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# Controlled Goods Program

## Visitor Exemption



The *Controlled Goods Program (CGP)*, under section 18 of the *Controlled Goods Regulations*, requires applications for exemption for foreign visitors to ensure that authorized examination, possession and transfer of controlled goods/technology is granted through the visitor exemption process.

A **visitor** is an individual who:

- Is a foreign national;
- Is a Canadian citizen or permanent resident\* who left Canada for extended periods and returns as a visitor, as he/she is no longer a resident in Canada;
- Is not employed by a Canadian registered person; or
- Is not a Canadian citizen or a permanent resident ordinarily resident in Canada

\* Permanent resident has the same meaning as in Subsection 2(1) of the *Immigration and Refugee Protection Act*

### Foreign Visitor Exemption Process

Foreign visitors who will examine, possess, transfer controlled goods/technology at the place of business of a registered person must be granted a visitor exemption by the CGP prior to accessing controlled goods/technology in Canada.

To obtain the required visitor exemption, a registered person, through an approved Designated Official (DO), must complete and submit to the CGP an Application for Exemption from Registration – Visitor form.

### Certificate of Exemption

Once the CGP approves the exemption from registration, a Certificate of Exemption will be granted. The foreign visitor cannot examine, possess or transfer controlled goods/technology prior to receiving approval.

The Certificate of Exemption is issued to a specific individual and thus may not be transferred, or in any way used, by any other individual.

The period of validity of a Certificate of Exemption is determined by the CGD and cannot exceed three years from the date of the approval on the certificate. Recurring visits are permitted for access to the same site(s) and controlled goods/technology for the period the certificate is valid.

### Amendments

The registered person must inform the CGP without delay of any changes to the information given in the Application for Exemption from Registration – Visitor form, in particular if a visit is to be prolonged, extended to other sites, or if there will be access to other controlled goods/technology.

### Record Keeping Requirements

The registered person must keep the following records with respect to foreign visitors:

- Copy of the Application for Exemption from Registration – Visitor form;
- Copy of the Certificate of Exemption; and
- Copy or description of the identification of the foreign visitor.

Records of visitors must be kept during the period of registration and for a period of five years after the day on which the person ceases to be a registered person.

### American Visitors

Visitors from the United States of America may be exempted from registration if:

- Their employer is registered under the *International Traffic and Arms Regulations (ITAR)*; or
- They are a US government official.

The registered person will be asked to provide record-keeping documents with respect to American visitors at time of inspection.

The registered person must keep the following records with respect to visitors from ITAR registered companies:

- Evidence of the visitor status as director, officer or employee of the ITAR registered company;
- Evidence of the ITAR registration of the company; and
- Evidence of the eligibility of the individual under the ITAR.

The registered person must keep the following records with respect to visitors from the US government:

- The name of the government official;
- The time and date of the visit;
- The name of the US government department or agency that the official is representing; and
- A copy or description of the identification of the official.

The registered person must keep a copy of this evidence for a period of two years after the day on which the individual who is exempt ceases to have access to controlled goods/technology at the place of business of the registered person.

If the American visitor is not a US government official, or is representing a company that is not registered under the ITAR, an Application for Exemption from Registration for Visitors must be submitted to the CGP, and the standard visitor exemption process will apply.

### Canadian Visitors

Visitors from other Canadian companies are authorized to access controlled goods/technology only if their employer is registered with the CGP and have been security assessed by their employer.

For additional information on visitor exemptions and to access the Application for Exemption from Registration – Visitor form, please visit the CGD Web site at: <http://ssi-iss.tpsgc-pwgsc.gc.ca/dmc-cgd/>

The registered person remains responsible at all times for the application of the conditions of exemption as well as the security of the controlled goods/technology in their possession.