

## Canada-United States-Mexico Agreement (CUSMA)

The purpose of CUSMA is to facilitate trade between the United States, Mexico and Canada and to remove tariffs and other trade barriers. The Agreement opens the markets of three countries to each other by ensuring that laws that are passed in the future do not impose barriers to trade.

### What CUSMA does

- CUSMA facilitates the temporary entry of businessmen and women who are US, Mexican or Canadian citizens and who are engaged in the trade of goods or services or in investment activities.
- It eliminates the need for all businessmen and women subject to it to obtain a Labor Market Impact Assessment (LMIA).
- In the case of business visitors, it eliminates the need to obtain a work permit.
- In the case of professionals and people transferred within a company, it speeds up the application process, as the application can be presented at the point of entry (POE) (however, it should be noted that foreign nationals needing a temporary resident visa to enter Canada must submit their application to a visa office before arriving in Canada).

### What CUSMA does not do

- CUSMA does not facilitate permanent admission;
- It does not apply to permanent residents of the three countries;
- It does not replace the general provisions concerning foreign workers;
- It has no effect on the universal requirements for passports and identification documents, medical examination and security;
- It does not release workers from the obligation to comply with the accreditation requirements governing the practice of professions;
- It does not target the spouse and family members. Their admission to Canada is governed by the provisions of the *Immigration and Refugee Protection Act* and its *Regulations*.

### Categories of businessmen and women subject to CUSMA

CUSMA divides businessmen and women into four categories:

**Business visitors**Initial validity

- Up to 6 months

Renewal

- N/A

The following requirements apply:

- American or Mexican citizenship;
- commercial activities mentioned in Appendix 1603.D.1;
- international activities;
- the person concerned does not have the intention to integrate the Canadian labor market;
- the main source of remuneration is outside of Canada;
- the head office of his activities remains outside Canada;
- compliance with existing immigration/eligibility requirements governing temporary admission.

**Professionals (64 eligible professions)**Initial validity

- Up to 3 months

Renewal

- Limitless

The following requirements apply:

- American or Mexican citizenship;
- occupation mentioned in Appendix 1603.D.1;
- have the qualifications required to practice the profession (diploma or certificate from a related study program);
- employment reserved with a Canadian employer;
- provision of professional-level services in the field in which the person concerned has qualifications, as indicated in the appendix;
- compliance with existing immigration requirements governing temporary admission.

Eligible professions

Canadian Professional TN Visa

This visa is valid when the employer is a legal entity based in the United States, and the applicant is a professional who falls into one of the categories listed below:

**VARIOUS**

Accounting

Architect

Computer systems analyst

Claims adjuster caused by catastrophes

Economist

Engineer

Forest engineer

Graphic designer

Hotel manager

Industrial designer

Interior designer

Land surveyor

Landscape architect

Lawyer (including notaries in Quebec)

Librarian

Management consultant

Mathematician or statistician

Manager or protection officer of golf courses

Technician

Research assistant (in a post-secondary school)

Social worker

Forester or forest science specialist

Editor of technical publications

Urban planner or geographer

Guidance counselor

**MEDICINE AND RELATED PROFESSIONAL SERVICES**

Dentist

Dietitian

Medical laboratory technologist

Nutritionist

Occupational therapist

Pharmacist

Doctor (teaching or research only)

Physiotherapist

Psychologist

Play therapist

Nurse

Veterinarian

**SCIENCES**

Agronomist

Breeder

Specialist in zootechnics

Beekeeper

Astronomer

Biochemist

Biologist

Chemist

Dairy science specialist

Entomologist  
Epidemiologist  
Geneticist  
Geochemist  
Geologist  
Geophysicist (oceanographer)  
Horticulturalist  
Meteorologist  
Pharmacologist  
Physicist  
Phytogeneticist  
Poultry science specialist  
Pedologist  
Zoologist

## **EDUCATION**

High School  
College  
University

### **People transferred within a company**

#### Initial validity

- Up to three years

#### Renewal

- Up to 2 years with a total duration of 7 years for executives and managers;
- Up to 2 years with a total duration of 5 years for employees with specialized knowledge.

#### The following requirements apply:

- American or Mexican citizenship;
- looking for an executive or managerial job or a job that requires "specialized knowledge";
- transfer to a company having an eligible relationship with the company in which he currently works;
- the Canadian company must have a link with the American or Mexican company (parent company, branch, subsidiary or affiliate);
- continuous employment in a similar position outside of Canada, for at least one year (full time) during the three years preceding the date of the initial application; and
- respect of existing immigration requirements governing temporary admission.

### **Traders and investors**

#### Initial validity

- Up to 1 year

#### Renewal

- Up to 2 years with a total unlimited duration

#### The following requirements apply:

- American or Mexican citizenship;
- the employing company is of American or Mexican nationality;
- the activities are linked to a significant trade in products or services;
- commercial transactions are carried out primarily between Canada, the United States or Mexico;
- this is a supervisory or managerial position or a position that requires essential skills; and respect of existing immigration requirements governing temporary admission.