

## **Federal Vaccination Mandate**

### **Guidelines on requirements coming into force on November 30, 2021 – Common Content Considerations for Passengers**

#### **Federal Vaccine Mandate Requirements for passengers as of November 30, 2021**

Passengers are strongly encouraged to use the new standardized [Canadian COVID-19 proof of vaccination](#).

Very limited exemptions to vaccination will be allowed **for travel within and out of Canada, of which the following will be administered by operators:**

- Medical inability to be vaccinated
- Essential medical services and treatment
- Sincere religious belief
- Emergency and urgent travel (including for urgent medical reasons)

Other domestic travel in the national interest will be administered by Transport Canada.

There will also be special accommodations for remote passengers so they can access essential services. The following requirements for exemptions will not apply to travel from remote airports. Remote passengers who are unvaccinated and do not have a valid-COVID 19 molecular test will be provided molecular self-test kits at specified gateway airports as an interim measure. For additional information regarding the management of passengers coming from and going to remote communities, and the list of gateway airports, please refer to the guidance documents provided on this subject.

#### **1. Operator-Administered Temporary Exemptions for Passengers (Medical Inability to be Vaccinated, Essential Medical Services and Treatment, Sincere Religious Belief)**

The process for issuing exemptions is governed by the applicable Transport Canada Orders.

All operators will accept/approve or refuse temporary passenger exemptions due to medical inability to be vaccinated, essential medical services or treatment, or sincere religious belief, based on detailed guidance from TC (using this document as a starting point).

Operators will be required to develop operational guidance and procedures on how they will receive, evaluate, and accept/approve requests for temporary exemptions, as well as how they will confirm and communicate acceptance or approval of the temporary exemption to passengers, and handle refusals.

It is the responsibility of operators to inform passengers that they must submit their requests for temporary exemption before departure.

Transport Canada will provide template forms for operators to adapt for their use. Forms must not be made available until November 30 when the mandate comes into effect.

Passengers will be responsible to submit to the operator a completed exemption form. A request for temporary exemption due to medical inability must be submitted 3 weeks in advance, essential medical services and treatment two weeks in advance, and request for exemption due to sincere religious belief three weeks in advance.

Passengers are required to carry the completed exemption form and proof of the operator's acceptance/approval with them during their travel journey. As this documentation must be provided to the operator, multiple copies may be required depending on the specific operator's requirements.

Temporary exemptions due to Medical Inability, Essential Medical Services or Treatment or Sincere Religious Belief is operator-specific. In other words, a temporary exemption by one airline does not automatically allow the passenger to connect with a different airline, or to transfer modes (e.g., from train to plane or from one airline to the next). These exemptions are deemed to be 'temporary' as both the exemption form and the operator-administered exemption approval is time limited.

A high-level summary of information on exemptions for passengers will be located on this webpage: [COVID-19 Boarding flights, trains and cruise ships in Canada – Travel restrictions in Canada – Travel.gc.ca](#) (administered by Health Canada and Treasury Board Secretariat).

It will be the responsibility of the operator to communicate to the passenger details on the temporary exemption request and approval process. For code-share arrangements in air, operators will need to determine through their contractual arrangements how passengers would need to apply for a temporary exemption.

Passengers with temporary exemptions due to Medical Inability, Essential Medical Services or Treatment or Sincere Religious Belief **will require a valid COVID-19 test result before boarding**.

**Temporary exemption requests from the requirement to have a valid COVID-19 test result are not supported through this process.**

### **1.1 Temporary Exemption for Passengers due to Medical Inability**

Based on the October 22, 2021 recommendation of the National Advisory Committee on Immunization, medical reasons that may qualify a passenger for a temporary exemption are as follows (also found in the form):

1. Certified medical contraindications to full vaccination against COVID-19 with an mRNA vaccine:

- A history of anaphylaxis after previous administration of an mRNA COVID-19 vaccine (and noting that most people who experienced a severe immediate allergic reaction after a first dose of an mRNA COVID-19 vaccine can safely receive future doses of the same or another mRNA COVID-19 vaccine after consulting with an allergist or another appropriate physician); and/or
  - A confirmed allergy to polyethylene glycol (PEG) which is found in the Pfizer-BioNTech and Moderna COVID-19 vaccines (note that if a person is allergic to tromethamine which is found in Moderna, they can receive the Pfizer-BioNTech product).
2. Medical reasons for delay of full vaccination against COVID-19:
- A history of myocarditis/pericarditis following the first dose of an mRNA vaccine; and/or
  - An immunocompromising condition or medication that requires waiting to vaccinate when immune response can be maximized (i.e., waiting to vaccinate when immunocompromised state or medication is lower).
3. A medical condition precluding full vaccination against COVID-19 (not covered above), as briefly described by the medical physician or nurse practitioner.

### **Proof of medical inability**

To receive a temporary exemption from the mandatory vaccination requirement, passengers must submit to the operator a completed temporary exemption form due to medical inability, which has been signed by a medical doctor or nurse practitioner licensed to practice in a Canadian province or territory. This form is available from the operator and must be completed prior to departure and in accordance with the operator's exemption approval process. Temporary exemption requests due to medical inability must be submitted to the operator **3 weeks in advance**.

### **Who is considered a medical doctor or nurse practitioner for the purposes of the Mandatory Vaccination Mandate?**

Considered a (provincial/territorial) licensed medical doctor or a nurse practitioner:

- Family doctor
- Nurse practitioner
- Allergist
- Immunologist
- Cardiologist
- Rheumatologist

Not considered a licensed medical doctor or a nurse practitioner:

- Paramedical or alternative health providers (e.g., chiropractor, podiatrist, optometrist, naturopath)
- Registered nurse (RN), registered practical nurse (RPN), licensed practical nurse (LPN)

- Oncologist
- Physician’s assistant (PA)
- Dentist or dental hygienist
- Psychologist

**Provincial/Territorial medical exemptions**

A medical exemption issued by a Canadian province or territory may also be accepted. For those provinces/territories where a medical letter or medical contraindication credential is issued, the traveller must still apply to the operator by completing and submitting a Medical Inability exemption form to the operator. The Provincial/Territorial issued letter or credential, however, can be provided in lieu of the Medical Doctor or Nurse Practitioner’s signature on the exemption form.

**Note: in all cases, travellers with a temporary exemption will require a valid COVID-19 test result before boarding.**

To verify authenticity of the provincial/territorial exemption, operators should refer to the list below. For the most up to date information on Provincial/Territorial exemptions, please visit their webpage.

**As of November 20, 2021:**

Jurisdiction	Provincial/Territorial Documentation	Direction to traveller
PEI, NWT	Medical Letter issued by Province/Territory following a review process.	<ul style="list-style-type: none"> <li>- Complete Operator’s Exemption Form (except for section F) and attach the P/T issued medical letter in lieu of completion of section F by a medical doctor or nurse practitioner.</li> <li>- COVID Test required for travel</li> </ul>
MB, QC, NL	Medical Contraindication Credential (with or without QR Code) issued following a review process.	<ul style="list-style-type: none"> <li>- Complete Operator’s Exemption Form (except for section F) and attach the P/T issued medical credential in lieu of completion of section F by a medical doctor or nurse practitioner.</li> <li>- COVID Test required for travel</li> </ul>
NB, AB, ON, NS, NL	Letter completed by Medical Doctor or Nurse Practitioner licenced to practice in the Province/Territory.	<ul style="list-style-type: none"> <li>- Complete Operator’s Exemption Form (except for section F) and attach the completed medical exemption letter in lieu of completion of section F by a medical doctor or nurse practitioner.</li> <li>- COVID Test required for travel</li> </ul>
BC, NU, YK, SK	N/A - Jurisdictions do not issue medical exemption letters or credentials, and do not provide templates for	<ul style="list-style-type: none"> <li>- Complete Operator’s Exemption Form <u>including section F</u> by a medical doctor or nurse practitioner</li> <li>- COVID Test required for travel</li> </ul>

	doctors. Medical exemptions are not recognized in the Province.	
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**Types of documents issued or accepted by each province/territory as exemptions to vaccination for persons medically unable to be vaccinated against COVID-19:**

<b>P/T</b>	<b>Exemption Document</b>	<b>Provincial webpage</b>
British Columbia	There are <b>no medical exemptions</b> for the COVID-19 vaccines recognized by the Province.	<a href="https://www2.gov.bc.ca/gov/content/health/diseases/communicable/vaccines/proof-vaccination">Proof of vaccination and the BC Vaccine Card - Province of British Columbia (gov.bc.ca)</a>  <a href="https://www.bccdc.ca/vaccines">Vaccine Considerations (bccdc.ca)</a>
Alberta	A valid medical exemption is the <b>original signed letter from a physician or nurse practitioner</b> that includes: <ul style="list-style-type: none"> <li>- Person's name that matches their identification.</li> <li>- Physician's or nurse practitioner's complete information, including: <ul style="list-style-type: none"> <li>o name, phone number, contact information, professional registration number and signature</li> <li>o statement that there is a medical reason for not being fully vaccinated against COVID-19</li> <li>o duration that the exemption is valid</li> </ul> </li> </ul>	<a href="https://www.alberta.ca/covid-19-public-health-actions">COVID-19 public health actions   Alberta.ca</a>
Saskatchewan	<b>As immunization is not mandatory, exemption is not required.</b>	<a href="https://www.saskatchewan.ca/government/health-and-social-services/immunization/proof-of-covid-vaccination">Government of Saskatchewan / Proof of COVID Vaccination / Affidavit Submissions</a>
Manitoba	<b>Provincial Digital or Physical Immunization Card w/ Exemption</b> (exemption request submitted to province by healthcare provider)	<a href="https://www.gov.mb.ca/health/immunization/eligibility">Province of Manitoba   Eligibility Criteria (gov.mb.ca)</a>
Ontario	<b>Documentation of a medical exemption must be provided by either a physician or a nurse practitioner.</b> The exemption must clearly indicate the reason why the individual cannot be vaccinated against COVID-19 and include: <ul style="list-style-type: none"> <li>• Name and contact information of the physician or registered nurse</li> <li>• Logo or letterhead identifying the physician or registered nurse</li> </ul>	<a href="https://www.ontario.ca/government/health-and-social-services/immunization/medical-exemption-guidance">Medical Exemption Guidance (gov.on.ca)</a>

	<ul style="list-style-type: none"> <li>Statement that there is a medical reason for the individual's exemption from being fully vaccinated against COVID-19; and</li> <li>Any effective time-period for the medical reason</li> </ul>	
Quebec	<b>Provincial Digital Passport w/ Exemption</b> (exemption request submitted to province by healthcare provider)	<a href="#">COVID-19 protection status   Gouvernement du Québec (quebec.ca)</a>
New Brunswick	<b>A New Brunswick Medical Exemption template form signed by a physician or nurse practitioner</b> licensed in New Brunswick is accepted as meeting the proof of vaccination policy.	<a href="#">Proof of Covid-19 Vaccination (gnb.ca)</a>
Nova Scotia	<b>Valid Medical Contraindication for COVID-19 Vaccination template letter</b> from doctor or nurse practitioner.	<a href="#">Coronavirus (COVID-19): medical exceptions - Government of Nova Scotia, Canada</a>
PEI	Individuals claiming a medical exemption from COVID-19 vaccination will be required to have a <b>Medical Exemption Letter from the Chief Public Health Office</b>	<a href="#">Residents - Important PEI Vax Pass Information   Government of Prince Edward Island</a>
Newfoundland and Labrador	Acceptable proof of an approved medical exemption includes: <ul style="list-style-type: none"> <li>An electronic QR code downloaded and shown on a mobile device (e.g., tablet or smartphone); <b>or</b></li> <li>A physical copy of the QR code; <b>or</b>,</li> <li>A Valid Medical Exemption for COVID-19 Vaccination letter.</li> </ul>	<a href="#">Guidance for Residents - COVID-19 (gov.nl.ca)</a>
Yukon	<b>No medical exemption process defined</b>	<a href="#">COVID-19 information   Government of Yukon</a>
Northwest Territories	<b>Territorial (NTHSSA) Medical Letter of Exemption</b>	<a href="#">Public Notice - Medical Vaccine Exemptions, Travel and Workplace Testing   Health and Social Services Authority (nthssa.ca)</a>
Nunavut	<b>No medical exemption process defined</b>	<a href="#">Travel and Isolation   Government of Nunavut</a>

### Regarding foreign nationals

If a foreign national travelling in Canada requires an exemption for medical inability to be vaccinated, the process will be the same as for Canadian citizens and permanent residents. A medical note or letter issued by a medical doctor/nurse practitioner in a country other than Canada **shall not be accepted by the operator for domestic or outbound travel.**

Note, however, that unvaccinated foreign nationals are generally allowed to leave the country if they can provide the necessary evidence to demonstrate the purpose of their trip is to exit Canada (e.g., itinerary), along with their foreign credentials (e.g., foreign passport, temporary visa).

### Reviewing a Temporary Exemption Request

Before approving a medical exemption request, operators should confirm it meets the following criteria:

1.	Completed exemption request form was submitted to operator prior to departure, in accordance with operator requirements
2	First/Last name of person requesting exemption and civic address provided
3	Where the form indicates a previous exemption request has been refused, the passenger may be asked to provide further detail to inform the operator's review. An operator may approve the exemption request, regardless of a previous refusal, provided the exemption request meets the criteria.
4	Sufficient travel details provided as per operator requirements
5	Passengers may submit a completed form with one of the following: a. Confirmation and signature from a Canadian medical doctor / nurse practitioner on the form itself; or, b. A medical letter or credential issued by a Canadian Province/Territory indicating a medical inability to be vaccinated (medical exemption) accompanying the form.
6	Forms <b>without a medical letter or doctor note</b> must have confirmation from a Medical Doctor or Nurse Practitioner of the person's medical inability to be vaccinated, including one or more of the following boxes checked: a. Medical contraindication b. Medical reason for delay of full vaccination c. Medical condition precluding full vaccination If (c) is checked, then a brief description must be included by the Medical Doctor/Nurse Practitioner.
7	The form must include contact details (civic address/phone number) for the medical doctor or nurse practitioner, as well as their <b>provincial/territorial medical license number</b> .  The form must be <b>signed and dated by the medical doctor or nurse practitioner</b> .
8	The form is <b>valid for 1 year following the date of signature by the medical doctor or nurse practitioner</b> , or For conditions which may be temporary in nature, the completed form may be valid until the end of the period of the temporary condition as established and identified by the medical doctor or nurse practitioner.
9	Attestation by the requestor signed and dated.

## **1.2 Temporary Exemption for Essential Medical Services or Treatment (e.g. booked medical appointment)**

Passengers must submit to the operators, a completed temporary exemption form which has been completed and signed by a licensed medical doctor or nurse practitioner in order to receive a temporary exemption from the mandatory vaccination requirement. This form is available from the operator and must be completed prior to departure (2 weeks in advance) and in accordance with the operator's exemption approval process.

Medical doctors or nurse practitioners may indicate that an escort or travel companion is required to accompany the passenger travelling for an essential medical service or treatment.

The approval provided by the operator will be valid for the length of the return trip. A new completed form is required for new trips.

**Note: in all cases, travellers with a temporary exemption for essential medical services or treatment will require a valid COVID-19 test result before boarding.**

### **Reviewing a Temporary Exemption Request**

Before approving a medical exemption request, operators should confirm it meets the following criteria:

1.	Completed exemption request form was submitted to operator prior to departure, in accordance with operator requirements
2	First and last name of person requesting exemption and civic address is provided
3	Where the form indicates a previous exemption request has been refused, the passenger may be asked to provide further detail to inform the operator's review. However, the operator may approve the exemption request, regardless of a previous refusal, provided the exemption request meets the criteria.
4	Sufficient travel details provided as per operator requirements
5	Passengers have submitted a completed form with confirmation from a Canadian medical doctor or nurse practitioner that contains the <b>date and name and civic address of the facility</b> where the essential medical services or treatment appointment will be.  A brief description must also be included by the Medical Doctor/Nurse Practitioner.  <b>In all cases</b> , a completed exemption form must be submitted along with the supporting documentation.
6	The form must include contact details for the medical doctor or nurse practitioner, as well as their <b>provincial/territorial</b> medical license number and civic address.  The form must be <b>signed and dated by the medical doctor or nurse practitioner</b> .
7	Completed temporary exemption forms for passengers due to essential medical care are valid for <b>the return trip only</b> . New trips will require new forms to be submitted for approval.



8	Attestation by the requestor signed and dated.
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### **1.3 Temporary Exemption for Passengers due to Sincere Religious Belief**

Leaders and members of a number of religions and religious denominations (e.g., Islam, Roman Catholicism, Judaism, Greek Orthodox, Mennonites, Jehovah's Witnesses, Christian Science) have released public statements indicating their support for the COVID-19 vaccine specifically in the interest of public health. In addition, a number of provincial human right commissions, including the Ontario Human Right Commission, have taken the position that objection to vaccination for personal reasons is not a protected ground under their respective Code and does not need to be accommodated. Nevertheless, an individual may hold a strongly held religious belief that prevents full vaccination.

For the purpose of domestic or outbound travel, operators must consider religious exemptions to mandatory vaccination based on sincerely held religious belief, in recognition of the obligations under the *Canadian Human Rights Act*.

**Temporary exemptions due to sincere religious belief shall be considered only for domestic and outbound flights. This includes domestic flights connecting to inbound international flights.**

**Note: Provinces/Territories do not issue exemptions based on religious beliefs.**

Requests to travel with a temporary exemption due to religious conviction must be evaluated on a case-by-case basis. All requests made by the passenger need to clearly demonstrate that:

1. the belief is religious in nature,
2. the belief prevents full vaccination, and
3. the belief is sincerely held.

To be temporarily exempt from the mandatory vaccination requirement, passengers must submit to the operators a form that includes a sworn, solemn oath of conviction co-signed by a Commissioner of Oaths. This must be completed prior to departure (3 weeks in advance) and in accordance with the operator's exemption approval process.

The completed temporary exemption form is valid for the traveller's complete journey (i.e. booked return trip).

The passenger is required to reconfirm their religious conviction by submitting a new form for any new trips.

### **Reviewing a Temporary Exemption Request due to Sincere Religious Belief**

Before approving a temporary exemption due to religious conviction request, operators should confirm it meets the following:

1	The temporary exemption request was submitted to operator <b>3 weeks before departure</b> and in accordance with operator requirements.
2	First and Last name of person requesting temporary exemption and civic address is provided
3	If a previous request for temporary exemption has been refused, the passenger may be asked to provide further detail to inform the operator's review. However, the operator may approve the temporary exemption request, regardless of a previous refusal, provided the request meets the criteria.
4	Sufficient travel details required by the form and the operator
5	The belief is <b>religious in nature</b> <ul style="list-style-type: none"> <li>- Religion typically involves a particular and comprehensive system of faith and worship as well as the belief in a divine, superhuman or controlling power (e.g., "I don't believe in vaccination" would not in itself be a reason).</li> <li>- It does <b>not apply</b> to beliefs, convictions or practices that are secular, socially based or only conscientiously held; nor does it protect false empirical beliefs about the development, the contents, effects, or purpose of the vaccines.</li> </ul>
6	The belief <b>prevents full vaccination</b> <ul style="list-style-type: none"> <li>- It is not sufficient for the passenger to state they have a certain religious belief, and they cannot be vaccinated.</li> <li>- They must explain how vaccination would conflict with their religious belief in a way that is not trivial or insubstantial (meaning, being vaccinated conflicts with the employee's <b>genuine connection with the divine</b>).</li> </ul>
7	The belief is <b>sincerely held</b> <ul style="list-style-type: none"> <li>- The requirement is to focus on the sincerity of the individual belief <b>rooted in religion</b>, not whether it is recognized by other members of the same religion.</li> <li>- The <u>validity</u> of the belief itself must not be challenged by the operator.</li> </ul>
8	Form is signed and dated by a Commissioner of Oaths. The form may be certified by the Commissioner of Oath's affixing a stamp/seal and date.
9	Completed temporary exemption forms for passengers due to religious conviction forms are valid for the period of the <b>return trip only</b> .
10	Attestation by the requestor signed and dated.

\* With respect to #6-#8, there are a number of false empirical beliefs about the development, the contents, effects, or purpose of the vaccines. These are not, however, grounds on which a temporary exemption can be granted. If the sincere belief is not based on a religious belief, but rather a personal preference or choice based on misinformation or misunderstandings of scientific information, there is no need to accommodate.

For example, a conviction that the COVID-19 vaccine contains aborted human/animal fetal cells or that DNA is altered by mRNA vaccines is empirically incorrect, and should not be used as a rationale for the granting of a religious exemption, even where this belief is sincerely held and/or rooted in religion. The following website includes additional information about COVID-19 myths:

Web Site about DNA modification: [COVID-19 mRNA vaccines](#)

#### **1.4 Refusing a Temporary Exemption Request**

The operator will notify the applicant accordingly if an exemption request is refused. The operator must issue refusals to the passenger in advance of check-in/boarding.

Passengers without approved exemption requests should not be issued a boarding pass and must not be permitted to board. Passengers may re-apply for exemption requests within the time period required by the operator in advance of the planned date of departure only if they are providing additional information.

#### **1.5 Reviewing and Accepting/Approving a Temporary Exemption Request**

Operators must notify the passenger that the exemption request is accepted/approved and issue them a confirmation of approval that can be shown at check-in or boarding. The operator must issue confirmation of approval to the passenger in advance of departure.

Temporary exemptions are only valid with the operator who issued the exemption and for the period of the booked return trip.

The passenger will be required to present proof of exemption to any authority requesting it throughout the trip, including at the time of check-in or boarding, along with their **valid COVID-19 molecular test result**.

#### **1.6 Check-in/Boarding**

Operators will be required to verify the confirmation of temporary exemption and the **valid**, completed temporary exemption form before the passenger is issued a boarding pass or permitted to board.

**A valid COVID-19 test result will be required before issuing a boarding pass or boarding.**

Operators may verify proof of temporary exemption and COVID-19 test results at any time during travel (e.g. check-in, boarding, during travel, etc.). Operators will be responsible for denying boarding to passengers who are unvaccinated and without an exemption.

Where passengers board at unmanned boarding/departure points, verification may occur while en route.

#### **1.7 Reporting Requirements on Exemptions**

Operators will be required to report to TC on justification and details of all temporary exemptions granted.

In addition, operators are expected to report to TC on temporary exemption requests that are **approved or refused**, on **suspicious patterns** and **suspected reports of false information**.

## **1.8 Oversight of Exemptions**

Passengers who make false claims are an offence under of the *Criminal Code* and false declaration could be subject to TC fines or administrative monetary penalties. With respect to oversight of operators, those not undertaking due diligence of exemption requests in accordance with the requirements could also be subject to fines or administrative monetary penalty under modal legislation.

Any doctor or medical practitioner who is inappropriately applying NACI criteria or inappropriately confirming essential medical appointments will be reported and disallowed to certify exemption requests. Transport Canada may follow up on medical license numbers and/or supporting medical professionals.

Any problematic Commissioners of Oaths could face disallowance to certify other requests.

## **2. Emergency and Urgent Travel (including urgent medical travel)**

Where a passenger is travelling due to an emergency or urgent reason (including urgent medical travel), operators may have the authority to board unvaccinated passengers. These specific emergency/urgent travel situations may be outlined in modal legislative instruments.

These specific situations could include urgent or emergency travel related to evacuations caused by natural disaster (e.g. forest fire, floods, etc.), evacuation of COVID-19 infected persons to an area where they may quarantine, or other urgent or emergency situations.

For example, an exemption for the requirement of an air passenger to be fully vaccinated if travelling for an urgent medical reason via MEDEVAC flight is established through the *Exemption from the Interim Order Respecting Certain Requirements for Civil Aviation Due to COVID-19* (IO NCR-132-202<sup>1</sup>). Under this Exemption, operators are not required to verify proof of vaccination for passengers travelling for urgent medical reasons via MEDEVAC flight.

In these cases where passengers are exempt, no action is required on the part of the passenger. A COVID-19 test result will not be required.

## **3. Domestic National Interest Exemption Program**

Effective November 30<sup>th</sup>, Transport Canada will launch a digital platform for its domestic National Interest Exemption Program (NIEP). Transport Canada will maintain an application and review process for granting authorizations to individuals in the national interest for domestic and outbound travel.

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<sup>1</sup> Transports Canada, 2020. NCR-132-202: Exemption from the *Interim Order Respecting Certain Requirements for Civil Aviation Due to COVID-19*. The purpose of this exemption is to allow Canadian air carriers operating international medical evacuation flights to board persons without having to meet the requirements in the *Interim Order Respecting Certain Requirements for Civil Aviation Due to COVID-19 when operating international medical evacuation flights* (MEDEVAC) as defined in the *Canadian Aviation Regulations* (CARs).

Under this Program, individuals would only be approved to travel unvaccinated if it is in Canada's national interest and/or to support critical infrastructure needs and/or when there is a compelling situation that merits an exemption from the vaccine mandate (<https://vaccine-exemption.tc.canada.ca> / <https://exemption-vaccination.tc.canada.ca>).

Transport Canada will process national interest exemption requests and issue authorization on a case-by-case determination for the domestic portion of the travel journey.

National Interest Exemption applications are reviewed by Transport Canada on an individual, case-by-case basis through a streamlined and standardize process that reviews cases to ensure the travel is:

- In Canada's national interest and/or to support critical infrastructure needs, and/or
- Exceptional urgent/time sensitive

These would only be authorized for the most compelling situations where there is no vaccinated alternative.

**The NIEP review and approval process for domestic and international outbound travel will be complementary and will not duplicate the systems in place for entry into Canada.**

A high-level summary of information on exemptions for passengers can be referenced at: [COVID-19 Boarding flights, trains and cruise ships in Canada – Travel restrictions in Canada – Travel.gc.ca](https://travel.gc.ca) (administered by Health Canada and Treasury Board Secretariat).

### **Obligations of the Traveller:**

An unvaccinated passenger (or group of accredited representatives) may apply online to Transport Canada's NIEP at <https://vaccine-exemption.tc.canada.ca>, or by sending an application to Transport Canada. The passenger will submit the domestic NIE form to Transport Canada, together with other required supporting documentation. All communications with the passenger will be done through Canada Post Connect in order to protect the exchange of sensitive information.

Individuals are encouraged to apply to Transport Canada a minimum of three weeks in advance of their travel. Transport Canada recognizes that some exceptional cases may be time sensitive and will address these applications on a case-by-case basis. Individuals are encouraged to submit their applications earlier during peak holiday travel seasons.

The application will be reviewed by Transport Canada. The passenger will either be accepted, denied, or more information will be requested to process the application. If the application is not approved, a letter will be issued to the applicant or accredited representatives explaining the reasons for rejection. If accepted and approved, the passenger will be issued a signed National Interest Exemption letter that will exempt (or provide exception) to the individual, the

operator(s), and/or CATSA from certain legislated COVID-19 vaccine requirements in air, rail, and/or marine modes.

Passengers approved under the NIEP will be responsible for submitting their TC issued National Interest Exemption Letter to the operator **in advance of travel**. Passengers are required to carry a hard copy or digital copy of the National Interest Exemption Letter with them during their travel journey, as they may be required to show a copy of their National Interest Exemption Letter to the operator, or any authority requesting it, throughout their journey, including at the time of check-in or boarding, together with their valid COVID-19 molecular test result.

Further details on the national interest exemption program are provided at <https://travel.gc.ca/travel-covid>.

### **Obligations of the Operator:**

It is the responsibility of operators to inform passengers that they must submit a copy of their National Interest Exemption letter to the operators before departure, as well as show proof of the letter in digital or hard copy form at check-in and/or boarding.

Operators will be responsible for validating the passenger National Interest Exemption letter, along with their valid COVID-19 molecular test result (if applicable), before the passenger is issued a boarding pass, a ticket, and/or permitted to board.

The Transport Canada-issued National Interest Exemption letter to be verified by the operator, will have the following distinguishing features:

- Transport Canada letterhead / logo in the upper left corner of the letter
- Canada wordmark located at the bottom righthand side
- An exemption number that begins with NIE-YYYY-XXXX
- Name and date of birth of the passenger
- Flight information (airline name, flight number, departure/arrival airport codes)
- Period of validity for the letter
- Signed and dated by one of the Directors General at Transport Canada responsible for Civil Aviation, Aviation Security, Rail Safety, Marine Safety and Security, or COVID Recovery Team.

A sample letter can be found at ANNEX A.

Operators will also be responsible for preventing unvaccinated/non-exempt passengers from boarding. Operators may verify proof of the National Interest Exemption and valid COVID-19 test results at any time during travel (e.g., check-in, boarding, during travel, etc.).

Operators should retain a copy of passenger exemption letter and provide details to Transport Canada, upon request. Operators should also report false statements, compliance issues, and data reporting to Transport Canada.

**Transport Canada Support:**

Transport Canada's National Interest Exemption Program will operate from 7am to 7pm (Eastern Time), 7 days a week. After-hours support will also be provided to operators.

Operators can validate if the passenger was granted a National Interest Exemption letter by calling the Transport Canada Situation Centre, as required.

Transport Canada will support operators who encounter issues with a NIE Letters (e.g. determining the validity of the authorization presented by a traveller) with 24/7 support through TC's existing TC Emergency Situation Centre.

**Contact information:**

NIE Program officials can be contacted by email at: [NationalInterestExemption-ExemptionInteretNational@tc.gc.ca](mailto:NationalInterestExemption-ExemptionInteretNational@tc.gc.ca)

**For use by air carriers only, not to be provided to travelers:**

**Transport Canada Situation Centre**

Emergency Preparedness – Operations, Transport Canada

[TC.SitcenHQ-CentredinterventionAC.TC@tc.gc.ca](mailto:TC.SitcenHQ-CentredinterventionAC.TC@tc.gc.ca),

Tel. **613.995.9737** or toll-free **1.888.857.4003**

TTY: **1.888.675.6863**

**Travellers** should be directed to the National Interest Exemption Program website for more detailed information and to submit an application for exemption: <https://wwwapps.tc.gc.ca/Saf-Sec-Sur/13/ves-sev/?GoCTemplateCulture=en-CA>

**Reporting Requirements for Exemptions**

Operators are expected to report to Transport Canada any suspicious patterns and suspected reports of false information.

**Oversight of Exemptions**

False claims are an offence under of the *Criminal Code* and false declaration could be subject to TC fines.

Transport Canada's oversight will include monitoring for irregular patterns and potential fraud. Transport Canada will respond to reports from operators on false statements or non-compliance.

## Annex A. Sample National Interest Exemption letter

Transport  
CanadaTransports  
Canada

UNCLASSIFIED / NON CLASSIFIÉ

## NATIONAL INTEREST EXEMPTION NO. NIE-2021-000X

**[Passenger Last name, First Name] [DOB:YYYY-MM-DD] (“the Passenger”)**  
**on [Airline Name – Flight Number] from [Dep Airport code], to [Arr Airport Code]**

Pursuant to subsection 5.9(2) of the *Aeronautics Act*, and after taking into account that the exemption is in the public interest and is not likely to adversely affect aviation safety or security, I hereby exempt [Air Carrier] and [CATSA] from the application of subsection xx , and ss. yy of the *Interim Order Respecting Certain Requirements for Civil Aviation Due to COVID-19*, subject to the conditions set out below.

**PURPOSE**

The purpose of this exemption is to provide an exemption to [Air carrier] from the requirements to confirm the documentation required under ss. 17.5 for the Passenger.

This exemption applies to the following passenger for the purposes of travelling on [Air Carrier] [flight number] from [Departure airport] to [Arrival Airport]:

- a. [last name, first name] [date of birth]

**CONDITIONS**

This exemption is subject to the following conditions:

2. The Passenger shows a copy of exemption #NIE-2021-000X
3. The Passenger has evidence of:
  - a. a negative COVID-19 molecular test result test result performed on a specimen no more than 72 hours before boarding the aircraft; or
  - b. a positive result must be performed on a specimen collected at least 14 days and no more than 90 days before boarding the aircraft at the last point of departure into Canada.

**VALIDITY**

This special authorization is in effect until the earliest of the following:

1. [24 hours after initial flight];
2. The day the Interim Order is no longer in effect; or
3. The date on which this exemption is cancelled in writing.

DATED at Ottawa, Ontario, this \_\_\_\_ day of November 2021.

Nicholas Robinson  
 Director General, Civil Aviation  
 Transport Canada



## **Annex B. Privacy Considerations – Transport Canada Policies on Vaccination Mandates in the Transportation Sector**

*(La version française suit)*

Companies/Operators are subject to obligations respecting the creation, collection, retention, use, disclosure and disposal of personal information that respects the provisions set out in applicable Canadian privacy legislation and other applicable legislation. As such, companies/operators should ensure that privacy is considered at the earliest opportunity and that they implement best privacy practices in order to properly protect the personal information that will be processed.

Please note that the privacy tips below are provided solely as general privacy considerations and do not constitute legal advice. For specific advice on compliance with applicable privacy laws, please contact your legal counsel, privacy professional and/or consult with the applicable Privacy Commissioners' Office.

Privacy considerations:

- Document a defined purpose and authority for the collection and use of this personal information.
- Be transparent with employees/passengers and inform them about the reasons for collection, use, disclosure (including but not limited to the disclosure to Transport Canada), retention and disposal of their personal information and the consequences for not providing the requested personal information, through a concise, transparent, intelligible and easily accessible Privacy Notice Statement (“PNS”), as required under applicable Canadian privacy legislation.
  - Employees/Passengers should also be informed and provided with a contact to request access to, and correction of, any personal information available or to make an inquiry or complaint about the handling of their personal information, including the contact for the Privacy Commissioner of the relevant jurisdiction and accountable individual who can respond to questions and concerns regarding the vaccine requirements.
  - Provide a link to your vaccination policies for employees and/or passengers, as applicable.
- The necessity, effectiveness, proportionality and data minimization principles should be applied so that the least amount of personal information is collected, used or disclosed, for example: unnecessary data fields within a form.
- Employee/Passenger data related to vaccination status is only used for the purposes it was collected for, retained for a specific period of time and can only be accessed on a need to know basis.

- All company/operator personnel handling personal information, including managers, are aware of their responsibilities and adhere to applicable Canadian privacy legislation and other applicable legislation.
- Consider conducting a Privacy Impact Assessment or other meaningful privacy analyses.
- Privacy breach plans and procedures are up to date.
- Personal information is appropriately protected against unauthorized access and that technical, physical and administrative safeguards are put in place and are appropriate given the sensitivity of the personal information to be collected, used or disclosed through the requirement.

#### Relevant Links:

- Joint Statement issued by the Privacy Commissioner of Canada and his Provincial and Territorial counterparts in May 2021 on [Privacy and COVID-19 Vaccine Passports](#) (The Statement).
- [Provincial and territorial privacy laws and oversight](#): List of the provincial and territorial privacy laws as well as the privacy commissioner offices responsible for their enforcement issued by the Privacy Commissioner of Canada.

## **FRANCAIS**

### **Considérations relatives à la protection des renseignements personnels – Politiques de Transports Canada sur les mandats de vaccination dans le secteur des transports**

Les entreprises et les exploitants doivent s'assurer que les renseignements personnels ne sont créés, recueillis, conservés, utilisés, divulgués et éliminés que dans le respect des dispositions de la législation canadienne sur la protection des renseignements personnels et des autres lois applicables. Pour cette raison, les entreprises et les exploitants doivent veiller à ce que la protection des renseignements personnels soit prise en compte dès que possible et à ce qu'ils mettent en œuvre les meilleures pratiques en matière de protection des renseignements personnels afin de protéger adéquatement les renseignements personnels qui seront traités.

Veillez noter que les conseils sur la protection des renseignements personnels ci-dessous ne sont fournis qu'à titre de considérations générales sur la confidentialité et ne constituent pas des conseils juridiques. Pour obtenir des conseils précis sur le respect des lois applicables en matière de protection des renseignements personnels, veuillez communiquer avec votre conseiller juridique, votre professionnel de la protection des renseignements personnels et/ou consulter le bureau des commissaires à la protection de la vie privée applicable.

Considérations relatives à la protection des renseignements personnels

- Documentez un but et une autorité définis pour la collecte et l'utilisation de ces renseignements personnels.
- Soyez transparent avec les employés et les passagers et informez-les des raisons de la collecte, de l'utilisation, de la divulgation (y compris, sans toutefois s'y limiter, la divulgation à Transports Canada), de la conservation et de l'élimination de leurs renseignements personnels et des conséquences de ne pas fournir les renseignements personnels demandés, au moyen d'un énoncé de confidentialité concis, transparent, intelligible et facilement accessible, tel que requis par la législation canadienne applicable en matière de protection des renseignements personnels.
  - Les employés et les passagers devraient également être informés et obtenir les coordonnées d'une personne-ressource pour demander l'accès et la correction de toute information personnelle disponible ou pour faire une demande ou une plainte concernant le traitement de leurs renseignements personnels, y compris la personne-ressource du commissaire à la protection de la vie privée de la juridiction concernée et la personne responsable qui peut répondre aux questions et aux préoccupations concernant les exigences en matière de vaccination.
  - Fournissez un lien vers vos politiques de vaccination pour les employés et/ou les passagers, selon le cas.
- Les principes de nécessité, d'efficacité, de proportionnalité et de minimisation des données devraient être appliqués de manière à ce que le plus petit nombre possible de renseignements personnels soit recueilli, utilisé ou divulgué, par exemple : champs de données inutiles dans un formulaire.
- Les données sur les employés et les passagers se rapportant au statut vaccinal ne sont utilisées qu'aux fins pour lesquelles elles ont été recueillies, conservées pendant une période donnée et ne peuvent être consultées que sur la base du besoin de savoir.
- Tous les employés de l'entreprise ou de l'exploitant qui traitent des renseignements personnels, y compris les gestionnaires, sont au courant de leurs responsabilités et se conforment aux lois sur la protection des renseignements personnels et aux autres lois canadiennes applicables.
- Envisagez de mener une évaluation des facteurs relatifs à la vie privée ou d'autres analyses pertinentes relatives à la vie privée.
- Les plans et les procédures liés aux atteintes à la vie privée sont à jour.
- Les renseignements personnels sont protégés de façon appropriée contre tout accès non autorisé et des mesures de protection techniques, physiques et administratives sont mises en place et sont appropriées compte tenu de la sensibilité des renseignements personnels qui doivent être recueillis, utilisés ou divulgués en vertu de l'exigence.

Liens pertinents :

- Déclaration conjointe publiée par le commissaire à la protection de la vie privée du Canada et ses homologues provinciaux et territoriaux en mai 2021 sur [la vie privée et les passeports vaccinaux relatifs à la COVID-19 \(la Déclaration\)](#).
- [Lois et organismes de surveillance provinciaux et territoriaux en matière de protection de la vie privée](#) : Liste des lois provinciales et territoriales sur la protection de la vie

privée ainsi que des commissariats à la protection de la vie privée responsables de leur application publiée par le commissaire à la protection de la vie privée du Canada.