



## COVID 19: Film & TV Industry One-Pager

### Issue

The Canadian Motion Picture Association has requested clarification from the Government of Canada on the implications of the various Orders in Council (OICs) for the resumption of their economic activities in Canada.

### Background

On March 18, 2020, the Government of Canada announced a prohibition on discretionary or optional travel to Canada to minimize the risk of spreading the COVID-19 disease in Canada. The travel prohibition was accompanied by municipal and provincial and territorial emergency measures which closed many businesses and industries to promote physical distancing. As cities, provinces and territories have begun to resume their economic activity, industry is seeking solutions on complying with the OICs while maintaining their business viability.

### Orders in Council

Two different OICs apply to persons arriving from the United States (U.S.) and those arriving from a country other than the U.S. Film and television (TV) workers and their families seeking to enter Canada to work are impacted by these OICs.

### Workers

All foreign nationals coming from any country other than the U.S. are prohibited from entering Canada for optional or discretionary purpose. Prior to the OICs, under the International Mobility Program (IMP), certain workers were exempt from the need to apply for a work permit before travelling to Canada; they could make the work permit application upon arrival in Canada.

Currently, under the OIC, foreign nationals who hold a valid work permit, or who has been approved for a work permit by Immigration, Refugees and Citizenship Canada (IRCC) meet an exemption to the prohibitions, and may travel to Canada. Therefore, workers who do not hold a valid work permit or have not been pre-approved for a work permit are not currently allowed to make applications for a work permit at the port of entry, and will not be allowed to travel.

For foreign nationals who are seeking to come to Canada from the U.S., the International Mobility Program has not changed. Those who are eligible to apply at the port of entry may continue to do so, provided they meet the requirements of the OIC (described below).

Alternatively, foreign national travellers may seek a National Interest Exemption letter from any one of the Ministers of Public Safety, IRCC or Global Affairs Canada, and then complete their work permit application at the POE upon arrival.

Workers who are seeking entry to Canada 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 \(Mandatory Isolation\), No. 2](#); **and**
3. Meet one of the following conditions:
  - a. Their place of habitual residence is in Canada **and** hold a valid work permit; **or**
  - b. They are coming to Canada for the first time to begin their employment **and** are in possession of a valid work permit or a work permit approval letter, **and** have proof of employment at a Canadian business which is operating (e.g. film studio); **or**
  - c. If they do not have a valid work permit or an approval letter **but** are eligible to apply for a work permit at a port of entry pursuant to section 198 of the [Immigration and Refugee Protection Regulations](#) **and** have proof of employment at a Canadian business which is operating.

For workers seeking to enter Canada from the U.S., the International Mobility Program (IMP) has not been affected.

Workers who are seeking entry to 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 Minimizing the Risk of Exposure to COVID-19 in Canada Order \(Prohibition of Entry into Canada from any Country other than the United States\)](#); **and**
3. Meet one of the following conditions:
  - a. Their place of habitual residence is in Canada and they hold a valid work permit; **or**
  - b. They are coming to Canada for the first time to begin their employment **and** are in possession of a valid work permit or a work permit approval letter, **and** have proof of employment at a Canadian business which is operating.

### Family Members

The above conditions apply only to workers. Their immediate family members<sup>1</sup> may be eligible to travel and enter Canada according to the following:

Immediate family members of foreign workers seeking to enter Canada 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 \(Mandatory Isolation\), No. 2](#); **and**
3. Not be travelling for an optional or discretionary purpose, such as tourism, recreation or entertainment.

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<sup>1</sup> Immediate family member is defined as: spouse or common-law partner; dependent child (22 years old or younger) of the person or the person's spouse / common-law partner; dependant grand-child (22 years old or younger); parent or step-parent of the person or their spouse / common-law partner; and legal guardian or tutor of the person.

Travel by immediate family members of foreign workers seeking to enter Canada from the U.S. to establish themselves for an extended period with the foreign worker is considered non-discretionary or non-optional. Therefore, provided that they are asymptomatic and have a place to quarantine for 14 days, these family members will be permitted to travel to and enter Canada, absent any other admissibility concerns.

Immediate family members of foreign workers 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 Minimizing the Risk of Exposure to COVID-19 in Canada Order \(Prohibition of Entry into Canada from any Country other than the United States\)\*](#); **and**
3. Not be travelling for an optional or discretionary purpose, such as tourism, recreation or entertainment.

Travel by immediate family members of foreign workers seeking to enter Canada from a country other than the U.S. to establish themselves for an extended period with the foreign worker is considered non-discretionary or non-optional. However, these travellers must still be exempt from the travel prohibition in order to be permitted to travel to Canada (see condition #2 above for a link to the list of exemptions).