



# GMS Flash Alert

Immigration Edition

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## Canada - Government Places Restrictions on Entry

The government of Canada has announced two restrictions with respect to travel to Canada, which are primarily designed to reduce the spread of COVID-19. These are described below.

### WHY THIS MATTERS

The closing of Canada's borders, for the most part, the limiting to only essential cross-border travel between Canada and the United States, and other travel measures previously announced will impact companies with expatriate populations in terms of future assignments inbound to Canada or outbound from Canada. For example, employees who were planning to take up international assignments will need to postpone the commencement of that assignment. This could cause some anxiety, stress, and inconvenience, especially where plans are underway and a business urgently requires the expertise of a particular foreign worker or group of foreign workers to deliver services.

The swift implementation of these significant restrictions will likely result in a period of uncertainty for employers requiring access to foreign talent and challenges for foreign nationals seeking to cross borders. Moreover, limited immigration and consular services will result in delays potentially disrupting travel and business plans. At this time, work and study permit applications will continue to be processed at visa offices inside and outside of Canada. Additional processing time will likely be required given reduced staffing capacity.

Companies with global presence and individuals operating across borders need to be increasingly aware of the relevant travel restrictions and risks associated with COVID-19 outbreak.

### Announcement 1 – Foreign Nationals Entering Canada

Effective 12:00pm (noon – EDT) on Wednesday, March 18, 2020, Canada will deny entry to all foreign nationals with few exceptions. Canadians citizens and permanent residents who are exhibiting no symptoms of COVID-19 at the point of departure will be permitted to return to Canada.<sup>1</sup>

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Exceptions:

- Air crew;
- Diplomats;
- Immediate family members of permanent residents and Canadian citizens;
- U.S. citizens and foreign nationals traveling to Canada from the U.S. on “essential” business;
- Foreign nationals who have resided in the United States and/or Canada continuously for the last 14 days immediately prior to travel to Canada may be permitted to travel by plane to Canada – at this point there is no definitive official position released by the Canadian government and KPMG Law will be monitoring this issue closely;
- Individuals performing services under trade and commerce to maintain supply chain operations;
- Foreign nationals transiting through Canada with a final destination outside of Canada.

### Canada Reducing Airports Accepting International Flights

- Pending further announcement, international flights are only permitted to land at the following Canadian airports:
  - Montreal;
  - Toronto;
  - Calgary; and
  - Vancouver.

Exceptions to the international flight restrictions include as follows:

- Flights originating from Mexico, the Caribbean, and St. Pierre-et-Miquelon will still be permitted to land at other Canadian airports.

### Visa Application Centre Closures

To prevent the further spread of the COVID-19 virus, certain visa application centres (VACs) are closed until further notice. Many Canadian Consulates, Embassies, and High Commissions are currently operating with **essential staff only**. Appointments to provide biometrics are also being cancelled and delayed until future dates.

### Other Delays

Immigration, Refugee and Citizenship Canada instructed that all landing appointments for permanent residents and refugee claimants are delayed until April 13, 2020. All citizenship ceremonies and tests are cancelled until further notice.<sup>3</sup>

## Announcement 2 – Restricting Access to Canada U.S. Border

On March 18, 2020, U.S. President Donald Trump and Canadian Prime Minister Justin Trudeau announced their joint decision to close the Canada-U.S. border to non-essential travel between the countries.<sup>4</sup> There are thousands of daily cross border movements and it therefore expected that this announcement will have a significant impact on containing the virus. It is anticipated that this travel restriction will take effect imminently – the logistics of the timing are presently being finalized.

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### KPMG NOTE: What Employers Need to Know

- Foreign nationals holding Canadian work or study authorization who are currently outside of Canada and the United States will not be able to enter to Canada until further notice.
- There are ongoing discussions within the government as to whether non-essential travel (work or study permit holders) will be permitted to enter Canada from the U.S. given the current travel ban.
- Foreign nationals (Non-Canadian citizens or permanent residents) in the United States may not enter or make any application for temporary status with certain exceptions, unless they have resided continuously in the United States and/or Canada in the 14 days prior to departing for Canada via air travel and their work is deemed to be essential.
- Employers may continue to make applications and obtain approvals for their foreign employees to work in Canada, in anticipation of immediate travel after the restriction is removed. At this time, work and study permit applications will continue to be processed at visa offices inside and outside of Canada. Additional processing time will likely be required given reduced staffing capacity.

Employees and travelers who have concerns about their status and next steps are encouraged to contact their qualified immigration counsel or KPMG Law LLP for further guidance.

KPMG Law LLP will continue to monitor this situation and provide updates once available.

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### FOOTNOTES:

1 For more on the border closure announcement featured on the Twitter feed of the Canadian prime minister, “Watch live: Prime Minister Justin Trudeau addresses Canadians on the [#COVID19](#) situation from Rideau Cottage, in Ottawa,” click [here](#). *(Please note that this link takes you to the CPAC (Cable Public Affairs Channel) website. This is a 3<sup>rd</sup> party (non-governmental, non-KPMG) website. Providing this link does not represent an endorsement of this website by KPMG.)*

2 For additional information and notifications, click [here](#) for a Canadian government website.

3 See the article “Coronavirus: Here's what's happening in Canada and around the world Monday,” published by CBC (online), March 16, 2020 by clicking [here](#). *(Note that this is a 3<sup>rd</sup> party (non-governmental, non-KPMG) website. Providing this link does not represent an endorsement of this website by KPMG.)*

4 See the March 18 [news release](#) on the website for Prime Minister Trudeau.

## Contact us

For additional information or assistance, please contact your local GMS or People Services professional\* or one of the following professionals with the KPMG International member firm in Canada:



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\* Please note that KPMG LLP (U.S.) does not provide any immigration services. However, KPMG Law LLP in Canada can assist clients with U.S. immigration matters.

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