

CANADA’S SCHEDULE OF COMMITMENTS FOR TEMPORARY ENTRY FOR BUSINESS PERSONS

1. The following sets out Canada’s commitments in accordance with Article 12.4 (Grant of Temporary Entry) in respect of the temporary entry of business persons.
2. Canada may adopt or maintain any measure that is not specifically prohibited in this schedule.

Description of Category	Conditions and Limitations (including length of stay)
A. Business Visitors 1. Canada extends its commitments for “after-sales or after-lease service” to business persons of another Party, if that Party has made a commitment in its Schedule for after-sales and after-lease related activities (e.g. installation, maintenance or repair) without reserving the right to impose or maintain an economic needs test or numerical restriction for those activities. 2. Canada extends all other commitments under this category to business persons of another Party, if that Party has made a commitment in its Schedule without reserving the right to impose or maintain an economic needs test or numerical restriction for any of the following headings: • Business Visitors • Short Term Business Visitors • Service Sales Persons 3. Canada shall grant temporary entry to Business Visitors, without requiring that person to obtain a work permit or an equivalent requirement prior to entry as a condition for temporary entry. 4. Canada will not impose or maintain any numerical restriction relating to temporary entry of Business Visitors.	
<u>Definition:</u> Business Visitors comprise business persons for whom: (a) the primary source of remuneration for the proposed business activity is outside Canada; and	Length of stay is up to six months. Extensions are possible.

(b) the principal place of business and the predominant place of accrual of profits remain outside Canada, who are seeking to engage in one of the following business activities: Meetings and Consultations Business persons attending meetings, seminars or conferences, or engaged in consultations with business associates. Research and Design Technical, scientific and statistical researchers conducting independent research or research for an enterprise in a Party other than Canada. Manufacture and Production Purchasing and production management personnel conducting commercial transactions for an enterprise in a Party other than Canada. Marketing Market researchers and analysts conducting independent research or analysis or research or analysis for an enterprise in a Party other than Canada. Trade-fair and promotional personnel attending a trade convention. Sales Sales representatives and agents taking orders or negotiating contracts for goods or services for an enterprise in a Party other than Canada but not delivering goods or providing services. Buyers purchasing for an enterprise in a	
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Party other than Canada. Distribution Transportation operators transporting goods or passengers from the territory of a Party to Canada or loading and transporting goods or passengers from Canada, with no unloading in Canada, to the territory of another Party. After-Sales or After-Lease Service Installers, repair and maintenance personnel, and supervisors, possessing specialised knowledge essential to a seller's or lessor's contractual obligation, performing services or training workers to perform services, pursuant to a warranty or other service contract incidental to the sale or lease of commercial or industrial equipment or machinery, including computer software, purchased or leased from an enterprise located in a Party other than Canada, during the life of the warranty or service agreement. General Service Professionals engaging in a business activity at a professional or technical level as set out in Section D (Professionals and Technicians). Management and supervisory personnel engaging in a commercial transaction for an enterprise in a Party other than Canada. Financial services personnel (insurers, bankers or investment brokers) engaging in commercial transactions for an enterprise in a Party other than Canada. Tourism personnel (tour and travel agents, tour guides or tour operators) attending or participating in conventions or conducting	
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a tour that has begun in a Party other than Canada. Translators or interpreters performing services as employees of an enterprise in a Party other than Canada.	
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Description of Category	Conditions and Limitations (including length of stay)
B. Intra-Corporate Transferees 1. Canada extends its commitments for “management trainee on professional development” to business persons of another Party, if that Party has made a commitment in its Schedule for management or graduate trainees without reserving the right to impose or maintain an economic needs test or numerical restriction for those business persons. 2. Canada extends its commitments for “specialists” to the following Parties: Australia, Brunei Darussalam, Chile, Japan, Mexico, New Zealand, and Peru. 3. Canada extends all other commitments under this category to business persons of another Party, if that Party has made a commitment in its Schedule without reserving the right to impose or maintain an economic needs test or numerical restriction for Intra-Corporate Transferees. 4. Canada shall grant temporary entry and provide a work permit or work authorisation to Intra-Corporate Transferees, and will not: (a) require labour certification tests or other procedures of similar intent as a condition for temporary entry; or (b) impose or maintain any numerical restriction relating to temporary entry. 5. Canada shall grant temporary entry and provide a work permit or work authorisation to spouses of Intra-Corporate Transferees of another Party where that Party has also made a commitment in its schedule for spouses of Intra-Corporate Transferees, and will not: (a) require labour certification tests or other procedures of similar intent as a condition for temporary entry; or (b) impose or maintain any numerical restriction relating to temporary entry.	
<u>Definition:</u> Intra-Corporate Transferees comprise business persons employed by an enterprise in the territory of a Party who seek to render services to that enterprise’s parent entity, subsidiary or affiliate, in its territory as an executive or manager, a specialist, or a management trainee on professional development.	Length of stay is up to three years. Extensions are possible. The length of stay for spouses, including extensions, shall be the same as that of the business person they are accompanying who has obtained temporary entry under this Section B.

Canada may require the business person to have been employed continuously by the enterprise for one year within the three-year period immediately preceding the date of the application for admission. For the purpose of this definition, specialist means an employee possessing specialised knowledge of the company's products or services and their application in international markets, or an advanced level of expertise or knowledge of the company's processes and procedures. For the purpose of this definition, management trainee on professional development means an employee with a post-secondary degree who is on a temporary work assignment intended to broaden that employee's knowledge of and experience in a company in preparation for a senior leadership position within the company. For the purpose of this definition, executive means a business person within an organisation who: (a) primarily directs the management of the organisation or a major component or function of the organisation; (b) establishes the goals and policies of the organisation, or of a component or function of the organisation; and (c) exercises wide latitude in decision-making and receives only general supervision or direction from higher-level executives, the board of directors or stockholders of the business organisation. For the purpose of this definition,	
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manager means a business person within an organisation who: (a) primarily directs the organisation or a department or sub-division of the organisation; (b) supervises and controls the work of other supervisory, professional or managerial employees; (c) has the authority to hire and fire or take other personnel actions (such as promotion or leave authorisation); and (d) exercises discretionary authority over day-to-day operations.	
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Description of Category	Conditions and Limitations (including length of stay)
C. Investors 1. Canada extends its commitments under this category to business persons of another Party, if that Party has made a commitment in its Schedule without reserving the right to impose or maintain an economic needs test or numerical restriction for any of the following headings: • Investors • Independent Executives • Persons Responsible for Setting up a Commercial Presence 2. Canada shall grant temporary entry and provide a work permit or work authorisation to Investors and will not: (a) require labour certification tests or other procedures of similar intent as a condition of temporary entry; or (b) impose or maintain any numerical restriction relating to temporary entry. 3. Canada shall grant temporary entry and provide a work permit or work authorisation to spouses of Investors of another Party where that Party has also made a commitment in its schedule for spouses of Investors, and will not: (a) require labour certification tests or other procedures of similar intent as a condition for temporary entry; or (b) impose or maintain any numerical restriction relating to temporary entry.	
<u>Definition:</u> Investors comprise business persons seeking to establish, develop or administer an investment to which the business person or the business person's enterprise has committed, or is in the process of committing, a substantial amount of capital, in a capacity that is supervisory, executive or involves essential skills.	Length of stay is up to one year. Extensions are possible. The length of stay for spouses, including extensions, shall be the same as that of the business person they are accompanying who has obtained temporary entry under this Section C.

Description of Category	Conditions and Limitations (including length of stay)
D. Professionals and Technicians 1. Canada extends each occupational commitment under this category to business persons of another Party, if that Party has made a commitment in its Schedule covering that same occupation without reserving the right to impose or maintain an economic needs test or numerical restriction on those business persons. 2. Canada shall grant temporary entry and provide a work permit or work authorisation to Professionals and Technicians and will not: (a) require labour certification tests or other procedures of similar intent as a condition for temporary entry; or (b) impose or maintain any numerical restriction relating to temporary entry. 3. Canada shall grant temporary entry and provide a work permit or work authorisation to spouses of Professionals and Technicians of another Party where that Party has also made a commitment in its schedule for spouses of Professionals and Technicians, and will not: (a) require labour certification tests or other procedures of similar intent as a condition for temporary entry; or (b) impose or maintain any numerical restriction relating to temporary entry.	
<u>Definition:</u> Professionals means business persons engaged in a specialty occupation requiring: (a) theoretical and practical application of a body of specialised knowledge; and (b) a post-secondary degree of four or more years of study, unless otherwise provided in this schedule, and any additional requirement defined in the National Occupation Classification (NOC), and	The length of stay is up to one year. Extensions are possible. The length of stay for spouses, including extensions, shall be the same as that of the business person they are accompanying who has obtained temporary entry under this Section D.

(c) two years of paid work experience in the sector of activity of the contract, and (d) remuneration at a level commensurate with other similarly-qualified professionals within the industry in the region where the work is performed. Such remuneration shall be deemed to not include non-monetary elements such as, <i>inter alia</i>, housing costs and travel expenses. Technician means business persons engaged in a specialty occupation requiring: (a) theoretical and practical application of a body of specialised knowledge, and (b) a post-secondary or technical degree requiring two or more years of study as a minimum for entry into the occupation, unless otherwise provided in this Schedule, as well as any other minimum requirements for entry defined in the NOC, and (c) four years of paid work experience in the sector of activity of the contract, and (d) remuneration at a level commensurate with other similarly-qualified technicians within the industry in the region where the work is performed. Such remuneration shall be deemed to not include non-monetary elements such as, <i>inter alia</i>, housing costs and travel expenses.	
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For the purpose of this definition, specialty occupation means, for Canada, an occupation that falls within the NOC 0, A, and B.	
The following specialty occupations will be granted Temporary Entry for nationals of the Party indicated: Australia <u>Professionals:</u> Canadian educational requirements for professionals shall be deemed to be met for the purpose of entry whenever an Australian professional has met Australian educational requirements and the Canadian client or employer has provided a letter indicating that the Australian professional's qualifications are satisfactory, provided that Australia maintains similar treatment for Canadians seeking entry under the category of Contractual Service Suppliers in Australia's schedule of specific commitments. All occupations listed in the NOC levels 0 (Managers) and A (Professionals), except for: <i>All health, education, and social services occupations and related occupations</i> <i>All professional occupations related to Cultural Industries</i> <i>Recreation, Sports and Fitness Program and Service Directors</i> <i>Managers in Telecommunications Carriers</i> <i>Managers in Postal and Courier Services</i> <i>Judges and Notaries</i> <u>Technicians:</u> The following occupations listed in the NOC level B (Technician) unless otherwise indicated: <i>Civil Engineering Technologists and Technicians</i> <i>Mechanical Engineering Technologists and Technicians</i> <i>Industrial Engineering Technologists and Technicians</i> <i>Construction Inspectors and Estimators</i> <i>Engineering Inspectors, Testers and Regulatory Officers</i> <i>Supervisors in the following:</i> • <i>Machinists and Related Occupations</i> • <i>Printing and Related Occupations</i> • <i>Mining and Quarrying</i> • <i>Oil and Gas Drilling and Service</i> • <i>Mineral and Metal Processing</i>	

- *Petroleum, Gas, and Chemical Processing and Utilities*
- *Food, Beverage, and Tobacco Processing*
- *Plastic and Rubber Products Manufacturing*
- *Forest Products Processing*
- *Textile Processing*

Contractors and Supervisors in the following:

- *Electrical Trades and Telecommunications Occupations*
- *Pipefitting Trades*
- *Metal Forming*
- *Shaping and Erecting Trades*
- *Carpentry Trades*
- *Mechanic Trades*
- *Heavy Construction Equipment Crews*
- *Other Construction Trades*
- *Installers, repairers, and servicers*

Electrical and Electronics Engineering Technologists and Technicians

Electricians

Plumbers

Industrial Instrument Technicians and Mechanics

Aircraft Instrument, Electrical, and Avionics Mechanics, Technicians, and Inspectors

Oil and gas well Drillers, Services, and Testers

Graphic Designers and Illustrators

Interior Designers

*Computer and Information Systems Technicians**

International Purchasing and Selling Agents

Architectural Technologists and Technicians

Industrial Designers

Drafting Technologists and Technicians

Land Survey Technologists and Technicians

Technical occupations in Geomatics and Meteorology

** includes elements of NOC level A*

Brunei Darussalam

Professionals

The following occupations listed in the NOC levels 0 (Managers) and A (Professionals):

Petroleum Engineers

Chile

Professionals:

All occupations listed in the NOC levels 0 (Managers) and A (Professionals), except for:

All health, education, and social services occupations and related occupations
All professional occupations related to Cultural Industries
Recreation, Sports and Fitness Program and Service Directors
Managers in Telecommunications Carriers
Managers in Postal and Courier Services
Judges, Lawyers and Notaries except for Foreign Legal Consultants

Technicians:

The following occupations listed in the NOC level B (Technician) unless otherwise indicated:

Civil Engineering Technologists and Technicians
Mechanical Engineering Technologists and Technicians
Industrial Engineering Technologists and Technicians
Construction Inspectors and Estimators
Engineering Inspectors, Testers and Regulatory Officers

Supervisors in the following:

- *Machinists and Related Occupations*
- *Printing and Related Occupations*
- *Mining and Quarrying*
- *Oil and Gas Drilling and Service*
- *Mineral and Metal Processing*
- *Petroleum, Gas, and Chemical Processing and Utilities*
- *Food, Beverage, and Tobacco Processing*
- *Plastic and Rubber Products Manufacturing*
- *Forest Products Processing*
- *Textile Processing*

Contractors and Supervisors in the following:

- *Electrical Trades and Telecommunications Occupations*
- *Pipefitting Trades*
- *Metal Forming*
- *Shaping and Erecting Trades*
- *Carpentry Trades*
- *Mechanic Trades*
- *Heavy Construction Equipment Crews*

- *Other Construction Trades*
- *Installers, repairers, and servicers*

Electrical and Electronics Engineering Technologists and Technicians

Electricians

Plumbers

Industrial Instrument Technicians and Mechanics

Aircraft Instrument, Electrical, and Avionics Mechanics, Technicians, and Inspectors

Oil and gas well Drillers, Services, and Testers

Graphic Designers and Illustrators

Interior Designers

*Computer and Information Systems Technicians**

International Purchasing and Selling Agents

** includes elements of NOC level A*

Japan

Professionals:

All occupations listed in the NOC levels 0 (Managers) and A (Professionals), except for:

All health, education, and social services occupations and related occupations

All professional occupations related to Cultural Industries

Recreation, Sports and Fitness Program and Service Directors

Managers in Telecommunications Carriers

Managers in Postal and Courier Services

Judges, Lawyers and Notaries except for Foreign Legal Consultants

Researchers, except for those working in an academic entity

Technicians:

A Japanese associate's degree, or the equivalent of such a degree, or higher is required.

Canada reserves the right to refuse temporary entry to a Technician seeking to fulfil a contract which does not require significant application of theoretical knowledge in physical sciences, engineering or other natural sciences, or human sciences, such as economics.

The following occupations listed in the NOC level B (Technician) unless otherwise indicated:

Civil Engineering Technologists and Technicians

Mechanical Engineering Technologists and Technicians

Industrial Engineering Technologists and Technicians

*Construction Inspectors and Estimators
Engineering Inspectors, Testers and Regulatory Officers
Supervisors in the following:*

- *Machinists and Related Occupations*
- *Printing and Related Occupations*
- *Mining and Quarrying*
- *Oil and Gas Drilling and Service*
- *Mineral and Metal Processing*
- *Petroleum, Gas, and Chemical Processing and Utilities*
- *Food, Beverage, and Tobacco Processing*
- *Plastic and Rubber Products Manufacturing*
- *Forest Products Processing*
- *Textile Processing*
- *Electrical Trades and Telecommunications Occupations*
- *Pipefitting Trades*
- *Metal Forming*
- *Shaping and Erecting Trades*
- *Carpentry Trades*
- *Mechanic Trades*
- *Heavy Construction Equipment Crews*
- *Other Construction Trades*
- *Installers, repairers, and servicers*

*Electrical and Electronics Engineering Technologists and Technicians
Industrial Instrument Technicians and Mechanics
Aircraft Instrument, Electrical, and Avionics Mechanics, Technicians, and Inspectors
Oil and gas well Drillers, Servicers, and Testers (excluding operators)
Graphic Designers and Illustrators
Interior Designers
Computer and Information Systems Technicians*
International Purchasing and Selling Agents
Architectural Technologists and Technicians
Industrial Designers
Drafting Technologists and Technicians
Land Survey Technologists and Technicians
Technical occupations in Geomatics and Meteorology*

** includes elements of NOC level A*

Malaysia

Professionals:

The following occupations listed in the NOC levels 0 (Managers) and A (Professionals):

Financial Auditors and Accountants
Financial Analyst
Architecture Managers
Architects
Landscape Architects
Mechanical Engineers
Civil Engineers
Electrical and Electronics Engineers
Chemical Engineers
Industrial and Manufacturing Engineers
Metallurgical and Materials Engineers
Mining Engineers
Geological Engineers
Petroleum Engineers
Aerospace Engineers
Computer Engineers
Other Professional Engineers
Urban and Land Use Planners
Veterinarians
Computer and Information Systems Managers
Information Systems Analysts and Consultants
Database Analysts and Data Administrators
Software Engineers
Computer Programmers and Interactive Media Developers
Web Designers and Developers
Actuaries

Mexico

Professionals:

All occupations listed in the NOC levels 0 (Managers) and A (Professionals), except for:

All health, education, and social services occupations and related occupations
All professional occupations related to Cultural Industries
Recreation, Sports and Fitness Program and Service Directors
Managers in Telecommunications Carriers
Managers in Postal and Courier Services
Judges, Lawyers and Notaries except for Foreign Legal Consultants

Technicians:

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Mechanical Engineering Technologists and Technicians
Industrial Engineering Technologists and Technicians
Construction Inspectors and Estimators
Engineering Inspectors, Testers and Regulatory Officers
Contractors and Supervisors in the following:

- *Electrical Trades and Telecommunications Occupations*
- *Heavy Construction Equipment Crews*
- *Other Construction Trades*
- *Installers, repairers, and servicers*

Electrical and Electronics Engineering Technologists and Technicians
Electricians
Industrial Instrument Technicians and Mechanics
Graphic Designers and Illustrators
Interior Designers
*Computer and Information Systems Technicians**

** includes elements of NOC level A*

Peru

Professionals:

All occupations listed in the NOC levels 0 (Managers) and A (Professionals), except for:

All health, education, and social services occupations and related occupations
All professional occupations related to Cultural Industries
Recreation, Sports and Fitness Program and Service Directors
Managers in Telecommunications Carriers
Managers in Postal and Courier Services
Judges, Lawyers and Notaries except for Foreign Legal Consultants

Technicians:

The following occupations listed in the NOC level B (Technician) unless otherwise indicated:

Civil Engineering Technologists and Technicians
Mechanical Engineering Technologists and Technicians
Industrial Engineering Technologists and Technicians
Construction Inspectors and Estimators
Engineering Inspectors, Testers and Regulatory Officers

Supervisors in the following:

- *Machinists and Related Occupations*
- *Printing and Related Occupations*
- *Mining and Quarrying*
- *Oil and Gas Drilling and Service*
- *Mineral and Metal Processing*
- *Petroleum, Gas, and Chemical Processing and Utilities*
- *Food, Beverage, and Tobacco Processing*
- *Plastic and Rubber Products Manufacturing*
- *Forest Products Processing*
- *Textile Processing*

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Drafting Technologists and Technicians

Land Survey Technologists and Technicians

Technical occupations in Geomatics and Meteorology

** includes elements of NOC level A*