

For its part, Transport Canada must treat specialty air services companies from the U.S. and Mexico delivering a service covered under the NAFTA at least as favourably as it treats Canadian companies. However, specialty air services operators from the U.S. and Mexico wishing to do business in Canada will be required to comply with all Canadian laws, including those relating to transport, licensing and taxation. In this respect, Transport Canada intends to enforce existing safety and operating standards governing pilot and crew licences, aircraft and inspection of bases against NAFTA applicants, and will not issue operating certificates to any company that does not demonstrate that they comply with these standards. This means that U.S. and Mexican companies using equipment that does not comply with Canadian standards, such as ex-military aircraft, will not be permitted to operate such equipment in Canada until it meets these standards.

(ii) Forest Fire Fighting

The NAFTA does not affect the operation of the Canada/United States Reciprocal Forest Fighting Arrangement, which facilitates international co-operation in fighting fires in emergency situations.

d) Temporary Entry of Personnel

Annex 1603 of Chapter 16 of the NAFTA specifies four categories of individuals that are granted rights to enter another NAFTA country on a temporary basis. These categories are: Business visitors, Traders and Investors, Intra-Company Transferees and Professionals. Categories significant to the specialty air services industry are Business Visitors, Intra-Company Transferees and Professionals.

(i) Business Visitors

Canadian specialty air services companies wishing to take advantage of newly opened markets in the U.S. and Mexico may wish to have employees travel to those countries to market their services. These individuals are considered to be Business Visitors and will be granted temporary entry rights, provided that they otherwise comply with existing immigration measures applicable to temporary entry. Attachment "A" of this guide outlines the different categories of Business Visitors who qualify for temporary entry without an employment authorization.

(ii) Intra-Company Transferees

The NAFTA provides that, subject to conditions, each Party must provide temporary entry to business persons employed by an enterprise who seek to render services to that enterprise or a subsidiary or affiliate located in the territory of that Party. Business persons are not required to undergo labour certification but are required to obtain employment authorizations. Please refer to Attachment "B" for further information.