

ABOUT US

At Borderlaw® we are, first and foremost, immigration law experts. Our exclusive focus means that we are able to provide expert advice and comprehensive services in an increasingly complex area of law.

PERSONAL SERVICES

When you contact us, you deal with a qualified and experienced lawyer who will take the time to identify and address your specific immigration issues.

FLEXIBILITY

We can help with a specific immigration problem or develop your business immigration plan. We provide services on a fixed fee basis or bill hourly, in US or Canadian currency, as per our clients' request.

REFERRALS

We value referral relationships. Because of our restricted practice area, we regularly assist Canadian, US & international law firms. We work hard to support you and your clients.

ACCOUNTABILITY

Qualified and licensed in Canada and the US, at Borderlaw® we adhere to stringent regulatory requirements applicable to practice, accounting and ethical conduct, in both countries.

BEREZOWSKI'S BORDERLAW®

*** UPDATE ***

Canada's New Border Normal?

From: Nan Berezowski, BA. LL.B., LL.M
Barrister & Solicitor (Ontario),
Attorney-at-Law (New York)
Date: July 20, 2021

The Public Health Agency of Canada (PHAC) announced yesterday, a much-anticipated easing of border measures for fully vaccinated travellers entering Canada. There are two important dates: **August 9, 2021** and **September 7, 2021**. Eligible American citizens & permanent residents will be permitted to enter Canada effective August 9, 2021; all other country nationals will be eligible as of September 7, 2021. Both dates re-open 'non-essential', travel to Canada, but both dates are contingent on Canada's continued favourable Covid-19 epidemiology.

On August 9, 2021, Canada will allow discretionary (non-essential) travel for fully vaccinated American citizens and permanent residents, currently residing in the U.S. This will extend to eligible nationals of all countries on September 7, 2021. 'Fully vaccinated' means that a traveller has received the full series of a vaccine - or combination of vaccines - *accepted by the Government of Canada* at least 14 days prior to entering Canada. Currently, those vaccines are Pfizer-BioNTech, Moderna, AstraZeneca/COVISHIELD, and Janssen (Johnson & Johnson).

All is not normal though as Covid-19 criteria will still apply and travellers who do not meet requirements, will be precluded from boarding their flight, denied entry to Canada, and can face fines on arrival. Air carriers will verify that travellers coming to Canada have submitted their information digitally via the ArriveCAN app or website *before* they board their flight. Discretionary travellers who are unable to show their ArriveCAN receipt – either on their mobile device or a printed copy - will not be allowed to board. Travellers must also meet the pre-entry testing requirements; be asymptomatic and have a paper or digital copy of their vaccination documentation in English or French (or a translation and an original).

On the positive side:

1. Travellers who have recovered from Covid-19, but continue to test positive, will be able to present positive Covid-19 molecular test results on a specimen taken 14 to 180 days prior to arrival in Canada as part of the pre-arrival test requirements;
2. In conjunction with new, yet to be disclosed, border testing surveillance, fully vaccinated travellers will no longer need a post-arrival test unless they have been randomly selected to complete one;
3. Transport Canada will remove the current pre-boarding temperature screening of passengers for all domestic and international departures;
4. The 3-night government-authorized hotel stay for travellers arriving by air will be eliminated;

NAN BEREZOWSKI
BA, LL.B. LL.M
Barrister & Solicitor
(Ontario); Attorney-At-
Law (New York)

The principal lawyer at Berezowski Business Immigration Law, I am an internationally recognized Canadian lawyer (Ontario) and a licensed US Attorney-at-Law (New York) who has been featured in Who's Who Corporate Immigration for over a decade.

5. Eligible unvaccinated children under 12 years of age and dependent children (due to a mental or physical condition) of fully vaccinated travellers will no longer have to complete a 14-day quarantine (but must still follow strict public health measures); and
6. Travellers who cannot be fully vaccinated due to a health condition may qualify for eased quarantine and testing requirements (but must still follow a modified quarantine).

Wearing masks at airports and on board all flights to, from and within Canada will continue to be mandatory for all travellers. Additionally, all travellers will still be required to provide a quarantine plan and be prepared to quarantine, should they not meet requirements.

There will be no changes to the mandatory testing requirements for unvaccinated travellers. They must undergo Day-1 and Day-8 Covid-19 molecular tests, and complete a *mandatory 14-day quarantine*, subject to limited exceptions.

Nan Berezowski (BA, LL.B, LL.M) compiled this Update with the latest available information for the general information of Berezowski Business Immigration Law clients and other interested parties. This Update is not comprehensive and should not be relied upon without appropriate legal advice.