

COVID-19 TRAVEL RESTRICTIONS

By Immi Sikand

Below is an update for your information regarding travel restrictions based recent announcements. An Order in Council under the *Quarantine Act* has been passed.

- Foreign nationals (FN) who hold temporary resident status (those holding work, study or visitor visas/permits, or approvals for temporary status or confirmations of permanent residence status approvals) will not be allowed to board international flights unless they are coming directly from the US and have been in the US for the 14 days prior to their entry to Canada (This applies to cross-border flights only coming directly from the US)
- Canadian citizens, Permanent Residents (PRs) and their immediate family (Note: immediate family member is defined as spouse, common-law partner, dependent children) will be permitted to return to Canada by air only if they are not exhibiting COVID19 symptoms. It is our understanding that they may be able to return via a land border if they are exhibiting COVID19, symptoms.
- All incoming travellers, including Canadians, permanent residents and foreign nationals are subject to a 14-day self-isolation/quarantine period under *Quarantine Act*.
- The Canada-US border will be closed to all “non-essential” travel in the coming hours / days according to PM Trudeau. Non-essential travel includes:
 - No recreational/tourism purposes
 - Travel for the purpose of obtaining immigration services has been deemed non-essential.
 - Foreign nationals who hold valid work permits or study permits will be permitted to re-enter Canada from the US if they can demonstrate that they have been in the US for at least 14 days prior to their travel and undertake to self-isolate for 14 days following entry to Canada.
- All inbound international flights are to be diverted to Montreal, Toronto, Calgary and Vancouver for initial screening of passengers. Flights directly from Mexico, Caribbean will be allowed to land at their planned destination.



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- At this time, all citizenship test and oath ceremonies are cancelled or postponed.

For reference, the above information is as per the ORDER IN COUNCIL (OIC) under the *Quarantine Act* <https://orders-in-council.canada.ca/attachment.php?attach=38952&lang=en>

Duration [OIC s.5]: Order will be in effect from noon EDT on March 18, 2020, until noon EDT June 30, 2020

- General Prohibition [OIC s.2]: Foreign nationals (as defined in IRPA) are prohibited from entering Canada if they arrive by air from a foreign country
- Exceptions [OIC s.3]: Prohibition does not apply to:
 - (a) A person who has only been in the US or Canada in the 14 days before they arrive in Canada
 - (b) An immediate family member of a Canadian Citizen or PR (as defined in IRPA)
 - (c) A person registered under the *Indian Act*
 - (d) A person authorized **IN WRITING** by a Canadian consular officer to enter Canada for family reunification
 - (e) A crew member, as defined in the *Canadian Aviation Regulations*
 - (f) A person who is exempt from the TRV requirement under R190(2)(a) of the IRPR, and immediate family members (holders of passports containing diplomatic/consular/official acceptance by DFAIT AND accredited as a diplomat/consular officer/representative/official of another country/the UN & agencies/international organization)
 - (g) A person who enters at the invitation of the federal Minister of Health to assist in COVID-19 response
 - (h) A person who enters by means of RCAF/DND aircraft
 - (i) A member of the CF or a visiting force (as defined in *Visiting Forces Act*)
 - (j) A protected person (as defined at A95(2) of IRPA)
 - (k) A French citizen who resides in Saint-Pierre-et-Miquelon, who has been only in Saint-Pierre-et-Miquelon, the US or Canada in the 14 days before entry.

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- (l) A person or class of persons who, in the opinion of the Chief Public Health Officer:
 - Do not pose a risk of significant harm to public health, or
 - Will provide an essential service while in Canada
 - (m) A person whose presence in Canada is in the national interest, in the opinion of the Minister of Foreign Affairs, Citizenship and Immigration, or Public Safety and Emergency Preparedness
 - (n) A person who arrives by air if the scheduled arrival is before 11:59 pm EDT on March 18, 2020
- Definition of immediate family member [OIC s. 1]: For the purposes of this order, immediate family member includes:
- (a) Spouses or common-law partners
 - (b) Dependent children (including dependent children of spouses/common-law partners)

If you have any questions about current COVID-19 travel restrictions or immigration matters, please do not hesitate to contact us.