



Citizenship and  
Immigration Canada

Citoyenneté et  
Immigration Canada

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# Foreign Workers

## *Intracompany Transfer Guide*

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## 1. Introduction

This Handbook is a guide to Immigration procedures to be followed when bringing foreign workers to Canada. This should be read in conjunction with the publication entitled *How to Hire a Temporary Foreign Worker* available at the Citizenship and Immigration Canada (CIC) website: [www.cic.gc.ca](http://www.cic.gc.ca)

The Handbook is structured to provide the user with an understanding of the general rules and the procedures set down by CIC for bringing foreign workers into Canada. It also provides specific guidance for the following types of workers:

- Business Visitors
- Intracompany Transferees
- Spouses of Skilled Workers

Each section contains:

- Detailed instructions on requirements that must be met
- Documentation that must be provided

Human Resources personnel who follow these guidelines should be confident that border crossings for their key workers will be trouble free.

Canada's Immigration law, its regulations, and their application can be complex. As such, this document cannot be considered to be a legal document and is meant as a guide only. *For precise legal information, consult the Immigration and Refugee Protection Act; the Immigration and Refugee Protection Regulations and Chapter 16 of the North American Free Trade Agreement.*

## 2. Overview of the Foreign Worker Process

### 2.1 Elements of the Process

The process of bringing a Temporary Foreign Worker to Canada has several elements that hinge on whether:

- The General Foreign Worker Rule applies and the worker needs a Work Permit, **Section 2.2**
- An exception to the General Rule exists and No Work Permit is required, **Section 2.3**
- The employer needs to apply for a Labour Market Opinion (LMO) from Service Canada, **Section 2.4**
- An exemption from the Service Canada Labour Market Opinion (LMO) process exists, **Section 2.5**
- The worker needs an immigration medical, **Section 2.6**
- The worker needs a passport, **Section 2.7**
- The worker needs a Temporary Resident Visa, **Section 2.8**

The result will be the issuance of either an employer specific or an Open Work Permit unless no Work Permit is required, **Section 2.9**.

Finally, the process will depend on whether the foreign national will be coming to Canada as a Permanent Resident or as a Temporary Foreign Worker, **Section 2.10**.

### 2.2 General Rule: Work Permit Required

The general rule that applies to Temporary Foreign Workers states that:

- Any person who wants to work in Canada requires a Work Permit unless they are a Canadian Citizen or legal permanent resident, and
- The employer must first apply to Service Canada for a Labour Market Opinion (LMO) before a Work Permit can be issued to a Temporary Foreign Worker.

This means that the employer applies to Service Canada for the LMO if one is needed and the worker applies to Citizenship and Immigration Canada (CIC) for the Work Permit.

### 2.3 Exception to the General Rule: No Work Permit Required

The main exception to the general rule is the Business Visitor policy that allows many workers to work in Canada without Work Permits.

The general criteria applicable to business visitors and several common business visitor situations are provided in **Section 3**.

### 2.4 General Rule: Labour Market Opinions are Required

The employer must apply to Service Canada for an LMO if one is needed.

An LMO is an opinion given by Service Canada to CIC that says that there is no negative impact on the Canadian labour market if a Work Permit is issued to a foreign worker doing a specific job for a specific employer for a specific duration.

Detailed information on the LMO process is contained in the publication entitled *How to Hire a Temporary Foreign Worker* which is available from the CIC website:

[www.cic.gc.ca](http://www.cic.gc.ca)

For the most part, Service Canada takes the following criteria into consideration before approving an LMO application:

- Attempts to recruit Canadians
- Wage rates and working conditions that meet Canadian standards
- Absence of a legal labour dispute at the work place
- Labour shortages
- Transfer of skills and knowledge
- Direct job creation

Service Canada processing times vary across the country and are generally measured in weeks.

### **2.5 Exception to the General Rule: No LMO Required**

Not all Work Permits require the employer to undergo the LMO process. Exceptions to this requirement exist. Some are based on international agreements such as the North American Free Trade Agreement. Others are created through government policy.

This handbook provides two common situations where the worker will need a Work Permit but the employer will not first have to apply to Service Canada for an LMO:

- Intracompany Transferees, **Section 4**
- Spousal Work Permits, **Section 5**

### **2.6 Immigration Medicals**

Temporary Foreign Workers who have resided for 6 months or more in the preceding twelve months in certain areas of the world are required to undergo medical examinations if they plan to remain in Canada for longer than 6 months. Medical examinations must be completed and passed before Work Permits can be issued.

Temporary Foreign Workers in occupations where the protection of public health is essential require medical examinations regardless of the length of time that they will be remaining in Canada.

Listings of countries whose residents require Immigration medicals and designated occupations are contained on the CIC website: [www.cic.gc.ca](http://www.cic.gc.ca)

CIC will issue instructions regarding the medical examination procedures and a list of *Designated Medical Practitioners* in the worker's area should a medical examination be

necessary. A *Designated Medical Doctor* is one who is recognized by CIC who may be contacted to arrange a medical examination for immigration purposes. The medical examination must be arranged at the applicant's own expense.

The immigration medical process will add several weeks to the total processing time.

## **2.7 Travel Documents**

Workers from most countries will be required to be in possession of passports valid for the entire length of their stay in Canada.

Workers who are citizens or alien residents of the United States will not be required to have passports. However, U.S. citizens will need proof of their citizenship such as a certificate of citizenship or birth certificate. Alien residents of the United States must be in possession of their *Alien Registration Card*.

## **2.8 Temporary Resident Visas**

Canada has imposed visa requirements on citizens of most countries. Temporary Resident Visas must be applied for at Canadian embassies or consulates and cannot be applied for at Ports of Entry upon arrival.

The list of countries whose residents require Temporary Resident Visas is contained on the CIC website: [www.cic.gc.ca](http://www.cic.gc.ca)

A Temporary Resident Visa is a form issued by an Immigration Officer at a Canadian embassy or consulate that is placed in the passport of the applicant. It is an official way of demonstrating that the applicant appeared to have met the requirements for admission to Canada before leaving home.

A Temporary Resident Visa is not a Work Permit. A Work Permit will be issued along with a Temporary Resident Visa if the Immigration Officer at the Canadian embassy or consulate determines that a one is required. There will not be an additional Cost Recovery Fee.

## **2.9 Work Permit Restrictions**

Work Permits are normally employer, location, and job specific. This means that the worker can only do one job for one employer in one location for a specified duration.

Therefore, if the worker is going to work in more than one location it is essential that the employer ensures that there is clear wording to this effect in the job offer and the documentation provided to Citizenship and Immigration Canada and Service Canada.

An employer must ensure that the worker obtains a new Work Permit before promoting a worker to a new job. If necessary, the employer must first obtain a new LMO from Service Canada.

Some Work Permits state that the worker can seek and accept any employment in Canada. These Open Work Permits are issued only in special circumstances, such as to spouses of skilled workers, **Section 5**.

Workers can apply for Work Permits at any Canadian embassy or consulate that offers immigration services. Many workers may apply at the Border, **Section 6**.

Most Work Permits attract a Cost Recover Fee, **Section 7**.

### ***2.10 Permanent Residents vs. Temporary Foreign Workers***

Permanent Residents are persons who are given the right to remain in Canada indefinitely. They can live and work anywhere in Canada and can work for any employer.

Permanent Residents are issued with wallet size Permanent Resident Cards and Confirmation of Permanent Resident Status documents. These documents are evidence of their status as permanent residents in Canada.

Temporary Foreign Workers do not have the right to remain in Canada indefinitely and are normally allowed to work for only one employer at a time under clear restrictions.

Temporary Foreign Workers are issued with temporary Work Permits. Temporary means that there is a reasonable, finite, and predictable end to a worker's assignment in Canada. Work Permits have an expiry date and the worker must leave Canada unless an extension of their stay is granted.

It is generally quicker to bring a Temporary Foreign Worker into Canada than it is to bring in a Permanent Resident.

### **3. Business Visitors: No Work Permit Required**

#### **3.1 Introduction**

The following will provide guidance on situations where qualifying foreign workers may work in Canada without Work Permits:

- Business Visitors, **Section 3.2**
- Purchasers of Goods and Services, **Section 3.3**
- Company Trainers, **Section 3.4**
- Company Trainees, **Section 3.5**
- Sales: Business to Business, **Section 3.6**
- After Sales Service, **Section 3.7**
- Company Employees for Entering Canada for Consultation, **Section 3.8**

#### **3.2 Business Visitors: General Criteria**

A Business Visitor is a person who is in Canada for a legitimate purpose related to business.

The Business Visitor criteria are universally applied to citizens of all countries.

A Business Visitor is a foreign national:

- who seeks to engage in international business activities in Canada without directly entering the Canadian labour market,
- whose principal place of business and accrual of profits must remain predominately outside of Canada, and
- who is remunerated for their business activities outside of Canada.

Business Visitors are assessed against the following criteria:

1. There must be no intent to enter the Canadian labour market, i.e. no gainful employment in Canada;
2. The activity is international in scope, i.e. an incident to a commercial cross border activity;
3. They work for a foreign employer:
  - The primary source of remuneration remains outside Canada
  - The principal place of business remains outside Canada
  - The accrual of profits of that business remains outside Canada.

#### **3.3 Buyers: Purchasers of Goods or Services**

Company personnel who are coming to Canada to purchase goods or services for their company are considered to be business visitors.

This may include persons engaging in the following activities:

- Purchasing goods or services;
- Arranging for the export of goods or services;

- Controlling or inspecting the quality of a product during and after manufacture; or
- Acquiring training or familiarization with a product that has been purchased providing they do not contribute to the production of goods or services.

Persons in this category should be in possession of a letter from their foreign employer clearly stating the purpose of their trip, the anticipated length of stay, and confirmation that their source of remuneration remains outside of Canada.

Buyers will be admitted as visitors to Canada subject to normal visitor requirements without the requirement for Work Permits. Entry will normally be granted for a length of time that is reasonable to fulfill the purpose of their trip to Canada.

### **3.4 Company Trainers**

Company personnel who are coming to Canada to deliver training at a parent, subsidiary, branch, or affiliate of their company are considered to be business visitors.

Trainers will be admitted as visitors to Canada subject to normal visitor requirements without the requirement for Work Permits. Entry will normally be granted for a length of time that is reasonable to fulfill the purpose of their trip to Canada.

### **3.5 Company Trainees**

Company personnel who are coming to Canada to receive training in a parent, subsidiary, branch, or affiliate of their company are considered to be business visitors. This includes persons coming for:

- Skills upgrading;
- Familiarization with corporate business practices; and/or
- Formal classroom training sessions.

The following conditions must be met:

- There must be no displacement of Canadian workers; and
- Hands-on training activities must be primarily for the purpose of learning and not for the purpose of production or service delivery.

Trainees should present a letter from the foreign parent or subsidiary that:

- Outlines the proposed activities that the trainee will be engaging in, and
- Confirms that the trainee will continue to be compensated from their home country.

Trainees staying longer than a couple of weeks should also be in possession of a detailed learning plan to account for their time in Canada.

Trainees will be admitted as Visitors to Canada subject to normal visitor requirements without the requirement for Work Permits. Entry will normally be granted entry for a length of time that is reasonable to fulfill the purpose of their trip to Canada.

### **3.6 Sellers: Business to Business**

Personnel coming to Canada for the purpose of selling goods or services for their company on a business to business basis are considered to be business visitors.

The following restrictions apply:

- No sales to the general public;
- Can only take orders for goods or services;
- Cannot deliver the goods or provide any services; and
- Must not sell Canadian made goods.

Sellers should carry a letter from their company clearly stating:

- The purpose of their trip,
- Confirmation that they will comply with the forgoing restrictions,
- The anticipated length of stay, and
- Confirmation that their source of remuneration remains outside of Canada.

Sellers will be admitted as visitors to Canada subject to normal visitor requirements without the requirement for Work Permits. Entry will normally be granted entry for a length of time that is reasonable to fulfill the purpose of their trip to Canada.

### **3.7 After Sales Service: Business Visitors**

#### **3.7.1 After Sales Service:**

After sales service providers are business visitors involved in the installation, repair, or servicing of foreign made commercial or industrial equipment or machinery, or computer software.

#### **3.7.2 Workers Who Are Excluded From After Sales Service**

Workers whose activities or services in Canada would constitute hands-on building or construction work do not qualify as business visitors.

Generally, foreign tradespersons are excluded from consideration as after sales service business visitors.

#### **3.7.3 Requirements for Qualified After Sales Service Workers**

The worker must possess specialized knowledge essential to the seller's contractual obligation. Normally, specialized knowledge can be demonstrated by additional training to an already skilled worker which is essential to providing the service.

The worker must be employed by an entity established outside of Canada.

The worker's activities in Canada must be supported by clear working in a sales, warranty, or service contract.

### **3.7.4 Requirements for the Equipment, Machinery, or Software**

The equipment, machinery, or software must:

- Be for use in a commercial or industrial setting;
- Have been manufactured outside of Canada;
- Have been purchased from a manufacturer located outside Canada.

### **3.7.5 Border Documentation**

The after sales service worker must have:

- Valid travel documents;
- Copies of the relevant pages of the original sales agreement, warranty, or service agreement, including any extensions, that support the purpose of entry.

## **3.8 Company Employees Entering Canada for Consultation**

Company personnel coming to Canada to consult with other company personnel are considered to be business visitors.

This includes personnel who will be engaged in the following activities:

- Monitoring and inspection of company plants, processes, and procedures;
- Negotiations;
- Internal auditing.

This normally includes persons coming to a Canadian branch for business meetings.

This category does *not* include:

- Foreign workers who are merely under contract to a company and who will be providing consulting, auditing, or other services;
- Company personnel, or persons under contract to a foreign company, coming to Canada to provide services to a client of the Canadian parent or subsidiary.

Qualified personnel should be in possession of a letter from their home office clearly stating:

- The purpose of their trip,
- The anticipated length of stay, and
- Confirmation that their source of remuneration remains outside of Canada.

Company personnel described above will be admitted as visitors to Canada subject to normal visitor requirements without the requirement for Work Permits. Entry will normally be granted entry for a length of time that is reasonable to fulfill the purpose of their trip to Canada

## 4. Intracompany Transfers: No LMO Required

### 4.1 Purpose of Intracompany Transfer Policy

The intracompany transfer policy allows international companies to transfer qualified employees to Canada temporarily in order to improve management effectiveness, expand Canadian exports, and enhance the competitiveness of Canadian entities in overseas markets. There is no requirement for the employer to first apply to Service Canada for a Labour Market Opinion (LMO).

Canada's general policy regarding intracompany transfers has been harmonized with the provisions in the North American Free Trade Agreement. This means that:

- There are no differences in terms of entry requirements and durations of Work Permits, and
- The policy is universally applied to citizens of all countries.

### 4.2 General Criteria

There are certain general criteria applicable to all of the intracompany transferee provisions. These fall into the following categories:

- There must be a qualifying relationship between the Canadian and the foreign employer,
- There must be a qualifying relationship between the between the employer and the foreign worker, and
- The foreign worker must be working a qualifying occupation.

### 4.3 Qualifying Relationship Between the Canadian and Foreign Entities

The Canadian and foreign entities must be legal entities that are doing business through an *affiliate, branch, parent or subsidiary* office.

The Canadian entity must be doing business as an employer in Canada and at least one other country.

Evidence that a company is a legal entity can be:

- Articles of incorporation
- Partnership agreements
- License to do business
- Business tax returns
- Evidence of registration with Canada Customs and Revenue Agency as an employer

Non-qualifying business relationships are:

- Those based on contractual, licensing, and franchise agreements,
- Less than 50-50 joint ventures.

#### **4.4 Doing Business**

Doing business means the regular, systematic, and continuous production of goods or provision of services.

#### **4.5 Affiliate**

An Affiliate is:

- One of two subsidiaries, both of which are owned and controlled by the same parent or individual; or
- One of two legal entities, owned and controlled by the same group of individuals, each individual owning and controlling approximately the same share or proportion of each company.

#### **4.6 Branch**

A *Branch* is an operating division or office of the same organization housed in a different location.

#### **4.7 Parent**

A *Parent* is a firm, corporation, or other legal entity which has subsidiaries.

#### **4.8 Subsidiary**

A *Subsidiary* refers to a firm, corporation, or other legal entity of which a parent owns:

- Directly or indirectly, half or more than half of the entity and controls the entity; or,
- Directly or indirectly, fifty per cent of a fifty-fifty joint venture and has equal control and veto power over the entity; or
- Directly or indirectly, less than half of the entity, but in fact controls the entity.

#### **4.9 Employer-Employee Relationship**

There must be a clear employer-employee relationship between the employer and the foreign worker.

The essential element is the right of the Canadian employer to order and control the worker in the performance of their work.

The employer should:

- Have the right to direct, order, and control the day to day work of the worker,
- Possess the authority to engage, discharge, and promote the worker.

Workers must be permanent and continuing employees of a company to qualify for consideration under the intracompany transfer policy.

#### **4.10 Work in Canada Must Be Directed by Canadian Entity**

The worker must take a position with the Canadian entity.

A worker who will be employed in Canada directly by a foreign company and who will not be controlled in any way by a Canada entity does not qualify as an intracompany transferee.

#### **4.11 Source of Remuneration**

The source of the foreign worker's salary and benefits is not a factor that is taken into consideration. A worker can continue to be paid by their foreign employer.

#### **4.12 Qualifying Experience Requirement**

The worker must have been employed continuously by the foreign entity for one year within the preceding three years in one of the qualifying occupations.

The worker's one year of qualifying experience with the company must be wholly outside of Canada. Time spent working in Canada does not qualify.

#### **4.13 Qualifying Services Provided by the Foreign Worker**

The following categories of workers qualify for Work Permits as intracompany transferees:

- Executives
- Senior Managers
- Specialized Knowledge workers

#### **4.14 Executive Capacity**

*Executive capacity* means that the employee primarily:

- Directs the management of the organization or a major component or function of the organization;
- Establishes the goals and policies of the organization, component, or function;
- Exercises wide latitude in discretionary decision-making; and
- Receives only general supervision or direction from higher level executives, the board of directors, or stockholders of the organization.

#### **4.15 Managerial Capacity**

*Managerial capacity* means that the employee primarily:

- Manages the organization, or a department, subdivision, function, or component of the organization;
- Supervises and controls the work of:
  - ◆ other managers or supervisors,
  - ◆ professional employees, or
  - ◆ manages an essential function within the organization, or a department or subdivision of the organization;
- Has the authority to hire and fire, or recommend these and other personnel actions, such as promotion and leave authorization; if no other employee is directly supervised, functions at a *senior* level within the organization hierarchy or with respect to the function managed; and

- Exercises discretion over the day to day operations of the activity or function for which the employee has the authority.

A first line supervisor is not considered to be acting in a managerial capacity unless the employees who are being supervised are professionals.

A manager does not primarily perform tasks required in the production of a product or in the delivery of a service.

#### **4.16 Specialized Knowledge**

*Specialized knowledge* means:

- *Special* knowledge of the company's product or service and its application in international markets; or
- *Advanced* level of knowledge or expertise of the organization's processes and procedures.

Product, process, and service can include research, equipment, techniques, management, or other interests.

*Special knowledge* is unusual and different from that found in a particular industry. As a general rule, special knowledge may involve a person's proprietary knowledge of a company's product or service. To be proprietary the knowledge must relate exclusively to the company's business.

*Advanced knowledge* would be knowledge of internal company matters, usually characterized by a combination of skill, experience, and education. *Advanced knowledge* is complex. It may relate to a company's product that others also make but that the company makes differently.

Knowledge which is widely held or related to common practices is not considered to be specialized knowledge.

A worker who has specialized knowledge:

- Possesses knowledge that is valuable to the employer's competitiveness in the market place;
- Is uniquely qualified to contribute to the Canadian employer's knowledge of foreign operating conditions;
- Has extensive prior experience with the employer;
- Has been utilized as a key employee abroad in significant assignments which have enhanced the employer's productivity, competitiveness, image, or financial position.

#### **4.17 Duration of Initial Work Permits**

A qualifying intracompany transferee may be issued with a Work Permit that has a duration of three years on first entry to Canada.

#### **4.18 Extensions of Stay**

Extensions of stay are given in two year increments. All qualifying intracompany transferees may request extensions of their Work Permits by mail through the Case Processing Centre in Vegreville, Alberta

#### **4.19 Limitation on Total Stay**

All qualifying Executives and Senior Managers may obtain Work Permits for up to seven years.

All Specialized Knowledge Workers may obtain Work Permits for up to five years.

The intracompany transferee policy does not allow for open ended temporary entry and cannot be used as a mechanism to circumvent procedures applicable to permanent employment or as a means to establish *de facto* permanent residence.

#### **4.20 Readmission After Total Stay Reached**

When a worker has spent the maximum allowable period of time in Canada as an intracompany transferee, they may not be issued another Work Permit in this category unless they have resided and been physically present outside Canada for at least one year.

#### **4.21 Place of Work Permit Application**

An intracompany transferee may make an application for a Work Permit at a Canadian embassy or consulate before departing for Canada. Most intracompany transferees may also apply at a Port of Entry.

#### **4.22 Required Documentation**

In order to facilitate entry applicants should be in possession of:

- 1) proof of their citizenship, which would normally be a passport;
- 2) a letter or affidavit from their employer providing the following information:
  - confirmation that they are employed in a Executive, Senior Managerial, or Specialized Knowledge capacity by the entity outside of Canada for at least 1 year in the previous 3 years preceding the date of application;
  - an outline of the applicant's position in a Executive, Senior Managerial, or Specialized Knowledge capacity which should contain the position, title, place in the organization, job description, and duties performed by the foreign worker;
  - an outline of the foreign worker's qualifications and employment history to support the claim that they are qualified for the position in Canada;
  - an outline of the intended position in Canada, including the title, place in the organization, and job description;
  - documents indicating the arrangements for remuneration, the anticipated length of stay, and a clear description of the legal relationship between the entity in Canada and the foreign entity; and
  - details of the business activities of the entity outside of and within Canada to demonstrate that the Canadian entity is *permanent* and *continuing*.

## **5. Spousal Employment**

### **5.1 Spousal Policy**

Canada's Immigration program allows for the issuance of Work Permits to spouses and common law partners of most Skilled Workers. There is no requirement for the employer to first apply to Service Canada for a Labour Market Opinion (LMO).

Skilled Workers are those whose occupations fall within the following categories:

- Management occupations
- Professional occupations (usually requiring university education)
- Technical and skilled trades occupations (usually requiring college education or apprenticeship training)

### **5.2 Eligibility**

To be eligible to apply for consideration under the policy:

- The Work Permit of the Principal Applicant must have been issued for a minimum of 6 months,
- The Principal Applicant must be a Skilled Worker, and
- The Skilled Worker must reside in Canada.

### **5.3 Open Work Permit**

Spouses may qualify for *Open Work Permits* which will allow them to seek and accept any work in Canada as long as they undertake and pass an Immigration medical examination.

### **5.4 Duration of Work Permit**

A Spousal Work Permit will be valid for the same length of time of the Work Permit issued to the Skilled Worker.

## 6. Applying for Work Permits

### 6.1 Applying for Work Permits at Embassies and Consulates

#### 6.1.1 General

Anyone may apply for a Work Permit at a Canadian Embassy, Consulate, or High Commission that processes immigration applications outside of Canada.

A High Commission is a Canadian embassy in a Commonwealth country.

A current list of responsible embassies and consulates by country is available on the Citizenship and Immigration Canada (CIC) Web Site: [www.cic.gc.ca](http://www.cic.gc.ca)

The worker needs to complete an *Application for Work Permit* and include the following:

- All supporting documentation
- The LMO Approval letter if job approved by Service Canada
- Proof of identity
- Cost recovery fee

Supporting documentation includes:

- A job offer from the employer
- Evidence of the worker's ability to do the job,
- Evidence that the worker has the educational requirements for the job, and
- The worker's employment history.

All necessary supporting documents that are not in English or French *must* be accompanied by a certified translation.

#### 6.1.2 Time Standards for Processing Work Permits at Embassies and Consulates

The length of time required to process an application for a Work Permit varies according to the individual circumstances of the application and the workload and processing procedures at the overseas offices. It is recommended that the foreign worker apply as much in advance as possible. Applications may take up to a minimum of *3 or 4 weeks* to process. The requirement for a medical examination will add to the processing time.

Most overseas offices will not commence processing until *all* of the required documentation is provided by the applicant.

### 6.2 Applying for Work Permits at the Border

#### 6.2.1 General

The worker must:

- Make intention known to Customs Officer

- Present all supporting documentation to the Border Services Officer
- Present the LMO Approval letter if job approved by Service Canada
- Provide proof of identity
- Pay cost recovery fee

Supporting documentation includes:

- A job offer from the employer
- Evidence of the worker's ability to do the job,
- Evidence that the worker has the educational requirements for the job, and,
- The worker's employment history.

Border applications can only be made if:

- There is no requirement for a Temporary Resident Visa
- There is no requirement for an Immigration Medical
- An LMO has been issued if required.

### **6.2.2 Time Standards for Processing Work Permits at the Border**

Applications for Work Permits made at Ports of Entry will be assessed at the time of the foreign worker's arrival.

## **6.3 Applying for Extensions of Work Permits in Canada**

### **6.3.1 General**

Persons who are working temporarily in Canada are expected to leave the country on or before the expiry of their Work Permits. However, persons who want to stay beyond the authorized date may seek an extension of their status from within Canada providing their Work Permits are still valid.

Clients must contact the CIC Call Centre to obtain an application kit entitled *Application to Change Terms and Conditions or Extend Your Stay in Canada*. The application kit is also available for download at the CIC Website: [www.cic.gc.ca](http://www.cic.gc.ca)

The kit contains an application form, a fee schedule, and a self-addressed mailing envelope. Also included is a guidebook which provides information on how to complete the application as well as answers to common questions.

Completed applications are to be mailed directly to the Case Processing Centre in Vegreville. The address is:

Case Processing Centre  
Vegreville AB  
T9C 1W1

### **6.3.2 Time Standards for Processing Extension Applications**

The time standard for processing an application to extend a Work Permit at Vegreville may be as long as 60 days.

### **6.3.3 Leaving Canada Before an Extension Application Is Finalized**

If a foreign worker leaves Canada *without* a valid Work Permit, then they may not be able to return to Canada. It is the responsibility of the foreign worker to ensure that the application for an extension of their Work Permit has been approved. Otherwise, they will have to apply at a Canadian Embassy or Consulate for a new Work Permit and pay an additional cost recovery fee before returning to Canada.

## Cost Recovery

There are Cost Recovery fees for most immigration services which are payable at the time an application is made. Where an application is submitted by mail, payment should accompany the written application.

Method of payment varies depending on where an application is processed.

Acceptable forms of payment at Ports of Entry are cash, money orders, bank drafts, certified cheques, traveler's cheques, Visa, and MasterCard. U.S. currency is accepted at most Ports of Entry. Personal cheques are *not* accepted.

Some methods of payment that can be accepted at selected overseas offices are restricted due to common banking practices in the host countries. Applicants are cautioned to enquire at the responsible overseas office about acceptable forms of payment at that particular location.

When submitting applications for extension of stay within Canada to the Case Processing Centre in Vegreville, clients may pay their fees online.

Currently, the Cost Recovery Fee for processing an application for a Work Permit is \$150 Canadian. There is a Cost Recovery Fee of \$75 Canadian to process an application for a Temporary Resident Visa. When a Work Permit applicant also requires a Temporary Resident Visa there is only a \$150 fee.