



IMMIGRATION Canada

Entrepreneur Counselling and Monitoring Guide, *Immigration and Refugee Protection Act*



Attachments:

Appendices:

- A Citizenship and Immigration Centres
- B Call Centre and Web Site
- C Provincial Business Immigration
Contacts

Forms:

- Mail-in Card for Entrepreneurs (IMM 5548)*
- Entrepreneur Monitoring Report,
Immigration and Refugee Protection Act
(IMM 5486)*
- Application to Remove Entrepreneur
Conditions (IMM 5547)*

**Cette trousse est également
disponible en français**

This booklet explains the entrepreneur monitoring process which comes into effect **after** you become a permanent resident in Canada.

Please read this booklet carefully.

For additional information please visit our Web Site at www.cic.gc.ca.

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

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

Introduction

As an entrepreneur selected under the *Immigration and Refugee Protection Act* you are required to meet the conditions described in section 98 of the *Immigration and Refugee Protection Regulations*. This document explains how you can meet these conditions and discusses the reporting requirements for doing so.

WHAT ARE THE CONDITIONS IMPOSED UPON MY ADMISSION TO CANADA?

For a period of one year within three years after becoming a permanent resident you must:

- control at least one third of the equity of a qualifying Canadian business
- provide active and ongoing management of the qualifying Canadian business
- create at least one full-time job equivalent in the qualifying Canadian business for Canadian citizens or permanent residents, other than yourself and your immediate family members

WHAT IS A QUALIFYING CANADIAN BUSINESS?

A qualifying Canadian business is one which is operated in Canada by the entrepreneur – other than a business primarily for the purpose of deriving investment income, such as interest, dividends or capital gains – which demonstrates two of the following in a given year:

- the percentage of equity controlled by you and your spouse or common law partner multiplied by the number of full-time job equivalents is equal to or greater than two
- the percentage of equity controlled by you and your spouse or common law partner multiplied by the total annual sales is equal to or greater than \$250,000
- the percentage of equity controlled by you and your spouse or common law partner multiplied by the net income in the year is equal to or greater than \$25,000
- the percentage of equity controlled by you and your spouse or common law partner multiplied by the net assets at the end of the year is equal to or greater than \$125,000

WHEN DO I REPORT TO CIC ON MY PROGRESS?

- Within six months of becoming a permanent resident you must notify CIC of your residential address and telephone number
- Between 18 and 24 months of becoming a permanent resident you must provide evidence of your efforts to meet the conditions
- Within three years of becoming a permanent resident you must prove that you have met the conditions

HOW DO I SATISFY THE REPORTING REQUIREMENTS?

Step 1: Mail-In Cards

Within six months of landing in Canada you must send in your *Mail-In Card* (IMM 5548) to your local Citizenship and Immigration Centre (see Appendix A for a list). The card should be sent as soon as you have set up a residence in your province of destination.

Step 2: Entrepreneur Monitoring Reports

Between 18 and 24 months of landing in Canada you must complete the *Entrepreneur Monitoring Report* (IMM 5486) and forward it to the nearest Citizenship and Immigration Centre or any other place designated by an Immigration Officer.

This reporting requirement is intended to track your business activity in Canada and to identify any problems that you may be having. Supporting documents are required and any additional information you wish to have considered should be included. An Immigration Officer may interview you at this stage and this will provide an opportunity for counselling if necessary.

Step 3: Application to Remove Entrepreneur Conditions

Once you have satisfied the conditions for a period of one year you must forward to a Citizenship and Immigration Centre or any other place designated by an Immigration Officer, an *Application to Remove Entrepreneur Conditions* (IMM 5547).

An Immigration Officer will review your application. If necessary you may be interviewed by the Immigration Officer, additional documentation may be requested, and a site visit of your place of business may be undertaken.

You may apply to have your conditions removed at any time with three years of becoming a permanent resident.

At any time during the monitoring of the conditions you may be asked to provide additional information or documentation.

WHAT FORMS OF SUPPORTING DOCUMENTATION ARE RECOMMENDED?

To Demonstrate:	Recommended Documentation:
· A qualifying Canadian business	· Payroll documents; Records of Employment (EI); T4 slips; Income Tax Returns; Annual Financial Statements (prepared by accredited accountant); Sales Invoices
· Control of one third equity in a qualifying Canadian business	· Incorporation Documents; Partnership Agreements; Minute Books
· Active and ongoing management of the qualifying Canadian business	· Signed contracts; Cheques, Correspondence; Partnership Agreements; Invoices; Purchase Orders
· Creation of a full-time job equivalent for Canadian citizens or permanent residents, other than yourself and your family members	· Payroll documents; Records of Employment (EI); T4 slips

WHAT IF I AM UNABLE TO MEET THE CONDITIONS?

If you fail to meet the conditions imposed on your admission, enforcement action may be taken which could lead to you and your family members being removed from Canada.

If you are experiencing difficulties meeting your conditions, contact your local Citizenship and Immigration Centre as well as your provincial business immigration contact (see Appendix C) as soon as possible. These representatives may provide information, assistance and counselling opportunities (see following section in this guide).

WHAT PROGRAMS AND SERVICES ARE AVAILABLE TO ASSIST IN SETTING UP MY BUSINESS?

Upon arriving in Canada, you may wish to seek business information from organizations that specialize in providing guidance and counselling on business matters.

Provincial Business Immigration Contacts

Provincial business immigration contacts (see Appendix C) have established programs specifically designed to assist you in understanding the business environment in the province. Provinces take an active role in providing information sessions and individual counselling meetings.

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 <http://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 <http://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.

Appendix A

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 B

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 <http://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 C

Provincial Business Immigration

Contacts

Northwest Territories	Yukon
<p>Manager, Investment Development Trade and Investment Division 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 Promotion Yukon 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.cse.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 Government Relations and Aboriginal Affairs 2nd Floor, 1919 Saskatchewan Drive Regina, Saskatchewan S4P 3V7 Tel: (306) 787-7467 Fax: (306) 798-0713</p> <p>Internet: www.ir.gov.sk.ca</p>
Ontario	Québec
<p>Manager Business Immigration Entreprise, Opportunity and Innovation Hearst Block, 5th Floor 900 Bay Street Toronto, Ontario M7A 2E1 Tel: (416) 325-67776 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 Development and Innovation Department and Sustainable Development 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>Project Executive Immigration Business 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 14th 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>Senior Programs Officer Department of Development and Technology Immigration and Investment P.O. Box 1176 94 Euston Street 2nd Floor Charlottetown, Prince Edward Island C1A 7M8 Tel: (902) 368-6252 Fax: (902) 368-5886</p> <p>Internet: www.gov.pe.ca</p>	