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# ARCHIVED – ARCHIVED - Operational Bulletin 378-A – April 24, 2015

**We have archived this page and will not be updating it.**

You can use it for research or reference.

**i** This section contains policy, procedures and guidance used by IRCC staff. It is posted on the department's website as a courtesy to stakeholders.

This document has expired. Iranian nationals no longer face restrictions in transferring funds to Canadian financial institutions.

## Sanctions against Iran

### Issue

Restrictions may apply to the transfer of funds to Canadian banks as a result of the imposition of sanctions against Iran pursuant to the Special Economic Measures Act (SEMA).<sup>1</sup> These sanctions prohibit persons in Canada and Canadians outside Canada from providing or acquiring "any financial services to, from or for the benefit of, or on the direction or order of, Iran or any person in Iran."<sup>2</sup>

Some exemptions apply. For example, there is an exemption for financial services required pursuant to a contract that was entered into prior to November 22, 2011, or for financial services in respect of non-commercial remittances of \$40,000 or less.<sup>3</sup>

## Background

In response to the International Atomic Energy Agency (IAEA)'s November 9, 2011, assessment of Iran's nuclear program, Canada imposed further sanctions under the SEMA (Special Economic Measures (Iran) Regulations ["the Regulations"]). The Regulations have been amended numerous times. The latest amendment was on May 29, 2013.

The sanctions against Iran include broad prohibitions on imports from Iran and exports to Iran, and prohibitions on dealings with designated persons listed in Schedule 1 of the Regulations. The Regulations contain a blanket prohibition on the provision or acquisition of financial services between persons in Iran and persons in Canada (including Canadian financial institutions), subject to certain exceptions set out in paragraph 5(d) of the Regulations.

As a result of the economic sanctions, any person from Iran or residing in Iran may face restrictions in transferring funds to Canadian financial institutions if their activity does not fit within the exemptions to the financial services prohibition. The restrictions may also prohibit any person

in Iran from opening a bank account in Canada for the purpose of transferring funds, prior to their immigration to Canada, even if the funds themselves would be allowed under the exemptions.

Under the *Special Economic Measures (Iran) Permit Authorization Order*, the Minister of Foreign Affairs is authorized to issue permits to allow activities that would otherwise be prohibited. A person in Iran may apply for such a permit to authorize a Canadian financial institution to undertake a financial transaction or financial service with the person in Iran.

## Instructions

Citizenship and Immigration Canada (CIC) offices in Canada and overseas are instructed to continue processing applications for permanent and temporary residence of Iranian nationals and persons residing in Iran to visa issuance as per normal office procedures. In cases where applicants need to show that they can or have transferred funds to Canada, (remaining federal investor and entrepreneur class applicants and all Quebec selected investor and entrepreneur class applicants) and who may be required to make their \$400,000 or \$800,000 investment, should be informed that they may face restrictions in transferring funds to a Canadian financial institution and referred to the text of the Regulations. The same information should be provided to all other applicants at visa issuance.

Persons affected by the Iran sanctions, whether they are applicants for a visa or are already in Canada, may apply for permits from the Department of Foreign Affairs, Trade and Development (DFATD) that authorizes specific activities or transactions that would otherwise be prohibited under the sanctions. This permit process should be taken into consideration when assigning a deadline for submitting evidence of an investment or funds

transferred to Canada prior to refusing an application from an Iranian national, or from any person residing in Iran, for failure to transfer the required funds or investments. CIC offices in Canada and overseas missions may wish to use the following text when communicating with clients who may be affected by the sanctions:

As a result of economic sanctions against Iran, Iranian nationals and persons residing in Iran are likely to face restrictions in transferring funds to, or opening bank accounts with Canadian financial institutions. The text of the Special Economic Measures (Iran) Regulations can be found at the following address: <http://laws-lois.justice.gc.ca/eng/regulations/SOR-2010-165/index.html>. Persons affected by the prohibitions on financial transactions may apply for a permit from the Minister of Foreign Affairs that authorizes specific activities or transactions otherwise prohibited under the sanctions. The granting of a permit is an exceptional action and applicants should not rely on receipt of a permit.

For more information about the sanctions and applications for permits, applicants should consult the [DFATD's website](#). Applicants may also contact DFATD:

*Department of Foreign Affairs, Trade and Development*

*Economic Law Section (JLHB)*

*125 Sussex Drive*

*Ottawa, Ontario K1A 0G2*

*Canada*

*Fax: 613-992-2467*

*Email: [sanctions@international.gc.ca](mailto:sanctions@international.gc.ca)*

# Footnotes

- 1      *Special Economic Measures Act* (S.C. 1992, c. 17)
  
  - 2      *Special Economic Measures (Iran) Regulations*, SOR/2010-165,  
paragraph 5(d)
  
  - 3      *Special Economic Measures (Iran) Regulations*, subparagraphs 5(d)  
(i) and 5(d)(vii) respectively
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