



Intra-Company Transferees

WORK PERMITS · R205(a) · C61 / C62 / C63

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A CLIENT GUIDE

Transferring Key Personnel to Canada

The Intra-Company Transferee program lets multinational businesses move executives, managers, and specialized knowledge workers to Canada without an LMIA. This brochure walks through the three administrative codes — C61, C62, and C63 — the eligibility criteria, documentary evidence, and the refusal risks we audit on every file before submission.

C61	C62	C63
Start-Up Branch	Executives & Managers	Specialized Knowledge
Establish a new qualifying enterprise in Canada on behalf of a foreign MNC.	Transfer to an existing Canadian operation in an executive or managerial role.	Transfer specialized, proprietary expertise to an existing Canadian operation.

ABOUT THIS GUIDE

This brochure is based on IRCC's program delivery instructions for intra-company transferees under paragraph R205(a). The framework was restructured in October 2024, replacing the former C12 administrative code with three distinct codes — C61, C62, and C63 — to better separate start-up, executive/managerial, and specialized-knowledge transfers.

Every file at VJ Immigration Inc. is overseen by Vijay Jayaram, RCIC R708127, with a structured refusal-risk audit completed before submission. This guide is for general information only and is not legal advice. Eligibility is fact-specific and must be assessed by a licensed RCIC on the basis of complete documentation.



What is an ICT?

FRAMEWORK · ELIGIBILITY · THE FOUR TESTS

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The Framework

An Intra-Company Transferee is a foreign national transferring from a position in a foreign enterprise to a Canadian enterprise that has a qualifying relationship with that foreign enterprise. ICT work permits fall under the International Mobility Program and are LMIA-exempt under paragraph R205(a), which permits the entry of foreign workers whose work creates or maintains significant social, cultural, or economic benefits for Canada.

Officers must first be satisfied that the applicant meets all the general requirements of R200, including R205(a), before assessing the ICT-specific criteria below.

The Four Eligibility Tests

Every ICT applicant — regardless of which code applies — must satisfy all four tests below.

1 Capacity Currently employed by a Multinational Corporation outside Canada in an executive, managerial, or specialized-knowledge role.	2 Continuous Employment At least 1 year (full-time) with the foreign MNC in the 3 years immediately before the application. Part-time time does not count.
3 Same Capacity Transfer Transferring temporarily, in the same capacity. The position in the foreign enterprise must remain available for the worker's return.	4 Qualifying Canadian Entity Moving to a Canadian enterprise that is a parent, subsidiary, branch, or affiliate of the foreign employer, and is actively engaged in business.

Multinational Corporation Test

A Multinational Corporation, for ICT purposes, is a company that has revenue-generating business operations in at least one country other than its home country, and generates revenue beyond its borders. An enterprise outside Canada cannot become an MNC by using the ICT category to establish its first foreign enterprise in Canada.

REFUSAL RISK · A foreign enterprise that operates only in its home country does not meet the MNC definition and is not eligible under C61. These applicants may instead be considered under C11 — Business Owner — Temporary Purpose.



C61 — Start-Up Branch

ESTABLISHING A QUALIFYING ENTERPRISE IN CANADA

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Who It's For

C61 is for foreign nationals coming to Canada on behalf of a foreign MNC to establish a new qualifying enterprise — a branch, subsidiary, or affiliate. It applies to executives, managers, and employees with specialized knowledge involved in the set-up phase.

Specific Requirements

- ◆ The foreign enterprise must already meet the MNC definition — revenue-generating operations in at least 2 countries before the Canadian enterprise is established.
- ◆ The applicant must be at the executive or management level, or be a specialized knowledge employee involved in establishing the new enterprise.
- ◆ The applicant must be entering Canada to secure physical commercial premises for the new Canadian enterprise. Counsel's address may be used initially until a premise is purchased or leased.
- ◆ A reasonable human resource plan must be provided, showing how the Canadian enterprise will be large enough to support an executive, managerial, or specialized-knowledge function throughout the work permit duration.
- ◆ A business plan and financial documentation must show the foreign enterprise has the capacity and financial ability to cover set-up costs and operate during the initial ramp-up period.
- ◆ The organizational structure in Canada must support a managerial or executive position, or — for specialized-knowledge cases — be expected to be doing business in the first year of operation.

Duration & Extensions

1 YEAR • NO ROUTINE EXTENSIONS

C61 work permits are issued for a maximum of one year, without the possibility of extension. The expectation is that within that year the enterprise becomes actively engaged in providing a good or service in Canada, and the worker transitions to C62 (executive or manager) or C63 (specialized knowledge) for any extension of work.

Extensions under C61 are only approved where there are extenuating circumstances beyond the applicant's or employer's control — for example, delays in obtaining construction permits or approvals — and where evidence shows physical premises are secured, efforts are continuing, and the enterprise has the financial ability to ensure viability. Where granted, an additional 6 months may be issued.

Owner-Operator Restriction

Foreign nationals — and their immediate family members — who own a controlling interest in the foreign enterprise are not eligible as ICTs unless the enterprise meets the MNC definition. A single-country owner-operator setting up a Canadian branch will not qualify under C61 and should be assessed under C11 (Business Owner — Temporary Purpose) or, where a trade agreement applies, under R204(a).



C62 — Executives & Managers

EXISTING CANADIAN OPERATIONS • R205(a)

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Who It's For

C62 is for foreign nationals transferring into an existing Canadian operation in an executive (TEER 0) or managerial (TEER 1) capacity. The Canadian operation's size and organizational structure must justify the need for an executive or managerial function.

Executive Capacity — TEER 0

- ◆ Directs the management of the enterprise, or a major component or function.
- ◆ Establishes the goals and policies of the enterprise.
- ◆ Exercises wide latitude in discretionary decision-making.
- ◆ Receives only general supervision from higher-level executives, the board of directors, or stockholders.

Managerial Capacity — TEER 1

- ◆ Manages the enterprise, a department, subdivision, component, or essential function.
- ◆ Oversees and controls the work of other managers, supervisors, or professional employees, or an essential function within the enterprise.
- ◆ Has the authority to hire, fire, or make personnel decisions. Where they don't directly supervise employees, the manager functions at a senior level in the hierarchy.
- ◆ Exercises discretion over day-to-day operations of the activity or function.

REFUSAL RISK • First-line supervisors are not in a managerial capacity unless the employees supervised are professionals. Managerial-sounding titles, without genuine managerial authority and a real organizational structure, do not satisfy C62.

Exclusions and Caveats

- ◆ An executive or manager does not perform tasks or functions related to the manufacturing of a product or the delivery of a service. They direct the work; they do not do the work.
- ◆ The size of the Canadian enterprise is an important factor. A small Canadian operation must demonstrate a genuine, reasonable need for an executive or high-level managerial function.
- ◆ Persons in positions more accurately defined as lower-level management — performing functions aligned with supervisors rather than managers of professionals — are not eligible.

Location of Employment

Executives transferring under C62 do not necessarily need to relocate full-time, but they must occupy a position in the Canadian enterprise with a clear employer-employee relationship and lead the operation day-to-day. If the work can be completed remotely, a justification is required. Time-zone differences alone are not sufficient.



C63 — Specialized Knowledge

ADVANCED PROPRIETARY KNOWLEDGE • ADVANCED EXPERTISE

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Who It's For

C63 is reserved for highly specialized workers transferring into an existing Canadian operation with both advanced proprietary knowledge of the company's products, processes, or systems, and an advanced level of expertise. Proprietary knowledge alone — or expertise alone — does not qualify.

Both Elements Are Required

- ◆ **Advanced proprietary knowledge** — a high and uncommon degree of enterprise-specific expertise related to the employer's product or service. The enterprise has not divulged the specifications that would let other companies duplicate the product or service.
- ◆ **Advanced level of expertise** — skills or knowledge gained through significant (typically 2+ years) and recent (within the last 3 years) experience with the organization, used by the individual to contribute significantly to the employer's productivity.

Assessing Specialized Knowledge

IRCC officers look at several factors when assessing whether a worker holds true specialized knowledge:

- ◆ **Occupation and TEER.** The Canadian role should normally fall in TEER 0, 1, or 2. Positions in TEER 3, 4, or 5 are reviewed in greater detail and require strong evidence of proprietary knowledge.
- ◆ **Education and training.** The applicant should not require training at the Canadian enterprise related to their area of expertise. If specialized knowledge can be obtained through a short period of in-house training, it likely is not specialized.
- ◆ **Experience.** Significant experience — typically two or more years — and recent experience within the last three years. The longer the experience, the more credible the specialization.

Mandatory Wage Floor

A specialized knowledge worker must be compensated at the prevailing wage for the region. The expectation is that a true specialist receives above-average compensation in their home country, and that Canadian pay reflects specialized knowledge. Non-cash allowances such as hotel, transport, or per-diems are not counted toward the wage.

REFUSAL RISK • Skill in implementing an off-the-shelf product is not specialized knowledge. The applicant must directly contribute to the development or substantial customization of a product, not just its deployment. Lower TEER positions face heightened scrutiny.



Documentary Evidence

WHAT WE FILE WITH EVERY ICT APPLICATION

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IRCC's program delivery instructions set out the documentary evidence officers expect to see for any ICT work permit application. The following list is the documentation we assemble and audit before submission.

Qualifying Relationship

- ◆ Proof the foreign enterprise is part of an MNC and has a qualifying parent, subsidiary, branch, or affiliate relationship with the Canadian enterprise.
- ◆ Corporate ownership documents — share certificates, shareholder registers, articles of incorporation, organizational charts.
- ◆ Evidence the Canadian enterprise is doing business on a regular, systematic, and continuous basis (or, for C61, a credible plan to do so within the first year).
- ◆ For C61 only: a timeline and supporting evidence showing how the new Canadian enterprise will become actively engaged.

Doing Business in Canada

- ◆ Annual reports, articles of incorporation, partnership agreements, profit and loss statements.
- ◆ Business licence, GST/HST registration, T2 corporate tax returns, CRA payroll account.
- ◆ Commercial lease for physical premises. A virtual office, mailing address, or co-share without clear evidence of legitimate Canadian operations is not sufficient.

Employer-Side Documents

- ◆ Offer of Employment submitted via the IRCC Employer Portal (IMM 5802), with the \$230 Employer Compliance Fee paid. Generates the LMIA-exempt 'A' number.
- ◆ Letter of introduction from the foreign enterprise describing the qualifying relationship, the applicant's current role and the role in Canada, the unique skills required, and the intended duration of stay.
- ◆ Job description for the Canadian position — title, place in the organization, duties, reporting structure.

Applicant-Side Documents

- ◆ Continuous employment evidence: pay statements, employment contract, letter from foreign HR confirming role, start date, and full-time status for at least 1 year in the previous 3 years.
- ◆ Reference letters, detailed description of the work to be performed in Canada, educational credentials, certifications, publications, awards.
- ◆ For C63 only: proof of proprietary knowledge and advanced expertise — training records, project documentation, internal certifications.
- ◆ Evidence of significant cultural, social, or economic benefit to Canada, and that the applicant will leave at the end of authorized stay.



At a Glance

DURATION · WAGES · COMPLIANCE

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Code Comparison

ASPECT	C61 · C62 · C63
C61 — Duration	Maximum 1 year. No extensions, except in rare extenuating circumstances. Transition to C62 or C63 expected by year-end.
C62 — Duration	Initial up to 3 years · 2-year renewals · total stay not to exceed 7 years.
C63 — Duration	Initial up to 3 years · 2-year renewals · total stay not to exceed 5 years.
Cumulative Cap	Time is cumulative across ICT categories. After the cap, the worker must complete 1 year of full-time employment outside Canada before reapplying.
TEER Levels	C62: TEER 0 executives, TEER 1 managers. C63: high TEER preferred (0, 1, 2); lower TEER requires extra justification.
Employer Fees	Employer Compliance Fee \$230 CAD paid through the IRCC Employer Portal with IMM 5802 Offer of Employment.

Our Refusal-Risk Audit

Before any ICT file is submitted, every application at VJ Immigration Inc. goes through a structured refusal-risk audit covering the areas where ICT applications most often fail.

- ◆ **MNC Definition** — Confirming the foreign enterprise has revenue-generating operations in 2+ countries before establishing in Canada.
- ◆ **Qualifying Relationship** — Share certificates, board resolutions, organizational charts mapping ownership and control.
- ◆ **Doing Business & Premises** — Regular, systematic Canadian activity with real commercial premises — not a mailing address or virtual office. For C61, an HR plan demonstrating the operation supports the role.
- ◆ **Same Capacity & Cumulative Stay** — Canadian role mirrors foreign role. 1 year full-time at level within 3 years. Time tracked against the 5-year (C63) and 7-year (C62) caps.
- ◆ **Genuine Managerial Capacity (C62)** — Real managers versus first-line supervisors. Organizational chart, reports, and authority documented.
- ◆ **Specialized Knowledge (C63)** — Both advanced proprietary knowledge and advanced expertise proven. Wage floor met.
- ◆ **Wage and Compensation** — Job Bank prevailing wage met for the occupation and region. Non-cash allowances excluded.
- ◆ **Temporary Intent** — Position held open abroad, ties documented, dual intent addressed if pursuing PR.



How We Work

ENGAGEMENT · VERIFICATION · CONTACT

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From First Call to File Closure

1

CONSULTATION

A confidential review of corporate structure, the applicant's role, and the realistic ICT path — including whether C11 or a trade-agreement code is a better fit.

2

ENGAGEMENT & STRATEGY

Written retainer, IMM 5476 filed in your name, document plan and timeline agreed before any drafting begins.

3

SUBMISSION & SUPPORT

Drafting, refusal-risk audit, Employer Portal submission, and ongoing file support through to a decision and beyond.

VERIFY BEFORE YOU HIRE

Confirm any Canadian immigration consultant in 30 seconds:

- ◆ Visit the CICC Public Register: register.college-ic.ca
- ◆ Search the RCIC number — format is "R" plus six digits.
- ◆ Confirm the consultant's status is **ACTIVE** and in good standing.
- ◆ Insist on a written retainer and an IMM 5476 filed in your name.

GET IN TOUCH

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