is essential and non-discretionary (reasons include critical infrastructure support, certain types of work, and economic services and supply chains).

Students

International students who have a valid study permit or who were approved for a study permit on or before March 18, 2020, can travel to Canada.

Temporary Foreign Workers

Workers who hold valid Canadian work permits and normally live in Canada (even if they have been laid off) can enter Canada. This also applies to workers who have applied for work permits from outside of Canada and have a work permit approval letter from Canadian authorities. Foreign workers who have received work permit approval letters for jobs at Canadian businesses that have closed because of Covid-19 will not be admitted, along with individuals who have received work

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permit approval letters for open work permits (with no contract of employment).

For foreign nationals who do not hold Canadian work authorizations, only those with offers of employment in critical industries such as agriculture, food processing, health, transportation and emergency services will be processed. For foreign nationals whose objective in travelling to Canada is to perform work normally exempt from the requirements of a work permit (such as urgent aftersales service or emergency repair work), they can self-identify to commercial air carriers with a letter of support from the their Canadian employer and documentation outlining the urgency of their entry, which will also be needed to persuade a CBSA officer of the non-discretionary and non-optional purpose of their entry.

General Information

Airline officials will conduct a health check, and anyone showing symptoms of COVID-19 will not be allowed to board their flight to Canada.
All travelers must have a plan to quarantine for 14 days when they arrive in Canada. This is mandatory, even if they have no symptoms. Travelers without a plan should not travel to Canada.
All travelers should wear a non-medical mask during travel.
Restrictions apply to individuals travelling to Canada by private and commercial operators.
Canadian authorities have announced that Canadian visa application centres that collect biometrics are temporarily closed further to the COVID-19 outbreak. In addition, any applicants who are required to undergo a medical exam with an approved panel physician will be unable to do so given that most, if not all, panel physicians are not currently performing medical examinations because of the COVID-19 outbreak. The inability to give biometrics or undergo a medical examination effectively prevents many foreign nationals from applying to enter Canada at this time, even if they are exempt from the travel restrictions.
Canadian authorities have also confirmed that work permit applicants who are currently outside Canada must confirm that their employer is not subject to the mandatory closure of non-essential businesses and that they will be able to start their employment after the 14-day self-isolation period before making any travel arrangements.
Workers should not travel to Canada if their employer is no longer offering them a job. CBSA officers may ask if the offer of employment still stands or if the employer is still operating. If not, CBSA may refuse the work permit as the foreign national no longer meets the applicable eligibility requirements.

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