

ENTRY PROCEDURES INTO CANADA FOR PARTICIPANTS OF AUDIOVISUAL TREATY COPRODUCTIONS UNDER AN AUDIOVISUAL TREATY IN FORCE WITH CANADA

Telefilm Canada is offering this information as a guide, but official procedures are the responsibility of Immigration, Refugees and Citizenship Canada (IRCC) and Employment and Social Development Canada (ESDC).

In most cases, Canadian employers hiring temporary foreign workers must get a [Labour Market Impact Assessment \(LMIA\)](#) from ESDC/Service Canada. The foreign national also requires a work permit from IRCC in order to work in Canada.

However, under section 204(a) of the *Immigration and Refugee Protection Regulations (IRPR)*, foreign workers entering Canada to take up employment under the terms of an [audiovisual coproduction treaty](#) between Canada and any foreign country do not require an LMIA when applying for their work permit. The LMIA exemption code under IRCC's International Mobility Program is [T11](#). In very limited circumstances, a foreign worker might even be eligible for a [work permit exemption](#).

On February 21, 2015, [new regulations](#) came into force that require employers of foreign nationals applying for an employer-specific LMIA-exempt work permit to:

- pay the new employer compliance fee of \$230 [online](#); and
- electronically submit offer of employment information directly to IRCC.

The \$230 fee must be paid and the **Offer of Employment** must be submitted by the employer **before** a foreign national makes an application for an employer-specific LMIA-exempt work permit. The employer should provide the offer of employment ID number to the foreign national for inclusion in their work permit application form.

As of October 26, 2015, all employers under the International Mobility Program must submit the Offer of Employment form and the employer compliance fee using the Employer Portal. For more information on the Employer Portal, please refer to [IRCC's website](#).

If employers do not meet these requirements when hiring foreign nationals under employer-specific LMIA-exemptions, officers have the authority to refuse the work permit application.

Under the regulations, IRCC may reimburse the \$230 fee to employers if:

- the foreign national's application for a work permit is subsequently refused; or
- the employer withdraws the offer of employment before a work permit is issued.

For more information please visit the [IRCC website](#) or call IRCC at **1-888-242-2100** or visit ESDC's [website](#).

DETAILED ENTRY PROCEDURE

Step 1:

Employers need to pay an employer compliance fee (\$230*) and submit an **Offer of Employment** to Immigration, Refugees and Citizenship Canada through the [Employer Portal](#) before a foreign worker can apply for a work permit.

Step 2:

The Canadian coproducer will have to give the foreign worker entering Canada the following information/documents:

- the Offer of Employment ID number
- proof of employer compliance fee payment;
- a signed letter addressed to the foreign coproducer or the immigration authority (see Telefilm template letter and explanations in the Annex);
- a duly signed and acceptable work contract between the foreign worker and one of the coproducers.

Step 3: Entering Canada

- A) If a foreign worker does not need a visa to enter Canada, they may choose to apply for their work permit at a mission overseas (embassies and consulates) or present the documents mentioned above directly at a Canadian port-of-entry. In either case, they must pay a **work permit processing fee** (\$155*).

OR

- B) If a foreign worker needs a visa to enter Canada, they will need to obtain their visa and work permit at the Canadian Embassy or consulate in their home country before arriving in Canada. Please refer to IRCC's website for more information on how to apply for a visa and work permit:

<http://www.cic.gc.ca/english/resources/tools/temp/work/apply.asp>

* All prices and procedures are subject to change by IRCC. Telefilm is not responsible for these changes and it could take some time before this information is updated on our website. Please check regularly on the IRCC official site.

Useful links:

- **Payment procedure:** <http://www.cic.gc.ca/english/information/fees/index.asp>
- **Application forms :**
 - [Application to Work in Canada – Work Permits](#)
 - Workers: [change conditions or extend your stay](#)

Check application processing times: [Temporary Residence](#)

- [Find out if you need an Electronic Travel Authorization \(eTA\) or a visa to visit Canada](#)
- [Find out if you need to give biometrics](#)
- [Medical exams and police checks](#)

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ANNEX

In order to facilitate the work of producers, we have included a letter template containing all the information required by Canadian Immigration authorities.

This letter may be addressed to the foreign coproducer or the immigration authority, but must be sent to the foreign coproducer. A copy of this letter should also be sent to Telefilm Canada. This letter, along with information already on file with Telefilm Canada, will serve to provide background information should Canadian authorities (at the point of entry) wish to confirm any information with Telefilm Canada concerning the foreign workers. Telefilm Canada plays a role in approving coproduction contracts between producers and is available to confirm that a contract exists, if necessary (Telefilm Canada 1-800-567-0890 or 514-283-6363).

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You can use our template or create your own letter. Please make sure you include the following information:

1. Title of the audiovisual treaty coproduction project;
2. Telefilm file number at the coproduction department;
3. The name of the foreign worker and whether they will be working in a creative or technical capacity on the audiovisual coproduction;
4. Reference to, or a copy of, the specific audiovisual coproduction treaty that would cover the foreign worker's entry/work;
5. The start date, duration, and nature of work that they will do in Canada;
6. Name, contact information and complete address of both coproducers (Canadian and foreign);
7. Information regarding the intended shooting location(s);
8. A list of key creative and technical participants on the production;
9. A paragraph stating that a copy of the letter has been sent to Telefilm Canada which will be able to provide corroborating information on the audiovisual treaty coproduction project in question.

The letter should be signed and dated by the Canadian coproducer or their authorized representative.

Complete information on the procedure to be followed for foreign workers and their employers may be found at the following addresses:

<http://www.cic.gc.ca/english/work/index.asp>

<http://www.cic.gc.ca/english/resources/tools/temp/work/index.asp>

You can also visit the Telefilm website - Coproductions: [Telefilm Guidelines](#)

Date: _____

To: _____

[Name and full address of the foreign coproducer]

And: Immigration, Refugees and Citizenship Canada

Object: _____
[Name of the coproduction]

Telefilm file number: _____

Under the provisions of _____,
[Name of the audiovisual coproduction treaty]

Mr./Ms./Madam _____ will come to Canada on
[Name of the person who seeks entry into Canada]

_____ to work as _____
[Arrival date and duration] *[Position]*

on the production entitled _____,
[Name of the audiovisual treaty coproduction]

expected to take place in _____, from _____
[Shooting location] *[Start date]*

to _____.
[End date]

Mr./Ms./Madam _____'s duties include:
[Name of the person who seeks entry into Canada]

A coproducing contract has been signed between:

[Name and full address of the Canadian coproducer]

and

[Name and full address of the foreign coproducer]

