

Travel from the United States to Canada

9 January 2021

Pre-boarding obligations?	Are travellers allowed to transit through Canada?	Who is allowed to enter Canada?	What are travellers' obligations once they enter Canada?
<p><u>What are the obligations?</u></p> <p>All travellers, including Canadian Citizens, permanent residents of Canada, and persons registered as Indian under the Indian Act, are required to present documentary evidences of a negative COVID-19 molecular test (including a polymerase chain reaction [PCR] or reverse transcription loop-mediated isothermal amplification [RT-LAMP]) test prior to boarding their flight to Canada.</p> <p>Foreign nationals must:</p> <ul style="list-style-type: none"> • Confirm to the airline that they have read the order and certify, to the best of their ability, that they are eligible to enter Canada; and • Not provide statements or documentation under false or misleading pretenses. • Provide a negative COVID-19 molecular test no more than 72 hours (unless meeting an exception listed below) before the aircraft's initial scheduled departure time to Canada <p>Airlines must:</p> <ul style="list-style-type: none"> • Notify passengers (including Canadian citizens, permanent residents of Canada and persons registered under the Indian Act) of the requirement to have/obtain a COVID-19 molecular test that was performed on a specimen collected within 72 hours (unless meeting an exemption or exception) prior to the aircraft's initial scheduled departure time to be eligible to board. • Notify every foreign national that they may be denied entry to 	<p><u>Are travellers allowed to transit through Canada?</u></p> <ul style="list-style-type: none"> • Yes, as long as the foreign national is not showing symptoms of COVID-19 (a fever and a cough; or a fever and difficulty breathing), they are allowed to transit from international-to-international in Canada. • The traveller must be a person who arrives at a Canadian airport aboard a commercial passenger conveyance and who is transiting to a country other than Canada and must meet the following criteria: <ul style="list-style-type: none"> ✓ Arrives and departs from the same Canadian airport, no domestic flights allowed; ✓ Remains in the sterile area of the airport; ✓ Baggage checked all the way through final destination; ✓ In Montreal, Vancouver and Calgary, connecting flights must be within same operating day, no overnights allowed; and 	<p><i>Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the United States)</i></p> <p><u>Who is prohibited from entry to Canada?</u></p> <ul style="list-style-type: none"> • Order 38 prohibits entry of all foreign nationals travelling in all modes from the US to Canada who: <ul style="list-style-type: none"> ○ Exhibit signs or symptoms of COVID-19, either a fever and a cough, or a fever and breathing difficulties; ○ Seek to enter for an optional or discretionary purpose, such as tourism, recreation or entertainment; ○ Cannot comply with the requirement to quarantine under the <i>Minimizing the Risk of Exposure to COVID-19 in Canada Order (Mandatory Isolation)</i>; or ○ Seek to enter Canada for the purpose of claiming refugee status. <p><u>Are there exceptions to the restriction on seeking to enter for optional or discretionary purposes? Yes.</u></p> <p>A foreign national is prohibited from entering Canada if the purpose of their trip is optional or discretionary, such as tourism, recreation or entertainment unless they:</p> <ul style="list-style-type: none"> • are an immediate family member of a Canadian citizen, permanent resident, or a person registered as an Indian under the <i>Indian Act</i> and enters Canada with the intention to be with the Canadian Citizen, permanent resident, or registered Indian of whom they are an immediate family member and can demonstrate the intent to stay in Canada for a period of at least 15 days; • are an extended family member of a Canadian citizen, permanent resident, or a person registered as an Indian under the <i>Indian Act</i> and enters Canada with the intention to be with the Canadian Citizen, permanent resident or registered Indian of whom they are an extended family member and can demonstrate the intent to stay in Canada for a period of at least 15 days, has a statutory declaration, and authorization to enter issued by IRCC; • have an authorization letter issued by PHAC for entry on compassionate grounds; or • have an authorization letter issued by PCH in relation to an international single sport event. <p><u>What is the definition of an "immediate family member" of a Canadian citizen or permanent resident?</u></p> <ul style="list-style-type: none"> • An "immediate family member" of a Canadian citizen or permanent resident, and persons registered as an Indian under the <i>Indian Act</i> includes: <ul style="list-style-type: none"> • the spouse or common-law partner of the person; • a dependent child of the person, or of the person's spouse or common-law partner; • a dependent child of a dependent child referred to paragraph (b); • the parent or step-parent of the person, or of the person's spouse or common-law partner; or, • the guardian or tutor of the person. <p><u>What is the definition of an "extended family member" of a Canadian citizen or permanent resident or a person registered as an Indian under the Indian Act?</u></p> <ul style="list-style-type: none"> • An "extended family member" of a Canadian citizen or permanent resident or a person registered as an Indian under the <i>Indian Act</i> includes: <ul style="list-style-type: none"> • an individual who is 18 years of age or older and is in an exclusive dating relationship with the person who is also 18 years of age or older and has been in such a relationship for at least one year, and has spent time in the physical presence of the person during the course of the relationship; 	<p><u>What are travellers' obligations once they enter Canada?</u></p> <ul style="list-style-type: none"> • Every person must wear a non-medical mask or face covering upon entry and while in transit to the place of quarantine or isolation, a health care facility, or a place of departure from Canada, unless they are alone in a private vehicle. • Upon entry to Canada, all travellers will have to answer additional screening questions regarding their intended place of quarantine. • During their first 14 days in Canada, all travellers will have to answer relevant health screening questions. • All asymptomatic travellers must quarantine themselves for 14 days and monitor for any symptoms of COVID-19. <ul style="list-style-type: none"> ○ From their answers, if they are considered unable to quarantine themselves, they will be transferred to a quarantine facility. ○ A series of exemptions to the quarantine obligation apply for some categories of asymptomatic travellers, such as crew members, members of the armed forces, persons providing an essential service et al. They will still be required to wear a non-medical mask or face covering in public. • Any symptomatic traveller must isolate themselves for 14 days and undergo any health assessment requested by a quarantine officer. <ul style="list-style-type: none"> ○ From their answers, if they are considered unable to isolate themselves, they will be placed into isolation in a quarantine facility. ○ Of note, a person is considered unable to isolate themselves if they must use public transportation (plane, train, bus, taxi) from the place they enter Canada to arrive at their place of isolation. <p><u>Are there exceptions to these obligations? Yes.</u></p> <ul style="list-style-type: none"> • Crew members; • A person who enters at the invitation of the Minister of Health for the purpose of assisting in the COVID-19 response; • A member of the Canadian military or visiting forces; • A person or any person in a class of persons whom the Chief Public Health Officer determines will provide an essential service; as long as the person complies with any conditions imposed on them by the Chief Public Health Officer to minimize the risk of introduction or spread of COVID-19; • A person or any person in a class of persons whose presence in Canada is determined by the Minister of Foreign Affairs, the Minister of Citizenship and Immigration or the Minister of

<p>Canada if they are not exempt under order;</p> <ul style="list-style-type: none"> • Not board a foreign national, who is a competent adult, on a flight to Canada if they do not provide confirmation that they are eligible to enter Canada; • Conduct a health check of every person prior to boarding; and • Ask the traveller the following: <ul style="list-style-type: none"> ✓ Has the traveller been denied boarding in the past 14 days due to a medical reason related to COVID-19? • Not board a person if their answers to the health questions indicate they exhibit: <ul style="list-style-type: none"> ✓ a fever and a cough, or ✓ a fever and breathing difficulties; • Not board a person if the airline observes, during the health check, that the person is exhibiting: <ul style="list-style-type: none"> ✓ a fever and a cough, or ✓ a fever and breathing difficulties; • Deny boarding if the passenger tells the airline that they HAVE been denied boarding for reason related to COVID-19 in the past 14 days; • Deny boarding if a traveller refuses to answer the health check or additional questions; and • Deny boarding if a traveller is not in possession of a negative COVID-19 molecular test, performed on a specimen collected within 72 hours, unless otherwise excepted or exempted. • Ensure that every passenger has and wears a mask or face covering. • Notify passengers that as of November 21, 2020, all travellers returning or travelling to Canada via air may be required to digitally submit their COVID-related information. This 	<ul style="list-style-type: none"> ✓ In Toronto, overnight and inter-terminal connections can be accommodated. ✓ An exemption applies to transiting travellers who are being repatriated by their governments on flights that require a stop-over in Canada. 	<ul style="list-style-type: none"> • a dependent child of the person referred to in paragraph (a); • a child of the person or of the person's spouse, common-law partner or the person referred to in paragraph (a) other than a dependent child; • a dependent child of a child referred to in paragraph (c); • a sibling, half-sibling or step-sibling of the person or of the person's spouse or common-law partner; or • a grandparent of the person or of the person's spouse or common-law partner. <p><u>Are there exceptions to this restriction on refugee claims? Yes.</u></p> <ul style="list-style-type: none"> • There are several exceptions to the restriction on refugee claims, including: <ul style="list-style-type: none"> ○ A foreign national seeking to enter Canada at a land port of entry designated by the Minister of Public Safety and Emergency Preparedness under section 26 of the <i>Immigration and Refugee Protection Regulations</i>, and <ul style="list-style-type: none"> ▪ is a person referred to in section 159.2, 159.5 or 159.6 of the IRPR; or, ▪ is a citizen of the United States; or, ○ A person or any person in a class of persons whose presence in Canada is determined by the Minister of Public Safety and Emergency Preparedness or the Minister of Citizenship and Immigration to be in the national or public interest, while recognizing the paramount public health interests of Canada and Canadians; or, ○ A person who seeks to come into Canada at a port of entry other than a land port of entry – including airports, harbour ports, ferry landings, and locations that are not ports of entry – and who is either a citizen of the United States; or, a stateless habitual resident of the United States; or, an unaccompanied minor (who is not married, including no common-law partnership) and who does not have a parent or a legal guardian in the United States. <p><u>What happens if a foreign national arrives at the border to make a refugee claim?</u></p> <ul style="list-style-type: none"> • If the foreign national is coming from the US to make their claim in Canada, and they do not fall under any of the exceptions to the restrictions noted above, they will be DIRECTED BACK to the US. <p><u>Are there special provisions regarding international students? Yes.</u></p> <ul style="list-style-type: none"> • The prohibition on foreign nationals does not apply to international students who seek to enter Canada for the purpose of attending a listed educational institution as determined by a government of a province or territory to have appropriate measures in place to ensure students can meet obligations under any order made under section 58 of the <i>Quarantine Act</i> with respect to mandatory isolation or quarantine, and which is published or listed by IRCC on its website for the purposes of this Order. • The prohibition on foreign nationals does not apply to the immediate family members of international students, as long as they are entering to establish themselves in Canada with the student. • The prohibition includes and applies to international students who are not destined to a listed educational institution, notwithstanding the foreign national may hold an existing and valid study permit, or have received written notice from IRCC of approval of a study permit application, or be entitled to apply for a study permit at the time of seeking entry to Canada. <p><u>Is anyone completely exempt from this order? Yes.</u></p> <ul style="list-style-type: none"> • A person registered as an Indian under the <i>Indian Act</i>; • A person who, as determined by the Chief Public Health Officer, does not pose a risk of significant harm to the public health; • A Protected person; or • A person who enters Canadian waters, including the inland waters, or the airspace over Canada on board a conveyance while proceeding directly from one place outside Canada to another place outside Canada, as long as the person was continuously on board that conveyance while in Canada and in the case of a 	<p>Public Safety and Emergency Preparedness to be in the national interest, as long as the person complies with any conditions imposed on them by that Minister to minimize the risk of introduction or spread of COVID-19*;</p> <ul style="list-style-type: none"> • A provider of emergency services; • A person who enters Canada for the purposes of providing medical care or transporting essential medical equipment, supplies, or means of treatment, or delivering, maintaining or repairing medically necessary equipment or devices, as long as they do not directly care for persons 65 years of age or older within the first 14 days after their entry to Canada (also students in a health field, licenced health care professionals); • A person who enters Canada for the purpose of receiving essential medical services or treatment, within 36 hours of entering Canada, OTHER than services or treatments related to COVID-19; • Certain persons supporting fishing-related activities; or, • Certain habitual residents of integrated trans-border communities. • A person who seeks to enter Canada on board a vessel, as defined in section 2 of the <i>Canada Shipping Act, 2001</i>, that is engaged in research and that is operated by or under the authority of the Government of Canada or at its request or operated by a provincial government, a local authority or a government, council or other entity authorized to act on behalf of an Indigenous group, as long as the person remains on board the vessel. • High performance amateur athletes or as a person deemed to have an essential role in relation to an international single sport event, in possession of a PCH quarantine exemption authorization letter. <p>Be mindful of provincial border closures and quarantine requirements as this could impact the traveller's ability to return home.</p> <p><u>Are there exceptions to the requirement to quarantine or isolate? Yes.</u></p> <p>The requirements to remain in quarantine do not apply to a person if the Minister of Health determines that the person will only leave quarantine for one of the following purposes and if the person only leaves quarantine to:</p> <ul style="list-style-type: none"> • attend to the death of, or provide support to a Canadian citizen, permanent resident, temporary resident, protected person or a person registered as an Indian under the Indian Act who is residing in Canada who is deemed by a health care professional entitled under the laws of a province to provide health services in the province to be critically ill; • provide care for a Canadian citizen, permanent resident, temporary resident, protected person or a person registered as an Indian under the <i>Indian Act</i> who is residing in Canada and who is deemed by a medical health care professional
---	--	--	--

is to be done digitally through ArriveCAN before they board their flight and includes providing: travel and contact information; quarantine plan; and a COVID-19 symptom self-assessment. ArriveCAN is available as a mobile app or by signing in online through Canada.ca/ArriveCAN.

Are there additional obligations?

Yes, airlines must:

- Not board a person who either reported or exhibited a fever and a cough, or a fever and breathing difficulties, during their original boarding (if 14 days have not passed since) unless the person has a medical certificate stating that the symptoms are **NOT** related to COVID-19.

Minimizing the Risk of Exposure to COVID-19 in Canada Order (Quarantine, Isolation and Other Obligations) (OIC 39).

Who is required to obtain a Negative COVID-19 molecular polymerase chain reaction (or PCR) test within 72 hours of boarding their direct flight to Canada?

All travellers, who are 5 years of age and older, including Canadian Citizens, permanent residents of Canada, and persons registered as Indian under the Indian Act, are required to present a negative COVID-19 molecular test prior to boarding their flight to Canada.

The testing requirement does not apply to children who are 4 years of age or younger.

Is anyone exempt from this requirement?

The following travellers are exempt from the requirement to provide a negative COVID-19 molecular test:

conveyance other than an aircraft, the person did not land in Canada and the conveyance did not make contact with another conveyance, moor or anchor while in Canadian waters, including the inland waters, other than anchoring carried out in accordance with the right of innocent passage under international law; or in the case of an aircraft, the conveyance did not land while in Canada.

When does Order 38 end?

January 21, 2021

entitled under the laws of a province to provide health services in the province to have a medical reason as to why they require support; or

- attend a funeral or end of life ceremony.

When does Order 39 end?

January 21, 2021

*Professional athletes and staff members of the National Hockey League have been exempted from the requirement to quarantine on national interest grounds.

<ul style="list-style-type: none">• A person who was on board an aircraft to Canada on January 6th at 11:59 PM EST (<i>subsection 15(1)(a) of the MI OIC</i>).• A person who is not required to receive a negative result for a COVID-19 molecular test under the Aeronautics Act before boarding an aircraft for a flight to Canada (<i>subsection 15(1)(b) of the MI OIC</i>).<ul style="list-style-type: none">◦ Travellers arriving on a direct flight from Haiti (until January 21st), Saint-Pierre-et-Miquelon (until January 14th) or Jamaica (January 10 to 18).• A person who plans to arrive at a Canadian airport aboard an aircraft in order to transit to a country other than Canada and will remain in a sterile transit area, as defined in section 2 of the <i>Immigration and Refugee Protection Regulations</i>, until they leave Canada. (<i>subsection 1.1(6) of the MI OIC</i>).• A crew member as defined in subsection 101.01(1) of the <i>Canadian Aviation Regulations</i> or a person who enters Canada only to become such a crew member. (<i>subsection 1.1(4)(a) of the MI OIC</i>).• A member of a crew as defined in subsection 3(1) of the <i>Immigration and Refugee Protection Regulations</i> who is re-entering Canada after having left to participate in mandatory training in relation to the operation of a conveyance, and who is required by their employer to return to work as a member of a crew on a conveyance within the 14-day period beginning on the day on which they return Canada. (<i>subsection 1.1(4)(b) of the MI OIC</i>).• A person or any person in a class of persons who, as determined by the Chief Public Health Officer, will provide an essential service, if the person complies with any conditions imposed on them by the Chief Public Health Officer to minimize the risk of introduction or spread of COVID-19. (<i>subsection 1.1(4)(c) of the MI OIC</i>).			
---	--	--	--

<p>✓ Asymptomatic members of the Canadian Armed Forces (CAF) returning from mission essential travel, as long as they adhere to the alternative testing and oversight measures required by CAF. CAF flight crew performing mission essential travel.</p> <ul style="list-style-type: none">• A person who is permitted to work in Canada as a provider of emergency services under paragraph 186(t) of the <i>Immigration and Refugee Protection Regulations</i> and who enters Canada for the purpose of providing those services. (subsection 1.1(4)(d) of the <i>MI OIC</i>).• An emergency service provider, including a firefighter, peace officer, or paramedic, who returns to Canada after providing emergency services in a foreign country and who is required to provide their services within the 14-day period beginning on the day on which they return Canada. (subsection 1.1(4)(e) of the <i>MI OIC</i>).• A person or any person in a class of persons whose presence in Canada, as determined by the Minister of Health, is in the national interest, if the person complies with any conditions imposed on them by that Minister to minimize the risk of introduction or spread of COVID-19. (subsection 1.1(4)(f) of the <i>MI OIC</i>).• An official of the Government of Canada or a foreign government, including a border services officer, immigration enforcement officer, law enforcement officer, or correctional officer, who is escorting individuals travelling to Canada or from Canada pursuant to a legal process such as the deportation, extradition or international transfer of an offender. (subsection 1.1(4)(g) of the <i>MI OIC</i>).• An official of the Government of Canada, the government of a province or a foreign government, including a border services officer, immigration			
---	--	--	--

enforcement officer, or law enforcement officer, who:

- i. enters Canada for the purposes of border, immigration or law enforcement, or national security activities, that support active investigations, ensure the continuity of enforcement operations or activities, or enable the transfer of information or evidence pursuant to or in support of a legal process; and
- ii. is required to provide their services within the 14-day period that begins on the day on which they enter Canada. (*subsection 1.1(4)(h) of the MI OIC*).