

LMIA Owner Operator- and C10 and C11.

With this application, you can come to Canada as a Temporary worker operating your own business.

There is no minimum net worth, you can purchase an existing business or open a new one.

<p>To qualify as an owner/operator, the foreign national must:</p>	<ul style="list-style-type: none"> ❖ Demonstrate a level of controlling interest in the business, e.g. be a sole proprietor or a majority shareholder (50.01% plus); ❖ Demonstrate that such temporary entry will result in the creation or retention of employment opportunities for Canadians and permanent residents and/or skills transfer to Canadians and permanent residents (or hire a Canadian or PR employee); and, ❖ viable or solid business plan
<p>Processing time</p>	<p>Approximately 5-8 months including work permit application after we have submitted complete application.</p>
<p>Existing Businesses</p>	<p>1) Complete Purchases Where a 100% purchase has been completed and documentary evidence is provided (share purchase agreement, share certificate, notice of articles, central securities register, CRA#), reflecting purchase/ownership change application, the burden of proof is less onerous. However, the requirement on creation or retention of Canadian jobs and knowledge transfer to Canadians in the form of a transition plan, still needs to be satisfied.</p> <p>2) Pending Complete Purchases Where the transaction is pending, and contingent on an LMIA and WP, immigration authorities will broadly assess if the anticipatory project is genuine. Key factors include how advanced the transaction is, (signed share purchase agreement, monies in escrow), how sound the foreign employee-investor’s business plan to acquire 100% ownership in the shares of the business as principal owner is and whether the intent to hire or retain Canadian workers can be established.</p> <p>3) Partial Purchases Where the transaction is pending and contingent on an LMIA and WP, once again immigration authorities will broadly assess if the anticipatory project is genuine. Key factors include how advanced the transaction is, (signed share purchase agreement, monies in escrow), how sound the foreign employee investor’s business plan to acquire a substantial ownership in the shares of the business as principal owner or co-owner is, what percentage of the business is being transferred and whether the intent to hire or retain Canadian workers can be established. Other considerations here include establishing who owns the largest part of the business, and whether existing shareholders will continue to play an active role.</p>
<p>New Businesses</p>	<p>Where the foreign investor plans to start a new business that is contingent on a positive LMIA and work permit, the business should be in “operation”, providing goods or services. The following considerations will apply for the assessment of an LMIA under the Owner-Operator guidelines:</p> <ul style="list-style-type: none"> ❖ Preparation efforts made towards opening the business (incorporating the business, applying for business licenses, executing a lease agreement, securing new contracts, etc.). ❖ The presence of a viable business plan. ❖ Hiring intentions: whether the company intends to hire Canadians/permanent residents. ❖ Role of foreign-employee investor to become sole owner and actively engaged and carry out anticipatory work on behalf of the business as a TFW.
<p>Process</p>	<ul style="list-style-type: none"> – Create a viable business plan – LMIA application – If positive LMIA is received, proceed to work permit application
<p>How do I get Permanent Residence with this Program?</p>	<p>Once the applicant has a work permit, successful candidates can at a later stage apply for a permanent residence to Canada. It can be the Federal Skilled Worker Program (FSWP) under the Express Entry system or under a suitable provincial immigration stream.</p> <p>For FSWP this program will give your additional CRS 50-200 points for the job offer. This will give you additional and significant amount of CRS points to get an Invitation to Apply (ITA), once an ITA is received the candidate can then apply for Permanent Residence.</p>

Significant Benefit Work Permit Requirements- C10

The significant benefit work permit is a unique type of work permit that requires the applicant to demonstrate certain criteria that would be considered beneficial to Canadians. Unlike most other work permits, this type of work permit is considered Labor Market Opinion exempt provided that it can satisfy an officer that it meets the criteria.

This type of application is very document intensive and requires a great deal of preparation in advance. In order to be eligible for a significant benefit work permit, as the applicant, you must consider the following criteria and demonstrate that you would:

- create or maintain significant social, cultural, or economic benefits or opportunities for Canadian citizens or permanent residents;
- create or maintain reciprocal employment of Canadian citizens or permanent residents of Canada in other countries;
- be engaged in work that is designated to be performed by a foreign national on the basis of the following criteria:
 - ✓ Work related to a research, educational or training program, or limited access to the Canadian labor market is necessary for reasons of public policy relating to the competitiveness of Canada's academic institutions or economy;
 - ✓ is of a religious or charitable nature.

You will need to not only demonstrate examples of previous work completed and how this work will impact Canada, but also demonstrate your intended goals in Canada and how you plan to achieve them.

Entrepreneurs/self-employed candidates seeking to operate a business- C11

Applicants seeking only temporary residence

Foreign nationals applying to work for themselves or to operate their own business on a temporary basis must demonstrate that their admission to Canada to operate their business would generate significant economic, social or cultural benefits or opportunities for Canadian citizens or permanent residents pursuant to paragraph. Benefits to Canadian clients of a self-employed worker may be considered in this case, particularly if the worker is providing a unique service. If the applicant intends to start or buy a business and eventually stay in Canada on a permanent basis, officers should encourage the applicant to apply for permanent residence.

Applicants seeking eventual permanent residence

There are two categories of potential permanent residence applicants who may apply for a work permit under this category:

- Actual or potential provincial nominees undertaking business activities;
- Quebec-destined entrepreneurs or self-employed persons issued a Quebec Selection Certificate (CSQ).

Applicants in these categories have demonstrated that their admission to Canada to begin establishing or operating their business may generate significant economic, social or cultural benefits or opportunities for Canadian citizens or permanent residents.

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