

Mobility: Immigration alert

March 2024

Canada

Canada bringing back visa requirements for Mexican nationals

Executive summary

On 29 February 2024, the Government of Canada announced that, with almost immediate effect, Mexican citizens will require a Canadian temporary resident visa for travel to Canada. There are some important exemptions to this new visa requirement for Mexican nationals, so some Mexican travellers will still be able to rely on the Electronic Travel Authorization (eTA) to travel to Canada.

Background

On 1 December 2016 the Government of Canada had lifted all visa requirements for citizens of Mexico travelling to Canada for temporary purposes such as work, study, or tourism. Since then, Mexican citizens have only been required to obtain the less burdensome eTA to travel to Canada. For policy reasons, and with certain important exemptions, the government is now re-imposing the visa requirement on Mexican citizens traveling to Canada for temporary purposes. Some of the stated underlying factors which are driving this policy change include the increase in asylum claims by Mexican citizens in Canada, many of which are ultimately denied or abandoned.

On 29 February 2024, the Government of Canada announced the following changes that came into effect at 11:30 PM EST the same day:

- ▶ Mexican nationals traveling by air now require a Temporary Resident Visa (TRV) to enter Canada, unless they possess a valid US non-immigrant visa, a Canadian work or study permit tied to their passport or have held a Canadian TRV within the last 10 years
- ▶ Mexican nationals travelling by land will normally require a Canadian TRV to enter Canada unless another exemption applies
- ▶ All eTAs issued to Mexican passport holders before 11:30 PM EST on 29 February 2024 will be cancelled, except for those with a valid a Canadian work or study permit tied to their passport
- ▶ Mexican visitors currently in Canada on an eTA are permitted to stay for the duration they are authorized. However, should they choose to depart and return to Canada, they must possess a valid TRV, unless they are eligible to enter Canada on an eTA
- ▶ Canada intends to extend its assortment of Visa Application Centres in Mexico to enhance customer service and handle the surge in application volumes
- ▶ The Seasonal Agricultural Worker Program (SAWP) will now include year-round primary agriculture along with seasonal fish, seafood, and primary food processing



EY Law LLP

What this means

A summary of the key effects on Mexican foreign nationals who are temporary residents looking to enter Canada:

- ▶ Mexican foreign nationals with a valid Canadian work permit and valid eTA will not require a visa for travel by air
- ▶ Mexican foreign nationals with a valid Canadian study permit and valid eTA will not require a visa for travel by air
- ▶ Mexican nationals with a valid visitor record and a valid eTA will have their eTAs cancelled as of 11:30 PM EST, 29 February 2024. They will need to obtain a new eTA if they meet the qualifications, or otherwise, a visa will be required. Of particular note, many children who are accompanying their parents who are working or studying in Canada are often issued visitor records, and may now require a TRV to travel to Canada, even if the parent(s) still qualify to travel with an eTA

Impact on employers

Employers who have employees who are Mexican foreign nationals should review the travel requirements before travel and ensure they have the valid documents. Although it is anticipated that eTAs for most Canadian work and study permit holders will remain valid, there will likely be some confusion with the roll-out of this new requirement. We would recommend Mexican nationals confirm their eTA validity prior to travel [here](#).

Key steps

EY will continue to monitor these developments. Should you have any questions, we encourage you to contact one of our immigration professionals.

George Reis, Managing Partner
+1 416 943 2535
george.reis@ca.ey.com

Batia Stein, Partner
+1 416 943 3593
batia.j.stein@ca.ey.com

Roxanne Israel, Partner
+1 403 206 5086
roxanne.n.israel@ca.ey.com

Marwah Serag, Partner
+1 416 943 2944
marwah.serag@ca.ey.com

Stephanie Lipstein, Partner
+1 514 874 4610
stephanie.lipstein@ca.ey.com

Author:
Kiren Saini, Senior Manager
+1 403 870 4503
kiren.saini@ca.ey.com

Alex Israel, Partner
+1 416 943 2698
alex.d.israel@ca.ey.com

Christopher Gordon, Partner
+1 416 943 2544
christopher.d.gordon@ca.ey.com

Nadia Allibhai, Partner
+1 613 598 4866
nadia.allibhai@ca.ey.com

Jonathan Leebosh, Partner
+1 604 899 3560
jonathan.e.leebosh@ca.ey.com

Melanie Bradshaw, Partner
+1 416 943 5411
melanie.bradshaw@ca.ey.com

EY | Building a better working world

EY exists to build a better working world, helping create long-term value for clients, people and society and build trust in the capital markets.

Enabled by data and technology, diverse EY teams in over 150 countries provide trust through assurance and help clients grow, transform and operate.

Working across assurance, consulting, law, strategy, tax and transactions, EY teams ask better questions to find new answers for the complex issues facing our world today.

Follow up on Twitter @EYCanada

EY refers to the global organization, and may refer to one or more, of the member firms of Ernst & Young Global Limited, each of which is a separate legal entity. Ernst & Young Global Limited, a UK company limited by guarantee, does not provide services to clients. Information about how EY collects and uses personal data and a description of the rights individuals have under data protection legislation are available via ey.com/privacy. EY member firms do not practice law where prohibited by local laws. For more information about our organization, please visit ey.com.

About EY Law LLP

EY Law LLP is a Canadian law firm, affiliated with Ernst & Young LLP in Canada. Both EY Law LLP and Ernst & Young LLP are Ontario limited liability partnerships. EY Law LLP has no association or relationship with Ernst & Young LLP in the US, or any of its members. Ernst & Young LLP in the US does not practice law, nor does it provide immigration or legal services. For more information, please visit EYLaw.ca.

© 2024 Ernst & Young LLP.

All Rights Reserved.

A member firm of Ernst & Young Global Limited.

EYG no. 001897-24Gb1

This publication contains information in summary form, current as of the date of publication, and is intended for general guidance only. It should not be regarded as comprehensive or a substitute for professional advice. Before taking any particular course of action, contact EY or another professional advisor to discuss these matters in the context of your particular circumstances. We accept no responsibility for any loss or damage occasioned by your reliance on information contained in this publication.

ey.com/en_ca