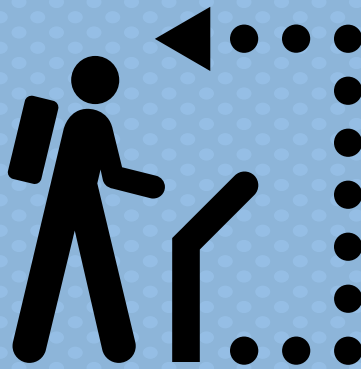


# BAM! Complete Guide to Entering Canada to Perform

by Robert Baird



#9

A step-by-step guide for foreign artists

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# BAM! Complete Guide Entering Canada to Perform

## A Step by Step Guide for Foreign Artists

### Step 1

### Basic Requirements

To visit Canada, you will need to meet some basic requirements, such as:

- have a valid travel document such as a passport,
- be in good health,
- have no criminal or immigration-related convictions,
- convince an immigration officer that you have ties—such as a job, home, financial assets or family—that will take you back to your home country,
- convince an immigration officer that you will leave Canada at the end of your visit, and
- have enough money for your stay. (The amount of money you will need can vary. It depends on things such as how long you will stay, and whether you will stay in a hotel, or with friends or relatives.)

## Step 2

### Check to see if you require a visa to enter Canada

Travellers with passports from [visa-required countries and territories](#) need a visitor visa (temporary resident visa) to enter Canada. A visa is an official document that is inserted inside a passport giving permission for you to come to Canada.

There are two types: a **single-entry visa** and a **multiple-entry visa**. Both are valid for a fixed period and cannot be used after they expire.

A **multiple-entry visa** allows visitors to come and go from Canada, usually for six months at a time, without having to reapply. **It is valid for up to 10 years**, or one month before your passport expires, whichever comes first. You must arrive in Canada on or before the expiry date on your visa.

A **single-entry visa** allows you to come to Canada only once. If your visa is still valid and you are travelling only and directly to the United States (including its Territories and Possessions) or St. Pierre and Miquelon, you do not need a new visitor visa to return to Canada.

Starting on February 6, 2014 all visa applicants will automatically be considered for a multiple entry visa. The visa officer reviewing your application may be able to give you this type of visa even if you applied for a single entry visa.

Find out if you need a visa here: <http://www.cic.gc.ca/english/visit/visas.asp>

A complete list of Entry Requirements by Country can be found here: <http://www.cic.gc.ca/english/visit/visas-all.asp>

## Step 3a

### Apply for a Visitor Visa (if you need one)

Find out how to apply for a Visitor Visa here:

<http://www.cic.gc.ca/english/visit/apply-how.asp>

Find out how long it will take to process your Visitor Visa, once you have submitted your application, here:

<http://www.cic.gc.ca/english/information/times/>

You can apply **online** or **on paper**. If you need help, you can contact your nearest [visa application centre \(VAC\)](#). The Visitor Visa or Temporary Resident Visa applications are handled by Visa Application Centres around the world. Each centre will have detailed information on applying for this visa.

To apply **online** you must have access to a scanner or camera to create electronic copies of your documents for uploading and have a valid credit card for payment.

**Note:** If you provide an email address on your application, please ensure you check it regularly for automated emails from CIC regarding your case. Some spam filters block these emails, and clients are requested to ensure emails from CIC are not blocked. If you are unsure whether emails from CIC are being sent, please check your myCIC account on a regular basis.

You can determine your eligibility for a Visitor Visa here:

<http://www.cic.gc.ca/ctc-vac/getting-started.asp>

To apply **on paper**, get the Temporary Resident Visa Guide (IMM5256) here:

<http://www.cic.gc.ca/english/information/applications/guides/5256ETOC.asp>

NOTE: Citizens of certain countries: Afghanistan, Albania, Algeria, Bangladesh, Burma (Myanmar), Cambodia, Colombia, Democratic Republic of Congo, Egypt, Eritrea, Haiti, Iran, Iraq, Jamaica, Jordan, Laos, Lebanon, Libya, Nigeria, Pakistan, Palestinian Authority, Saudi Arabia, Somalila, South Sudan, Sri Lanka, Sudan

Syria, Tunisia, Vietnam and Yemen, have to give their biometrics (fingerprints and photograph) within 30 days of when they submit an application for a visitor visa.

There are some exemptions to this requirement: You do not need to give your biometrics to visit Canada if you are:

- under 14 years old or 80 years old and over (if you are close to your 80th birthday,
- a diplomat, consular officer, representative, or official of:
  - a country,
  - the United Nations or any of its agencies,
  - any intergovernmental organization that Canada is a member of, **and** you are travelling to Canada on official business (any family members travelling with you are also exempt)



If you [need to give biometrics](#) (fingerprints and photograph), **and you are applying on paper, please do not mail in your application.** Submit your application **in person**. VAC staff will check that your application is complete and will confirm that you have paid the correct fees before you can give your biometrics.

A border services officer at a port of entry for Canada will determine how long you can stay in Canada. Most visitors are allowed a six-month stay from the day they entered Canada. If the officer authorizes a stay of less than six months, they will indicate in your passport the date by which you must leave Canada.

## Step 3b

### Apply for an eTA (if you do not need a visitor visa)

Visa-exempt foreign nationals who travel to Canada by air or transit through Canada will need to obtain an Electronic Travel Authorization (eTA) before flying to Canada. U.S. citizens and foreign nationals with a valid visa are exempt from this requirement. The authorization is electronically linked to your passport and is valid for five years or until your passport expires, whichever comes first. Travellers do not need an eTA when entering Canada by land or sea.

**U.S. permanent residents** will need an eTA to fly to Canada (as well as their U.S. Green Card). Canadian citizens, including dual citizens, are **not eligible** to apply for an eTA and are strongly encouraged to travel with a valid Canadian passport. **Canadian permanent residents** will not need an eTA to fly to Canada, but as is currently required, they will need to travel with their permanent resident card of Canada. Otherwise, they may not be able to board their flight to Canada.

Find out if you need an eTA here: <http://www.cic.gc.ca/english/visit/visas.asp>

Applying for an eTA is a simple online process that takes just a few minutes. You will need a valid passport from a visa-exempt country, a credit card (Visa®, MasterCard®, American Express®,) and a valid email address. A U.S. permanent resident can apply with either an I-571 or an I-327 as well. It costs \$7 CAD to get an eTA. It will be valid for up to five years. You can only apply for one person at a time.

Apply for an eTA here: <http://www.cic.gc.ca/english/visit/eta-start.asp>

You can get an eTA at the last minute on any device with an internet connection, including mobile phones. Applying for an eTA is a simple online process. Most applicants can expect to get an email response within minutes of applying. An eTA is electronically linked to your passport. You will need to travel with the passport you used to apply for your eTA.

If you need to, you can check your eTA application status here:

[https://onlineservices-servicesenligne.cic.gc.ca/eta/applicationQuery?lang=en&\\_ga=1.179741540.1944531273.1457922007](https://onlineservices-servicesenligne.cic.gc.ca/eta/applicationQuery?lang=en&_ga=1.179741540.1944531273.1457922007)

## Step 4

### Ensure that you (or anyone in your group) are not inadmissible

Some people are not allowed to come to Canada. They are known as “inadmissible” under [Canada’s immigration law](#).

There are many reasons for inadmissibility:

- you are a security risk,
- you have committed human or international rights violations,
- you have been convicted of a crime, or you have committed an act outside Canada that would be a crime,
- you have ties to organized crime,
- you have a serious health problem,
- you have a serious financial problem,
- you lied in your application or in an interview,
- you do not meet the conditions under Canada’s Immigration Law

If you are otherwise inadmissible but have a reason to travel to Canada that is justified in the circumstances, you may be issued a **temporary resident permit**. To be eligible for a temporary resident permit, your need to enter or stay in Canada must outweigh the health or safety risks to Canadian society, as determined by an immigration or a border services officer. Even if the reason you are inadmissible seems minor, you must demonstrate that your visit is justified.

There is no guarantee that you will be issued a temporary resident permit. If you would like to receive a permit, you will have to pay a processing fee, which is not refundable.

A permit is usually issued for the length of your visit to Canada—for example, one week to attend a conference. You must leave Canada by the expiry date of the permit, or get a new permit before your current one expires.

Please note that this permit may be cancelled by an officer at any time. The permit is no longer valid once you leave Canada, unless you have specifically been authorized to leave and re-enter.



Under Canada's immigration law, if you have committed or been convicted of a crime, you may not be allowed into Canada. In other words, you may be "criminally inadmissible." This includes both minor and serious crimes, such as: theft, assault, manslaughter, dangerous driving, driving while under the influence of drugs or alcohol, and possession of or trafficking in drugs or controlled substances. If you were convicted of a crime when you were under the age of 18, you may still be able to enter Canada.

Depending on the crime, how long ago it was and how you have behaved since, you may still be allowed to come to Canada, if you: convince an immigration officer that you meet the legal terms to be deemed rehabilitated, or applied for rehabilitation and were approved, or were granted a record suspension or have a temporary resident permit.

**Deemed rehabilitation**, under Canada's immigration law, means that enough time has passed since you were convicted that your crime may no longer bar you from entering Canada. You may be deemed rehabilitated depending on: the crime, if enough time has passed since you finished serving the sentence for the crime and if you have committed more than one crime. In all cases, you may only be deemed rehabilitated if the crime committed outside Canada has a maximum prison term of less than 10 years if committed in Canada.

### **Individual rehabilitation**

Rehabilitation means that you are not likely to commit new crimes. You can apply for individual rehabilitation to enter Canada. The Minister, or their delegate, may decide to grant it or not. To apply, you must: show that you meet the criteria, have been rehabilitated and be highly unlikely to take part in further crimes. Also, at least five years must have passed since: the end of your criminal sentence (this includes probation) and the day you committed the act that made you inadmissible. If you are applying for criminal rehabilitation along with your temporary resident (visitor visa) application, you can submit everything together and apply at the nearest Visa Application Centre.

You can find a list of Visa Application Centres here:

<http://www.cic.gc.ca/english/information/offices/vac.asp>

If you are a foreign national who needs an Electronic Travel Authorization (eTA), you have to submit a separate application for criminal rehabilitation before you apply for your eTA. You can do so by following the procedures below. Once you have received confirmation of your rehabilitation, you may apply for an eTA. If you apply for your eTA before you receive your rehabilitation, your application will be assessed based on the information currently available, and may result in the refusal of your application. If you are submitting a separate application for criminal rehabilitation you must complete the application and submit it directly to the visa office responsible for your region by mail or courier only. You must also pay a processing fee. Note: These applications can take over a year to process. Make sure you plan far enough in advance of your travel to Canada.

### **Record suspension or discharge**

If you have been convicted in Canada and want to apply for a record suspension (formerly known as a pardon), check with the Parole Board of Canada. (<http://pbc-clcc.gc.ca/index-eng.shtml>) If you get a Canadian record suspension, you will no longer be inadmissible. If you received a record suspension or a discharge for your conviction in another country, check with the visa office that serves the country or region where you live. It will tell you if the pardon is valid in Canada.

This will help make sure that when you arrive in Canada, a border services officer has enough information to decide if you can enter Canada. The officer will still check to make sure you are not inadmissible for other reasons.

If you have been convicted of **driving while impaired** by alcohol or drugs (Driving Under the Influence (DUI), Driving While Intoxicated (DWI), Driving While Impaired (DWI), Driving While Ability Impaired (DWA), Operating While Intoxicated (OWI), Operating a Motor Vehicle While Intoxicated (OMVI), Wet & Reckless, etc.) , you will probably be found criminally inadmissible to Canada. But you may be able to get a temporary resident permit for one visit without paying the C\$200 processing fee depending upon:

- The number and type of offense(s);
- When the sentencing for the offense(s) was completed;
- The severity of the offense(s) - No jail time; and
- How long ago the offense occurred.

A Temporary Resident Permit (TRP) is a document that enables someone who is inadmissible to Canada to temporarily visit Canada for a specified period of time. A TRP should only be applied for with good reason, as it is not typically intended for use as a means to gain entry to Canada for leisure purposes. Processing times for TRPs vary greatly between Canadian visa offices. If seeking to apply for a TRP through a visa office, it is best to set aside at least 6-12 months for processing. A TRP can be issued at the Canadian Border – but ultimately, the decision to issue a TRP to circumvent a drunk driving conviction rests with the Canadian immigration officer who assesses the application.

## Step 5

## Determine if you need a Work Permit

The following are exempt from the Canadian Work Permit requirement:

### Performing artists

Foreign artists and their key support staff (people vital to the performance), only if they:

- will perform in Canada for a limited period of time (14 days or less)
- are not being hired for ongoing employment by the Canadian group that has contracted them, and
- are not involved in making a movie, television or radio broadcast.

Examples include:

- a foreign-based band or theatre group and their key crew,
- street performers (buskers),
- disc jockeys,
- members of a foreign or travelling circus,
- guest artists working within a Canadian performance group for a limited time,
- World Wrestling Entertainment wrestlers (and members of similar groups),
- people who will perform at a private event, such as a wedding,
- air show performers,
- rodeo contestants,
- artists attending or working at a showcase,
- film producers (business visitors),
- film and recording studio users (limited to small groups renting studios who will not enter the labour market, and to business visitors) and
- people doing guest spots on Canadian television and radio broadcasts (guest speakers), such as news programs.

An LMIA and a work permit are still required for foreign performing artists on the production of film, television or radio broadcast; not performing in a time-limited engagement; or in an “employment relationship” with the organization or

business in Canada that is contracting for their services (e.g. a permanent piano bar employee).

You can find out more about the Canadian Work Permit here:

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

## Step 6

### Determine if you qualify for entry under Jay Treaty

The "Jay Treaty" is an agreement signed by the United States and Great Britain in 1794 to allow Canadian born Native Americans to travel freely across the U.S./Canadian border. The "Jay Treaty" recognized that,

*The Indians dwelling on either side of the...boundary line...{shall have the right} freely to pass and repass by land or island navigation...and to navigate all the lakes, rivers and waters thereof, freely, to carry on trade and commerce with each other.*

Since 1928, United States law has specifically recognized the right of "American Indians born in Canada to pass the borders of the United States" but has limited that right to "persons who possess at least 50 per centum of blood of the American Indian race." 8 U.S.C. 1359. If **you** are a Native American born in Canada of 50% or more "Indian blood", you have specific rights and benefits: to cross the U.S./Canada border freely; visit the United States and live or work in the United States.

You do not have to have an alien card "green card", register at the Post Office as an alien or obtain work authorization.

If you were born in Canada and have at least 50% Aboriginal blood, you have the right to enter the U.S. to live or work. When you cross the border with intent to live or work in the U.S., you should be prepared to prove that you have at least 50% Aboriginal blood. Different U.S. Immigration & Naturalization Service (INS) ports of entry, or border crossings, may ask for different kinds of documentation. Some ask for more; some for less. At the border, you may be asked for any or all of the following documents:

- A letter from your band office stating that you have at least 50% Aboriginal blood (also referred to as blood quantum). Your Certificate of Indian Status Card (the card with the red stripe along the top).
- Your long form birth certificate. A photo ID.
- If you are Haudenosaunee, your Red I.D. Card.
- If you are Inuit, an Inuit enrollment card from one of the regional Inuit lands claim agreements.

For more information:

<http://ptla.org/border-crossing-rights-jay-treaty>

## Step 7

### **Make sure you have required travel documents**

When travelling to Canada, you always need to carry proper travel documents and identification for yourself and any children travelling with you.

#### **Identification requirements for U. S. citizens and permanent residents**

If you are a U.S. citizen, ensure you carry proof of citizenship such as a passport, birth certificate, a certificate of citizenship or naturalization, or a Certificate of Indian Status along with photo identification. If you are a U.S. permanent resident, ensure you carry proof of your status such as a U.S. Permanent Resident Card.

Whether you're entering by air, land or water, you should carry a valid passport for all travel abroad, including visits to Canada from the U.S. A passport may be required by your airline or alternative transportation authority, as it is the only universally-accepted identification document.

Citizens of the U.S. who are members of the NEXUS program may present their membership card to the CBSA as proof of identification and as a document that denotes citizenship, when arriving by air, land, or marine modes. Permanent residents of the U.S. who are members of the NEXUS program must travel with a passport and proof of permanent residence, and may be asked to present these documents to the officer upon arrival at the border.

All visitors arriving from or transiting through the U.S. are encouraged to visit the [U.S. Customs and Border Protection website](#) for information concerning the U.S. Western Hemisphere Travel Initiative, and the requirements to enter or return to the U.S.



## **Identification requirements for international visitors**

The Government of Canada requires that all travellers carry a valid passport because it is the only reliable and universally-accepted travel and identification document for the purpose of international travel. International transportation companies such as airlines may require travellers to present a passport. Therefore, travellers may face delays or may not be allowed to board the aircraft or other mode of transportation, if they present other documents.

When you enter Canada, a border services officer may ask to see your passport and a valid visa (if you are arriving from a country for which one is required). We remind all travellers you must carry proof of citizenship such as a birth certificate, a certificate of citizenship or naturalization or a Certificate of Indian Status along with photo identification.

## **Documents required when travelling with minors**

Border services officers watch for missing children and may ask detailed questions about any minors travelling with you. Parents who share custody of their children should carry copies of their legal custody documents, such as custody rights. If you share custody and the other parent is not travelling with you, or if you are travelling with minors for whom you are not the parent or legal guardian, you should carry a consent letter to provide authorization for you to take them on a trip and enter Canada. Find out more about the consent letter here: <http://travel.gc.ca/travelling/children/consent-letter>

A consent letter must include the custodial parents' or legal guardians' full name, address and telephone number. Some travellers choose to have the consent letter notarized, to further support its authenticity, especially if they are undertaking a significant trip and want to avoid any delay.

When travelling with a group of vehicles, parents or guardians should arrive at the border in the same vehicle as their children or any minors they are accompanying.

## Step 8

# Additional Documents to bring

### **Vehicle Ownership**

If you are travelling by vehicle, you may be questioned at the border regarding ownership. It's always a good idea to carry a copy of the vehicle ownership with you.

### **Proof of return trip (Plane ticket)**

Border officials may need to see proof that you will be returning to your own country, once your reason for visiting Canada is complete, or once your visitor visa has expired.

### **Proof of accommodation (hotel reservation)**

One of the most-frequent questions when you arrive at a border crossing is "where will you be staying?" You should be prepared to show the border crossing official a copy of your hotel reservation, if appropriate. If you are staying with friends or relatives, you should know the exact address

### **Conference Registration or Contract or Invitation**

If the purpose of your visit is to attend a conference, it's a good idea to have a copy of your conference registration with you. If you are entering Canada to perform, simply have a copy of your performance contract with you. If you are coming to perform or attend an event associated with a particular organization, you should ask them to issue a letter of invitation to you for entry into Canada.

## Restricted and Prohibited Goods

The importation of certain goods is restricted or prohibited in Canada. To avoid the possibility of penalties, including seizure or prosecution, make sure you have the information you require before attempting to import items into Canada.

The following are some examples of restricted or prohibited goods:

- **Firearms and weapons:** You must declare all weapons and firearms at the CBSA port of entry when you enter Canada. For a complete list of prohibited weapons and devices see: <http://www.cbsa-asfc.gc.ca/publications/pub/bsf5044-eng.html>
- **Food, plants, animals and related products:** Travellers are required, by law, to declare all plant, animal, and food items they bring into Canada. This includes items related to plants, animals and food, or their by-products. If you bring these products into Canada, you may go through further inspections at the point of entry (that is, border crossings, airports). Be prepared for delays if further inspection is required. For a complete list of allowed items see: <http://inspection.gc.ca/food/information-for-consumers/travellers/what-can-i-bring-into-canada-eng/1389648337546/1389648516990#a1>
- **Explosives, fireworks and ammunition:** You must have written authorization and import permits to bring explosives, fireworks and certain types of ammunition into Canada. For more information, refer to [Memorandum D19-6-1 - Administration of the Explosives Act](#) or contact [Natural Resources Canada](#).
- **Consumer products:** The importation of certain consumer products that could pose a danger to the public is prohibited. See here for a list of prohibited consumer goods:  
[http://www.hc-sc.gc.ca/cps-spc/pubs/indust/ccpsa\\_ref-lcspc/index-eng.php#a12](http://www.hc-sc.gc.ca/cps-spc/pubs/indust/ccpsa_ref-lcspc/index-eng.php#a12)

- **Miscellaneous Restrictions:** In addition, there are restrictions on certain products as well: alcohol and tobacco, endangered species (ivory, sea shell, Brazilian rosewood, abalone shell, etc.), money (\$10K limit on cash and reporting required), pornography (computers/cell phones subject to search without warrant), etc.

## What to expect at the border

All travellers arriving in Canada are obligated by Canadian law to present themselves to a border services officer, respond truthfully to all questions and accurately report their goods. This includes a requirement to report any food, plant and animal products in their possession. Have all identification and travel documentation ready. Being prepared to make a full and accurate declaration, including the amount in Canadian dollars of goods you are bringing with you, will get you on your way as quickly as possible.

## Arriving by air

### *STEP 1: Complete a Declaration Card*

If arriving by air, you will receive a CBSA Declaration Card while you are on board and you must complete it prior to arrival. The Declaration Card tells Canadian Border Services what they need to know about you, your travels and what you're bringing into the country. Instructions on how to complete the card are attached to the card for your assistance. Once the Declaration Card is completed, detach and discard the instructions. **Do not fold the card.** Be sure to keep the Declaration Card handy along with your identification and other travel documents. You will be asked to show this card several times once you get off the plane.

### *Step 2 – Arrival: First CBSA Checkpoint*

At the first checkpoint, a border services officer will examine your Declaration Card, identification and other travel documents. You will be asked a series of questions to determine your Immigration status and the nature of any goods you are bringing with you. Be prepared with succinct answers to common questions: What is the purpose of your trip? How long will you be in the country? Where are you staying? Where do you live? Do NOT volunteer information. NOTE: If you are enrolled in NEXUS (<http://www.cbsa-asfc.gc.ca/prog/nexus/menu-eng.html>) or CanPass Air (<http://www.cbsa-asfc.gc.ca/prog/canpass/canpassair-eng.html>) you can go directly to the automated kiosks for faster processing.

### *Step 3 – Baggage and Second CBSA Checkpoint*

Once you've cleared Primary Inspection, proceed to the baggage claim area. If required, you can pay duty and taxes at most major airports while waiting for your luggage. Once you have picked up your luggage, proceed to the next CBSA checkpoint, where you'll show the officer your Declaration Card and your receipt if you paid duty and taxes. The officer may direct you to our secondary inspection area. You can expect to be asked for detailed information about your travels and may be asked to present your luggage and goods for examination. This is a normal part of the travel process; your cooperation is appreciated and helps CBSA ensure the safety of Canada, its economy and its residents by verifying your declaration.

### *Step 4 – Exit the CBSA's Area*

Once you've cleared the CBSA's checkpoints, follow the exit signs and proceed with your arrival in Canada.

### **Arriving by land**

You can check out border wait times at various Canadian ports of entry here: <http://www.cbsa-asfc.gc.ca/bwt-taf/menu-eng.html>

Make sure your vehicle is neat and tidy and open all windows as you approach the CBSA booth. Have all documents with the driver or co-pilot. At the booth, a border services officer will examine your identification and other travel documents, and take your verbal declaration. Each person in the vehicle will be asked his/her citizenship. Be prepared with succinct answers to common questions: What is the purpose of your trip? How long will you be in the country? Where are you staying? Where do you live? Do NOT volunteer information. Once cleared, proceed.

# Welcome to Canada



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Robert Baird, President of Baird Artists Management, is now available for consultation and advice regarding Canadian and U.S. regulations and information for performers, agents/managers and performing arts venues. Mr. Baird has been in the performing arts for over fifty years and has had distinguished careers in education, publishing and musical theatre. He served on the Board of Directors (2008-2010) and was President (2011-2013) of the North American Performing Arts Managers and Agents (NAPAMA). He was Treasurer and Vice-President of Festivals and Events Ontario (FEO) and served on that Board on various committees (2010-2013). Mr. Baird received the Arts Northwest Coyote Award and the Performing Arts Exchange Mary Beth Treen Award in 2012. He is Chair of Team Agent Network (TAN) and APAP Showcase Coordinator.

Robert is a regular columnist in *International Musician: The Official Journal of the American Federation of Musicians of the United States and Canada* (Circulation 100,000+ Monthly) where he writes a monthly column entitled "Crossing Borders". The column focuses on what artists need to know to get into Canada or the United States. He also writes a monthly column entitled "Artist Manager's Toolkit" for *International Arts Manager*, based in London, England.

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