



IMMIGRATION Canada

Entrepreneur Counselling and Monitoring Guide, 1976 *Immigration Act*



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**Cette trousse est également
disponible en français**

This booklet explains the entrepreneur monitoring process* which comes into effect **after** you have landed in Canada.

Please read this booklet carefully.

* Within six months of your landing.

This is not a legal document; for legal information, please refer to the *Immigration Act* and *Regulations*.

Produced by Selection Branch and Information Management, Citizenship and Immigration Canada.

Introduction

This guide is for entrepreneurs processed under the 1976 *Immigration Act*.

Canada welcomes successful business people seeking new opportunities and challenges. This document explains how you can meet the **terms and conditions** imposed on you as an entrepreneur under the Business Immigration Program.

What are the terms and conditions imposed upon my admission to Canada?

As an entrepreneur, you and your accompanying dependents must comply with the following terms and conditions imposed upon your permanent residence in Canada:

- Establish, purchase or make a substantial investment in a business or commercial venture that makes a significant contribution to the Canadian economy.
- Create or continue employment for one or more Canadian citizens or permanent residents, other than yourself and your dependants.
- Participate actively, and on an on-going basis, in the management of the business or commercial venture in Canada.
- At regular intervals, furnish evidence of efforts to comply with the terms and conditions imposed.
- Send the *Mail-In Card* (IMM 5215) to your local Citizenship and Immigration Centre within six months of becoming a permanent resident in Canada; and
- Report to the nearest Citizenship and Immigration Centre, or any other place specified by an Immigration Officer, at least once within each of the following periods:
 - between six and twelve months from your date of becoming a permanent resident;
 - between twelve and eighteen months from your date of becoming a permanent resident;
 - between eighteen and twenty-four months from your date of becoming a permanent resident.
- Furnish evidence that the terms and conditions have been satisfied within a period of not more than two years after becoming a permanent resident.

How can I satisfy the reporting requirements imposed with my terms and conditions?

Remember that you must provide evidence of your efforts to comply with these terms and conditions. You do this by reporting your progress to the nearest Citizenship and Immigration Centre or any other place designated by an Immigration Officer. At any time during your monitoring, you may be asked to provide additional information or supporting documentation. Make sure that you respect the reporting deadlines which are outlined in your *Acknowledgement of Terms and Conditions - Entrepreneurs - 1976 Immigration Act* (IMM 5458).

STEP 1
The first report period
(0 - 6 months)

Within six months of arriving in Canada, you must send your *Mail-In Card* to your local Citizenship and Immigration Centre. The card should be sent as soon as you have set up a residence in your province of destination. (Appendix B lists Citizenship and Immigration Centres.)

If you require further information, or want additional counselling, please note your specific request with your *Mail-In Card*.

This guide includes instructions on how to complete the *Mail-In Card*.

STEP 2
Entrepreneur monitoring report periods
(6 - 12, 12 - 18 and 18 - 24 months)

You will find *Entrepreneur Monitoring Reports, 1976 Immigration Act* (IMM 5343) enclosed for each reporting period. Complete and mail each report, within the specified time, to the nearest Citizenship and Immigration Centre or any other place designated by an Immigration Officer. Include any additional information you wish considered.

Instructions on how to complete the *Entrepreneur Monitoring Reports, 1976 Immigration Act* (IMM 5343) are provided in this guide.

How to set up your business: Programs and services accessible to entrepreneurs?

Now that you have arrived in Canada, you may want business information from organizations that specialize in providing guidance and counselling on business matters.

Provincial Business Contacts

Provincial Immigration Contacts have established programs specifically designed to assist you in understanding the new business environment you are now entering. Provinces take an active role in providing information sessions and individual counselling interviews. Provincial representatives may also provide opinions to federal Immigration officials on your business, including whether it has made a significant contribution to the economy and other aspects of the entrepreneur's compliance with terms and conditions. (Appendix D lists Provincial Immigration Contacts.)

Government of Canada

The Canada Web Site provides a single view into all of the Government of Canada's information, services and products. Visit the Canada Web Site at www.gc.ca.

Business Development Bank of Canada

The Business Development Bank of Canada (BDC) is a financial institution wholly owned by the Government of Canada. BDC plays a leadership role in delivering financial and consulting services

to Canadian small business, with a particular focus on the emerging and export sectors of the economy. Visit their Web Site at www.bdc.ca.

Industry Canada

Industry Canada has information products, programs and expertise which may assist you in your business goals. Visit their Web Site at www.ic.gc.ca.

Local Chambers of Commerce

Local Chambers of Commerce in your area of residence may provide you with guidance and counselling specific to your local business environment.

I have met my terms and conditions; How can I have them cancelled?

If, at any time within two years from your date of landing, you believe you have fully satisfied your terms and conditions:

- Complete an *Application to Cancel Conditions - Entrepreneur* (IMM 5344);
- Complete the appropriate Monitoring Report;
- Provide supporting documents; and
- Mail this information to your local Citizenship and Immigration Centre or any other place designated by the Immigration Officer.

An Immigration Officer will review your application. If necessary, they will interview you and/or request additional documents and possibly do a site visit. You will be advised of the officer's decision.

What if I am unable to meet these terms and conditions?

You are required to establish a business which satisfies the imposed terms and conditions within the **two-year period** of your becoming a permanent resident in Canada. If you do not meet these terms and conditions, enforcement action could lead to you and your dependents being removed from Canada.

If you are experiencing difficulties meeting your terms and conditions, contact your local Citizenship and Immigration Centre as well as your provincial immigration contact. You must clearly show that a genuine effort has been made to satisfy your terms and conditions.

Important:

Send this card within 6 months of your date of landing to the Citizenship and Immigration Centre closest to you. (See Appendix B)

These instructions will help you complete this form. You will find a sample of the *Mail-in Card for Entrepreneurs* (IMM 5215) on page 6.

Please read the instructions carefully. Please print with ink using block letters when completing the *Mail-in Card for Entrepreneurs* (IMM 5215).

1. **Your name as recorded on your immigrant visa:**
Provide your first name followed by your family or last name. Print all names in full. Do not use initials.
2. **Date of birth:**
Provide the required information.
3. **Record of landing:**
This document number is recorded in Box 39 on your *Immigrant Visa*. It starts with a “W” followed by a series of 9 digits.
4. **Date of landing:**
This date is recorded in Box 45 on your *Immigrant Visa*.
5. **Your current address:**
Print the complete address of where you are living in Canada. If applicable, include your apartment or unit number. Include your telephone number.
6. **Name of your business, if established:**
Print the name and address of your established business. Include your business telephone and fax numbers.
7. a) **If you plan to move in the next six months, please state your future address:**
Provide requested information if available.
b) **The name, address and telephone number of a person whom we may contact to obtain your new address.**
8. **Please list any other names that you have used.**
9. **Record of landing of accompanying dependants:**
Insert the “W” number of all accompanying dependants.
10. **Your signature:**
As the entrepreneur, you must sign and date this section.
11. **Please tell us whether you want service in English or French.**



How to complete the *Entrepreneur Monitoring Reports, 1976 Immigration Act (IMM 5343)*

These instructions will help you to complete the *Entrepreneur Monitoring Reports (IMM 5343)* which indicate how you are meeting the terms and conditions. Appendix A of this guide lists recommended supporting documents.

IMPORTANT:
Please answer all questions on this report. Indicate if a question does not apply to you.

Please print with ink using block letters when completing the Monitoring Report. Put an “X” in the box which corresponds to your current monitoring period.

Personal information

Please print the required information. State the amount of money brought to Canada. Indicate the amount you intend to invest in your business.

Business information

1. Enter an “X” in one of the boxes.

IMPORTANT:
If your answer is NO, go directly to question 10.

2. Provide the required information.
3. Enter an “X” in the box to indicate your response. If you answer yes, complete questions 3 (a) through (d).
4. Enter an “X” in the box to indicate your response. If you answer yes, provide the required information.
5. Enter an “X” to indicate your response.
6. Enter an “X” to indicate your response.
7. Provide information regarding ownership in this business.
8. Indicate if this business was purchased from another entrepreneur landed under the Business Immigration Program.
9. Indicate your total investment in your business and provide supporting evidence. State the amount you initially invested in the business. Indicate business profits and losses for this reporting period.
10. Enter an “X” to indicate your response. If yes, provide the required information.
11. Enter an “X” to indicate your response. If yes, provide details of your employment or involvement with this secondary business or employer.
12. Provide the information as requested.
13. Provide information on your efforts to comply with your terms and conditions. Enclose all available evidence that supports your statement.
14. List any attachments to your Monitoring Report. Please see Appendix A of this guide for a list of suggested documents.
15. **IMPORTANT:** Read the declaration, then sign and date your monitoring report.

How to complete an *Application to Vary or Cancel Terms and Conditions of Landing (IMM 5344)*

These instructions will help you complete this form.

IMPORTANT:
This application must be accompanied by the *Entrepreneur Monitoring Report* applicable to the latest reporting period.

Please print with ink using block letters when completing the *Application to Vary or Cancel Terms and Conditions of Landing (IMM 5344)*.

Part 1:

1. Enter “X” in the box that indicates your situation.
2. Enter the day, month, and year in which you were landed. This date is recorded in Box 45 on your Immigrant Visa.
3. Enter your *Record of Landing* number, which starts with a “W” followed by a series of 9 digits. This number is recorded in Box 39 on your Immigrant Visa.

Part 2: Personal information

Provide the required information.

Part 3: Dependants in Canada

List the number of your dependents who are in Canada, as well as the additional information required.

Part 4: Dependants outside Canada

Provide details of your dependents who are outside of Canada.

Part 5:

Enter “X” in the box that applies to your situation.

Please provide the reasons which support your request to vary or cancel the terms and conditions of landing. How have you satisfied the terms and conditions imposed at the time of landing in Canada?

Part 6: Declaration of applicant

Make sure to read this declaration carefully before signing your application to vary or cancel your terms and conditions.

As the entrepreneur, you must sign and date this section.

Self-compliance Checklist

(for personal use)

Form	When	Mailed? Mark an "X" once mailed
<i>Mail-in Card</i>	mail within the first 6 months	<input type="checkbox"/>
<i>Monitoring Report 1</i>	mail within 6 to 12 months	<input type="checkbox"/>
<i>Monitoring Report 2</i>	mail within 12 to 18 months	<input type="checkbox"/>
<i>Monitoring Report 3</i>	mail within 18 to 24 months	<input type="checkbox"/>
<i>Application to Vary or Cancel Terms and Conditions of Landing</i>	see note * below	<input type="checkbox"/>

NOTE*:

The ***Application to Vary or Cancel Terms and Conditions of Landing*** is submitted once an entrepreneur has satisfied terms and conditions and must be accompanied by the latest monitoring report.

If you change your address or telephone number please write to your local Citizenship and Immigration Centre.

Appendix A

Recommended supporting documents

Elements	Criteria	Documentation
Establish a Business	Physical location; Generating revenue; Commercial activity; Potential for continued operation	Proof of ownership; Business Licences/Registration; Trade Licences; Incorporation documents; Vendor's Permits; Sales tax licences (GST and PST); Receipts and invoices; Photos of location; Financial statements
Purchase a Business	Acquiring ownership; Existing business	All of the above plus: <ul style="list-style-type: none"> • Income tax statements; • Proof of sale; • Purchase agreement; • Share transfers
Substantial Investment	Degree of control	Percentage of voting shares; Proof of investment; Owner's equity; Partnership agreements; Loan/business agreements
Significant Contribution To Economy	Impact on national, provincial or local economies	Contracts (purchase/sale); Financial statements; Written provincial opinion
Employment Opportunity	Maintained/created employment; Duration of employment: <ul style="list-style-type: none"> • hours of work • full or part-time employment 	Payroll documents; Employee registration; Revenue Canada remittance; T-4 Summary & copies of T-4's; Record of Employment (EI); Wages & benefits paid from financial statements

Elements	Criteria	Documentation
Active and Ongoing Management	Input into management decisions; Continued hands-on involvement in operations	Knowledge of day-to-day operations; Signed business contracts, correspondence, cheques and directives to staff; Partnership agreements; Bills, statements, purchase orders in your name; Minute-book to verify position title in the business, voting shares, etc.

Appendix B

Citizenship and Immigration Centres

British Columbia / Yukon / NWT	
Citizenship and Immigration Centre 1148 Hornby Street Vancouver, BC V6Z 2C3	Citizenship and Immigration Centre #202, 1635 Abbott Street Kelowna, BC V1Y 1A9
Citizenship and Immigration Centre Room 377, 816 Government Street Victoria, BC V8W 1W9 (for Vancouver Island)	Citizenship and Immigration Centre 201E - 60 Front Street Nanaimo, BC V9R 5H7
Citizenship and Immigration Centre Room 250, 177 Victoria Street Prince George, BC V2L 5R8 (for northern B.C. and the Yukon)	Citizenship and Immigration Centre 5101 - 50 Avenue, 3 rd Floor Yellowknife, NT X1A 3Z4
Prairies	
Citizenship and Immigration Centre Room 170, 220 4 th Avenue S. E. Calgary, AB T2G 4X3	Citizenship and Immigration Centre Room 660, 410 22 nd Street East Saskatoon, SK S7K 5T6
Citizenship and Immigration Centre Suite 240, 9700 Jasper Avenue Canada Place Edmonton, AB T5J 4C3	Citizenship and Immigration Centre Room 400, 25 Forks Market Road Johnston Terminal Building Winnipeg, MB R3C 4S9
Citizenship and Immigration Centre Room 220, 1783 Hamilton Street Regina, SK S4P 2B6	
Ontario	
Citizenship and Immigration Centre Suite 200, 25 St. Clair Ave East Toronto, ON M4T 1M2	Citizenship and Immigration Centre 25 Peter Street North, 2 nd Floor Orillia, ON L3V 4Y8
Citizenship and Immigration Centre 1 st Floor, 55 Bay Street North Hamilton, ON L8R 3P7	Citizenship and Immigration Centre Suite 101, 200 Catherine Street Ottawa, ON K2P 2K9
Citizenship and Immigration Centre 1 st Floor, 86 Clarence St, Kingston, ON K7L 1X3	Citizenship and Immigration Centre Suite 305, 19 Lisgar Street Sudbury, ON P3E 3L4
Citizenship and Immigration Centre 29 Duke Street East Kitchener, ON N2H 1A2	Citizenship and Immigration Centre Suite 108, 221 Archibald Street Thunder Bay, ON P7C 3Y3
Citizenship and Immigration Centre 417 Exeter Road London, ON N6E 2Z3	Citizenship and Immigration Centre Unit 12, 6080 McLeod Road Niagara Falls, ON L2G 7T4

Citizenship and Immigration Centre
1250 Walker Road
Windsor, ON N8Y 4T4

Quebec

Citizenship and Immigration Centre
2nd Floor, 1010 St. Antoine St. West
Montreal, QC H3C 1B2

Atlantic Region

Citizenship and Immigration Centre
Suite 410, 134 Kent Street
Charlottetown, PE C1A 8R8

Citizenship and Immigration Centre
495 Prospect Street
Fredericton, NB E3B 9M4

Citizenship and Immigration Centre
1741 Brunswick Street, Suite B110
Halifax, NS B3J 3X8

Citizenship and Immigration Centre
Room 602, 860 Main Street
Moncton, NB E1C 1G2

Citizenship and Immigration Centre
2nd Floor, North Atlantic Building
31 Pippy Place
St. John's, NL

Citizenship and Immigration Centre
3rd Floor, 189 Prince William Street
Saint John, NB E2L 2B9

Mailing Address:
Citizenship and Immigration Centre
PO Box 13667, Station "A"
St. John's, NL A1B 4G1

Appendix C

Call Centre and Web Site

Call Centre

The Call Centre is accessible only in Canada. If you live outside of Canada, refer to our Web Site.

The Call Centre's automated telephone service is available seven days a week, 24 hours a day. It allows you to order applications and receive general information on many Citizenship and Immigration programs. With a touch-tone telephone, using the automated service is simple.

Call Centre Phone Numbers - Toll free	
For information on Citizenship and Immigration	1-888-242-2100
For information on the Permanent Resident Card (PR Card)	1-800-255-4541

If you require additional information, Call Centre agents are available **during business hours** to answer your questions and to advise you.

To speak to an agent, press "0" after contacting the Call Centre.

Web Site www.cic.gc.ca

The Citizenship and Immigration Canada Web Site is an excellent source of information which clients may consult anytime. With the click of a mouse, you can easily and quickly:

- download and print applications and forms;
- order applications; and
- obtain information on Citizenship and Immigration programs and services.

Appendix D

Provincial and Territorial Immigration Contacts

Northwest Territories	Yukon
<p>Assistant Director, Investment Development Investment and Economic Analysis Department of Resources, Wildlife and Economic Development P.O. Box 1320 3rd Floor, Northern United Place Yellowknife, Northwest Territories X1A 2L9 Tel: (867) 920-8969 Fax: (867) 873-0101</p> <p>Internet: www.rwed.gov.nt.ca</p>	<p>Business and Trade Economic Development P.O. Box 2703, Whitehorse, Yukon Y1A 2C6 Tel: (867) 393-7191 Fax: (867) 393-6944</p> <p>Internet: www.economicdevelopment.gov.yk.ca</p>
British Columbia	Alberta
<p>Investment Advisor Ministry of Community, Aboriginal and Women's Services 730 - 999 Canada Place Vancouver, British Columbia V6C 3E1 Tel: (604) 775-2227 Fax: (604) 660-4092</p> <p>Internet: www.businessimmigration.gov.bc.ca</p>	<p>Director Economic Immigration Ministry of Economic Development 4th Floor, Commerce Place 10155-102nd Street Edmonton, Alberta T5J 4L6 Tel: (780) 427-6419 Fax: (780) 427-6560</p> <p>Internet: www.alberta-canada.com</p>
Manitoba	Saskatchewan
<p>Senior Manager Investment Branch Industry, Economic Development and Mines 1110 - 259 Portage Avenue Winnipeg, Manitoba R3B 3P4 Tel: (204) 945-2466 Fax: (204) 957-1793</p> <p>Internet: www.gov.mb.ca/itm/invest/pnp-b/</p>	<p>Senior Economic Immigration Advisor Government Relations and Aboriginal Affairs Immigration Branch 2nd Floor, 1919 Saskatchewan Drive Regina, Saskatchewan S4P 3V7 Tel: (306) 787-7467 Fax: (306) 798-0713</p> <p>Internet: www.immigrationsask.gov.sk.ca/business_persons.htm</p>
Ontario	Quebec
<p>Manager Business Immigration Economic Development and Trade Hearst Block, 5th Floor 900 Bay Street Toronto, Ontario M7A 2E1 Tel: (416) 325-6777 Fax: (416) 325-6653</p> <p>Internet: www.2ontario.com</p>	<p>Ministère de l'Immigration et des Communautés culturelles Centre de services aux gens d'affaires Édifice Gérald-Godin, bureau 3. 15 360, rue McGill, 3^e étage Montréal, Québec H2Y 2E9 Tel: (514) 864-7089 Fax: (514) 873-7867</p> <p>E-Mail: imm-affaires@micc.gouv.qc.ca</p>

Nunavut	Newfoundland
<p>Sr. Advisor Trade Policy and Export Development Economic Development and Innovation Department of Economic Development and Transportation Government of Nunavut P.O. Box 204 Pangnirtung, Nunavut X0A 0R0 Tel: (867) 473-2670 Fax: (867) 473-2663</p> <p>Internet: www.gov.nu.ca</p>	<p>Manager Investment Industry, Trade and Rural Development Trade and Investment Corporate Confederation Building Complex P.O. Box 8700 Prince Phillip Drive St. John's, Newfoundland A1B 4J6 Tel: (709) 729-4784 Fax: (709) 729-3208</p> <p>Internet: www.success.nfld.net</p>
New Brunswick	Nova Scotia
<p>Manager, Immigration Investment Immigration Business New Brunswick Centennial Building P.O. Box 6000 Fredericton, New Brunswick E3B 5H1 Tel: (506) 453-3455 Fax: (506) 444-4277</p> <p>Internet: www.gov.nb.ca</p>	<p>Project Director, Immigration Office of Economic Development 14nd Floor South 1505 Barrington Street Halifax, Nova Scotia B3J 3C8 Tel: (902) 424-6864 Fax: (902) 424-0500</p> <p>Internet: www.gov.ns.ca</p>
Prince Edward Island	
<p>Program Officer Department of Development & Technology Immigration and Investmenet P.O. Box 1176 94 Euston Street Charlottetown, Prince Edward Island C1A 7M8 Tel: (902) 368-6252 Fax: (902) 368-5886</p> <p>Internet: www.gov.pe.ca</p>	