

Info Sheet 1

Business visitor

A) Work without a work permit

This broad category allows foreign nationals to enter Canada as visitors without a work permit if they want to engage in international business activities in Canada without directly entering the Canadian labour market.

The following conditions apply to all cases described below: The primary source of remuneration for the business activities is outside Canada and the principal place of business and actual place of accrual of profits remain predominately outside Canada.

Specific cases covered by the category “Business visitor”:

- **Attend a meeting**

Foreign nationals who come to Canada for the purpose of

- meeting with business contacts
- attend conferences or conventions
- attend a business meeting, including sitting as a member of a board of directors

- **Buyers and persons receiving company training**

Foreign nationals purchasing Canadian goods or services for a foreign business or government or receiving training or familiarization in respect of such goods or services.

- **Sellers**

Foreign nationals representing a foreign business or government for the purpose of selling goods for that business or government, if the foreign national is not engaged in making sales to the general public in Canada.

- **After-Sales Service**

After sales services include those provided by persons repairing and servicing, supervising installers, and setting up and testing commercial or industrial (including computer software) equipment. “Setting up” does not include hands-on installation generally performed by construction or building trades.

- a) **Repair and Service**

This work permit exemption also applies to persons seeking entry to repair or service specialized equipment, purchased or leased outside Canada, provided the service is being performed as part of the original or extended sales agreement, lease agreement, warranty, or service contract. Hands-on building and construction work is not covered by this provision. Service contracts negotiated with third parties after the signing of the sales or lease agreement are not covered by this exemption. If, however, the original sales agreement indicates that a third company has been or will be contracted to service the equipment, the exemption applies.

b) Supervisors

This provision also covers persons who enter Canada to supervise the installation of specialized machinery purchased or leased outside Canada, or to supervise the dismantling of equipment or machinery purchased in Canada for relocation outside Canada. [As a guide, one supervisor can normally be expected to supervise five to ten installers or other workers.]

▪ **Intra-company trainers**

Foreign nationals giving training within a Canadian parent or subsidiary of the corporation that employs them outside Canada, if any production of goods or services resulting from the training is incidental.

▪ **Intra-company trainees**

Foreign nationals receiving training within a Canadian parent or subsidiary of the corporation that employs them outside Canada, if any production of goods or services resulting from the training is incidental.

This exemption does not apply if the foreign national is employed for the period of the training only. Students wishing to come to Canada for an internship may be eligible for an internship of work exchange program:

<http://www.dfait-maeci.gc.ca/canada-europa/germany/visa-intern-en.asp>

▪ **Intra-company training and installation activities**

When a person is coming to provide training or installation of equipment for a branch or subsidiary company, they are considered to be business visitors. The same prohibition against hands-on building and construction work as for after-sales service applies. The foreign national should maintain their position in their home branch and not be paid by the Canadian branch above expenses.

This provision may also apply to a trainer or specialized installer under an after-sales contract by the foreign branch (with the same conditions applying), as long as the service is provided company-wide and not just for the Canadian office.

▪ **Consultants**

Foreign nationals coming to Canada for reasons of consultation, monitoring or inspection are considered to be business visitors. This provision would also extend to most foreign company personnel coming to Canada to consult with other company employees about the day to day running of the business.

This category does **not include**:

- foreign workers who are merely under contract to a company (e.g. freelancers, etc.) and who will be providing consulting, auditing, or other services;
- foreign 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

In the above cases a work permit is required.

DOCUMENTS REQUIRED BY TEMPORARY BUSINESS VISITORS (in addition to the documents required for visitors in general):

- 1) A letter of support from the foreign company which will confirm:**
 - the relationship between the foreign company and the company in Canada
 - the duration of the visit
 - duties of the business visitor while in Canada

- 2) A letter of support from the company office in Canada the foreign national will be visiting which will confirm:**
 - the relationship between the foreign company and the company in Canada
 - the intended duration of the stay
 - duties of the business visitor while in Canada

- 3) Proof of the relationship between the foreign company and the company in Canada (such as copies of contracts, business profile, etc.)**

B) Work with work permit – Intra-company Transferees

Canada has provisions that allow for the temporary transfer of an employee from the foreign to the Canadian branch of an international company.

Foreign nationals coming to Canada as an Intra-Company Transferee may be eligible for a **work permit without HRSD confirmation.**