

## TABLE OF CONTENTS

<i>Foreword to the Annotated Customs Act</i> .....	<i>iii</i>
<i>Valid D Memoranda</i> .....	<i>lxxvii</i>
<i>Preface</i> .....	<i>xcv</i>
<i>Table of Cases</i> .....	<i>xcvii</i>

CUSTOMS ACT		
SHORT TITLE (S. 1)		
1	Short title .....	2
INTERPRETATION (S. 2)		
2	Definitions .....	2
PART I—GENERAL (SS. 3–10)		
<i>Application to Her Majesty (ss. 3–3.3)</i>		
3	Duties binding on Her Majesty .....	13
3.1	Interest to be compounded .....	14
3.2	Prescribed rate may be authorized .....	14
3.3	Waiver of penalty or interest .....	14
<i>Security (s. 3.4)</i>		
3.4	Additional security .....	15
<i>Payment of Large Amounts (s. 3.5)</i>		
3.5	Where excess amount to be paid .....	15
<i>Performance of Obligations (ss. 4–4.1)</i>		
4	Performance of obligations .....	16
4.1	Undertakings .....	16
<i>Customs Offices and Facilities (ss. 5–6)</i>		
5	Customs offices .....	16
6	Customs facilities .....	16
<i>Application of Act (s. 7)</i>		
7	Application inside and outside Canada .....	18
<i>Provision of Information (s. 7.1)</i>		
7.1	Obligation to provide accurate information .....	18
<i>Forms (s. 8)</i>		
8	Declaration .....	19
<i>Electronic Filing (s. 8.1)</i>		
8.1	Meaning of “electronic filing” .....	19
8.2	[Proposed] Provision of information .....	21
8.3	[Proposed] Conditions for electronic version .....	21
8.4	[Proposed] Deemed timing of receipt .....	21

## Table of Contents

8.5	[Proposed] For greater certainty . . . . .	21
8.6	[Proposed] Regulations . . . . .	21
<b><i>Brokers and Agents (ss. 9–10)</i></b>		
9	Issue of customs broker's licence . . . . .	22
10	Agents . . . . .	23
<b>PART II — IMPORTATION (SS. 11–43.1)</b>		
<b><i>Persons (ss. 11–11.7)</i></b>		
11	Presentation of persons on arrival in Canada . . . . .	24
11.1	Minister may authorize . . . . .	28
11.2	Designation of customs controlled areas . . . . .	28
11.3	Entry prohibited . . . . .	28
11.4	Presentation and reporting — when leaving customs controlled area . . . . .	29
11.5	Regulations . . . . .	29
11.6	Designation of mixed-traffic corridor . . . . .	30
11.7	Person travelling in mixed-traffic corridor . . . . .	30
<b><i>Report of Goods (ss. 12–16)</i></b>		
12	Report . . . . .	30
12.01	Regulations . . . . .	41
12.1	Advance information . . . . .	41
12.2	[Proposed] Commercial passenger aircraft — baggage . . . . .	42
13	Obligation to answer questions and present goods . . . . .	42
14	Restriction on unloading before report . . . . .	43
15	Report of goods illegally imported . . . . .	43
16	Wreck deemed imported . . . . .	43
<b><i>Duties (s. 17)</i></b>		
17	Goods charged with duties from importation . . . . .	44
<b><i>Liability for Duties on Goods Reported (s. 18)</i></b>		
18	Presumption of importation . . . . .	46
<b><i>Movement and Storage of Goods (ss. 19–19.1)</i></b>		
19	Disposition of goods before release . . . . .	47
19.01	[Proposed] Making goods available for examination . . . . .	48
19.02	[Proposed] Secure area . . . . .	48
19.1	Statistics . . . . .	48
<b><i>Transportation (ss. 20–23)</i></b>		
20	Transportation of goods . . . . .	49
21	Officer's access to goods . . . . .	50
22	Records . . . . .	50
23	Transportation over territory outside Canada . . . . .	50
<b><i>Warehouses and Duty Free Shops (ss. 24–30)</i></b>		
24	Licences . . . . .	51
25	Sufferance warehouse operator's obligation . . . . .	52
26	Price of goods sold in duty free shop . . . . .	52
27	Officer's access to goods . . . . .	52
28	Liability of operator . . . . .	52
29	[Repealed 1995, c. 41, s. 7.] . . . . .	53
30	Regulations . . . . .	53

Table of Contents

	<b><i>Release (s. 31)</i></b>	
31	Release . . . . .	54
	<b><i>Accounting and Payment of Duties (ss. 32–35)</i></b>	
32	Accounting and payment of duties . . . . .	55
32.1	Statistics . . . . .	57
32.2	Correction to declaration of origin . . . . .	58
32.3	Diversion of goods used as ships' stores . . . . .	61
33	Release prior to payment of duties . . . . .	61
33.1	[Repealed 2001, c. 25, s. 24.] . . . . .	62
33.2	Notice requiring accounting . . . . .	62
33.3	[Repealed 2001, c. 25, s. 25.] . . . . .	62
33.4	Interest . . . . .	62
33.5	Notice requiring payment . . . . .	63
33.6	[Repealed 2001, c. 25, s. 27.] . . . . .	63
33.7	Extension of time . . . . .	63
33.8	[Repealed 2001, c. 25, s. 29.] . . . . .	64
34	[Repealed 1995, c. 41, s. 10.] . . . . .	64
35	Security and conditions of release . . . . .	64
	<b><i>Marking of Goods (ss. 35.01–35.02)</i></b>	
35.01	Requirement to comply with marking regulations . . . . .	65
35.02	Notice requiring marking or compliance . . . . .	65
	<b><i>Origin of Goods (s. 35.1)</i></b>	
35.1	Proof of origin . . . . .	66
	<b><i>Abandoned Goods (s. 36)</i></b>	
36	Abandonment of goods to the Crown . . . . .	67
	<b><i>Unclaimed Goods (ss. 37–39)</i></b>	
37	Unclaimed goods . . . . .	68
38	Risk and storage charges . . . . .	68
39	Unclaimed goods forfeit . . . . .	69
	<b><i>Goods of a Prescribed Class (s. 39.1)</i></b>	
39.1	Goods forfeit if not removed . . . . .	69
	<b><i>Records (ss. 40–42)</i></b>	
40	Importers' records . . . . .	69
41	Detention of goods . . . . .	70
42	Definition of "dwelling-house" . . . . .	70
	<b><i>Verifications (s. 42.01)</i></b>	
42.01	Methods of verification . . . . .	72
	<b><i>Verifications under a Free Trade Agreement (ss. 42.1–43)</i></b>	
	<b><i>Origin of Goods, Duty Relief and Drawback (s. 42.1)</i></b>	
42.1	Methods of verification . . . . .	72
	<b><i>Statement of Origin (s. 42.2)</i></b>	
42.2	Statement of origin . . . . .	74
	<b><i>Effective Date of Re-determination of Origin (s. 42.3)</i></b>	
42.3	Definition of "customs administration" . . . . .	75
	<b><i>Denial or Withdrawal of Benefit of Preferential Tariff Treatment Under Certain Free Trade Agreements (ss. 42.4–42.6)</i></b>	
42.4	Definition of "identical goods" . . . . .	77

Table of Contents

	<b>Duty Evasion</b>	
42.5	Definition of “duty evasion” . . . . .	77
42.6	Duty evasion verification . . . . .	78
42.7	Report . . . . .	78
	<b>Production of Documents (s. 43)</b>	
43	Production of records . . . . .	78
	<b>Advance Rulings (s. 43.1)</b>	
43.1	Advance rulings . . . . .	79
	<b>PART III — CALCULATION OF DUTY (SS. 44–72.2)</b>	
	<b>Duties Based on Percentage Rates (s. 44)</b>	
	<b>Valuation for Duty (s. 44)</b>	
44	<i>Ad valorem</i> rates of duty . . . . .	80
	<b>Interpretation (s. 45)</b>	
45	Definitions . . . . .	80
	<b>Determination of Value for Duty (s. 46)</b>	
46	Determination of value for duty . . . . .	84
	<b>Order of Consideration of Methods of Valuation (s. 47)</b>	
47	Primary basis of appraisal . . . . .	84
	<b>Transaction Value of the Goods (s. 48)</b>	
48	Transaction value as primary basis of appraisal . . . . .	85
	<b>Transaction Value of Identical Goods (s. 49)</b>	
49	Transaction value of identical goods as value for duty . . . . .	95
	<b>Transaction Value of Similar Goods (s. 50)</b>	
50	Transaction value of similar goods as value for duty . . . . .	97
	<b>Deductive Value (s. 51)</b>	
51	Deductive value as value for duty . . . . .	98
	<b>Computed Value (s. 52)</b>	
52	Computed value as value for duty . . . . .	100
	<b>Residual Method (s. 53)</b>	
53	Residual basis of appraisal . . . . .	101
	<b>General (ss. 54–56)</b>	
54	Goods exported to Canada through another country . . . . .	103
55	Value for duty in Canadian currency . . . . .	103
56	Informing importer of determination of value . . . . .	103
	<b>Duties Based on Specific Quantities or Specific Values (s. 57)</b>	
57	Specific quantities or specific values . . . . .	104
	<b>Marking Determination (s. 57.01)</b>	
57.01	Marking determination . . . . .	104
	<b>Determination, Re-determination and Further Re-determination of Origin, Tariff Classification and Value for Duty of Imported Goods (ss. 57.1–59)</b>	
57.1	Application of sections 58 to 70 . . . . .	104
57.2	[Repealed 1997, c. 36, s. 166.] . . . . .	105
58	Determination by officer . . . . .	105
59	Re-determination or further re-determination . . . . .	106

## Table of Contents

<b><i>Re-determination and Further Re-determination by President (ss. 60–62)</i></b>		
60	Request for re-determination or further re-determination . . . . .	108
60.1	Extension of time to make a request . . . . .	113
60.2	Extension of time by Canadian International Trade Tribunal . . . . .	114
61	What President may do . . . . .	118
62	No review . . . . .	120
<b>(ss. 63–66)</b>		
63	[Repealed 1997, c. 36, s. 166.] . . . . .	120
64	[Repealed 1997, c. 36, s. 166.] . . . . .	120
65	Payment or refund . . . . .	120
65.1	Refund to person other than payer . . . . .	121
66	Interest on payments . . . . .	121
<b><i>Appeals and References (ss. 67–70)</i></b>		
67	Appeal to the Canadian International Trade Tribunal . . . . .	122
67.1	Extension of time to appeal . . . . .	199
68	Appeal to Federal Court . . . . .	205
69	Refund pending appeal . . . . .	220
70	References to Canadian International Trade Tribunal . . . . .	221
<b><i>Special Provisions (ss. 71–72.2)</i></b>		
71	Special provisions . . . . .	221
72	Limitation relating to security . . . . .	223
72.1	Limitation — heading No. 98.26 of List of Tariff Provisions . . . . .	223
72.2	[Repealed 1997, c. 36, s. 173.] . . . . .	224
<b>PART IV — ABATEMENTS AND REFUNDS (SS. 73–91)</b>		
<b><i>Abatements and Refunds (ss. 73–91)</i></b>		
73	Abatement . . . . .	224
74	Refund . . . . .	224
74.1	[Repealed 1997, c. 36, s. 176.] . . . . .	228
75	Amount of abatement or refund . . . . .	228
76	Refunds for defective goods . . . . .	228
77	[Repealed 1997, c. 36, s. 177.] . . . . .	228
78	Merchantable scrap, waste or by-products . . . . .	229
79	Sum in lieu of refund or abatement . . . . .	229
79.1	Certain duties not included . . . . .	229
80	Interest on refunds . . . . .	229
80.1	Interest on past refunds . . . . .	229
80.2	Excess to be repaid . . . . .	230
81	Regulations . . . . .	230
82	[Repealed 1995, c. 41, s. 22.] . . . . .	230
83	[Repealed 1995, c. 41, s. 22.] . . . . .	230
84	[Repealed 1995, c. 41, s. 22.] . . . . .	230
85	[Repealed 1995, c. 41, s. 22.] . . . . .	230
86	[Repealed 1995, c. 41, s. 22.] . . . . .	230
87	[Repealed 1995, c. 41, s. 22.] . . . . .	230
88	[Repealed 1997, c. 36, s. 181.] . . . . .	231
89	[Repealed 1997, c. 36, s. 181.] . . . . .	231
90	[Repealed 1997, c. 36, s. 181.] . . . . .	231
91	[Repealed 1997, c. 36, s. 181.] . . . . .	231

## Table of Contents

<b>PART V — COLLECTION OF INFORMATION ABOUT PERSONS AND GOODS (ss. 92–97.201)</b>		
<i><b>Persons Leaving Canada</b></i>		
92	Information . . . . .	231
93	Information given to Agency . . . . .	231
93.1	Retention of collected information . . . . .	232
94	Obligation to answer questions . . . . .	232
<i><b>Exportation of Goods</b></i>		
95	Report . . . . .	232
95.1	Statistics . . . . .	234
96	Failure to export . . . . .	235
97	Security . . . . .	235
97.01	[Repealed 1997, c. 14, s. 44.] . . . . .	235
97.1	Certificate of Origin goods exported to a free trade partner . . . . .	235
97.11	[Repealed 1997, c. 14, s. 44.] . . . . .	236
97.2	Exporters' or producers' records . . . . .	236
97.201	Verification of origin — certain agreements . . . . .	237
<b>PART V.1 — COLLECTIONS (ss. 97.21–97.58)</b>		
<i><b>Interpretation (s. 97.21)</b></i>		
[Heading added 2001, c. 25, s. 58(1).]		
97.21	Definitions . . . . .	238
<i><b>Ancillary Powers (s. 97.211)</b></i>		
[Heading added 2005, c. 38, s. 76.]		
97.211	Ancillary powers . . . . .	239
<i><b>General (ss. 97.22–97.23)</b></i>		
[Heading added 2001, c. 25, s. 58(1).]		
97.22	Debts to Her Majesty . . . . .	239
97.23	Appeal . . . . .	241
<i><b>Certificates, Liens and Set-off (ss. 97.24–97.27)</b></i>		
97.24	Certificate . . . . .	241
97.25	Detention of imported or exported goods . . . . .	244
97.26	Set-off . . . . .	246
97.27	Refund may be applied against liabilities . . . . .	246
<i><b>Garnishment and Non-arm's Length Transfers (ss. 97.28–97.29)</b></i>		
97.28	Garnishment — general . . . . .	246
97.29	Liability — non-arm's length transfers . . . . .	248
<i><b>Acquisition of Property and Seizures (ss. 97.3–97.33)</b></i>		
97.3	Acquisition of debtor's property . . . . .	250
97.31	Moneys seized from debtor . . . . .	250
97.32	Seizure of chattels . . . . .	251
97.33	Person leaving Canada . . . . .	251
<i><b>Collection Restrictions (ss. 97.34–97.35)</b></i>		
97.34	Collection action delayed . . . . .	252
97.34(1)	Collection action delayed . . . . .	252
97.34	[Proposed] Collection action delayed . . . . .	252

## Table of Contents

97.35	Authorization to proceed immediately . . . . .	253
<b><i>Trustees, Receivers and Personal Representatives (ss. 97.36–97.39)</i></b>		
97.36	Bankruptcies . . . . .	255
97.37	Definitions . . . . .	257
97.38	Definitions . . . . .	259
97.39	Definition of “representative” . . . . .	260
<b><i>Amalgamations and Windings-up (ss. 97.4–97.41)</i></b>		
97.4	Amalgamations . . . . .	260
97.41	Winding-up . . . . .	261
<b><i>Partnerships (s. 97.42)</i></b>		
97.42	[Heading added 2001, c. 25, s. 58(1).] Partnerships . . . . .	261
<b><i>Unincorporated Bodies (s. 97.43)</i></b>		
97.43	Compliance by unincorporated bodies . . . . .	262
<b><i>Assessments, Objections and Appeals (ss. 97.44–97.58)</i></b>		
<b><i>Assessments (ss. 97.44–97.47)</i></b>		
97.44	Assessments — garnishments and non-arms length transfers . . . . .	263
97.45	Liability not affected . . . . .	264
97.46	Notice of assessment . . . . .	264
97.47	Assessment before collection . . . . .	264
<b><i>Objections and Appeals (ss. 97.48–97.58)</i></b>		
97.48	Objection to assessment . . . . .	264
97.49	Appeal to the Tax Court of Canada . . . . .	266
97.5	Extension of time by Minister . . . . .	266
97.51	Extension of time by Tax Court of Canada . . . . .	267
97.52	Extension of time to appeal . . . . .	268
97.53	Appeal . . . . .	269
97.54	Limitation on appeals to the Tax Court of Canada . . . . .	269
97.55	Institution of appeal . . . . .	270
97.56	Notice to Commissioner . . . . .	270
97.57	Disposition of appeal . . . . .	270
97.58	References to Tax Court of Canada . . . . .	270
<b>PART VI — ENFORCEMENT (SS. 98–163.3)</b>		
<b><i>Powers of Officers (ss. 98–105)</i></b>		
98	Search of the person . . . . .	271
99	Examination of goods . . . . .	274
99.01	[Proposed] Documents on personal digital device . . . . .	278
99.1	Power to stop . . . . .	279
99.2	Search of persons . . . . .	279
99.3	Non-intrusive examination of goods . . . . .	280
99.4	Regulations . . . . .	281
99.5	Powers of officer — mixed-traffic corridor . . . . .	281
100	Officer stationed on board conveyance . . . . .	282
101	Detention of controlled goods . . . . .	282
102	Disposition of goods illegally imported . . . . .	283
103	Custody of goods subject to seizure but not seized . . . . .	283
104	Power to call in aid . . . . .	284

## Table of Contents

105	Carrying out agreements . . . . .	284
	<b><i>Limitation of Actions or Proceedings (s. 106)</i></b>	
106	Limitation of action against officer or person assisting . . . . .	284
	<b><i>Disclosure of Information (ss. 107–108)</i></b>	
107	Definitions . . . . .	287
107.1	Passenger information . . . . .	296
108	[Repealed 2001, c. 25, s. 61.] . . . . .	296
	<b><i>Inquiries (s. 109)</i></b>	
109	Inquiry . . . . .	296
	<b><i>Penalties and Interest (ss. 109.1–109.5)</i></b>	
109.1	Designated provisions . . . . .	297
109.11	[Repealed 2001, c. 25, s. 62.] . . . . .	298
109.2	Definition of “designated goods” . . . . .	299
109.3	Assessment . . . . .	299
109.4	When penalty becomes payable . . . . .	299
109.5	Interest on penalties . . . . .	299
	<b><i>Seizures (ss. 110–116)</i></b>	
110	Seizure of goods or conveyances . . . . .	300
111	Information for search warrant . . . . .	303
112	Powers of entry . . . . .	307
113	Limitation for seizures and ascertained forfeitures . . . . .	307
114	Custody of things seized . . . . .	307
115	Copies of records . . . . .	308
116	Goods stopped or taken by peace officer . . . . .	309
	<b><i>Return of Goods Seized (ss. 117–121)</i></b>	
117	Return of goods seized . . . . .	309
118	Return of conveyance seized . . . . .	310
119	Return of animals or perishable goods seized . . . . .	311
119.1	Dealing with goods seized . . . . .	311
120	Value substituted for value for duty . . . . .	312
121	Goods no longer forfeit . . . . .	312
	<b><i>Forfeitures (ss. 122–123)</i></b>	
	<b><i>General (ss. 122–123)</i></b>	
122	Forfeitures accrue automatically from time of contravention . . . . .	312
123	Review of forfeiture . . . . .	316
	<b><i>Ascertained Forfeiture (ss. 124–126)</i></b>	
124	Ascertained forfeitures . . . . .	316
125	Seizure cancels notice . . . . .	318
126	Limitation respecting seizure . . . . .	319
	<b><i>Review of Seizure, Ascertained Forfeiture or Penalty Assessment (ss. 126.1–137)</i></b>	
126.1	No review or appeal . . . . .	319
127	Review of ascertained forfeiture or penalty assessment . . . . .	319
127.1	Corrective measures . . . . .	319
128	Report to President . . . . .	320
129	Request for Minister’s decision . . . . .	320
129.1	Extension of time by Minister . . . . .	320

## Table of Contents

129.2	Extension of time by Federal Court . . . . .	321
130	Notice of reasons for action . . . . .	323
131	Decision of the Minister . . . . .	324
132	Where there is no contravention . . . . .	326
133	Where there is contravention . . . . .	326
134	[Repealed 1998, c. 19, s. 263.] . . . . .	330
135	Federal Court . . . . .	330
136	Restoration of goods pending appeal . . . . .	335
137	Service of notices . . . . .	335
<b><i>Third Party Claims (ss. 138–141)</i></b>		
138	Third party claims . . . . .	335
139	Decision of Minister . . . . .	336
139.1	Order . . . . .	341
140	Appeal . . . . .	341
141	Goods or conveyance given to applicant . . . . .	342
<b><i>Disposal of Things Abandoned or Forfeit (ss. 142–142.1)</i></b>		
142	Disposal of things abandoned or forfeit . . . . .	342
142.1	Dealing with abandoned or forfeited alcohol, etc. . . . .	343
<b><i>(ss. 143–147)</i></b>		
143	[Repealed 2001, c. 25, s. 78.] . . . . .	343
144	[Repealed 2001, c. 25, s. 78.] . . . . .	344
145	[Repealed 2001, c. 25, s. 78.] . . . . .	344
146	[Repealed 2001, c. 25, s. 78.] . . . . .	344
147	[Repealed 2001, c. 25, s. 78.] . . . . .	344
<b><i>Collection of Duties on Mail (s. 147.1)</i></b>		
147.1	Definition . . . . .	344
<b><i>Evidence (ss. 148–152)</i></b>		
148	Proof of service by registered mail . . . . .	345
148.1	Members of partnerships . . . . .	346
149	Date of notice by mail . . . . .	346
149.1	Proof of no appeal . . . . .	347
149.2	Objection or appeal . . . . .	347
150	Copies of documents . . . . .	347
151	False information in documents . . . . .	348
152	Burden of proof of importation or exportation on Her Majesty . . . . .	348
<b><i>Prohibitions, Offences and Punishment (ss. 153–161)</i></b>		
<b><i>General (ss. 153–161)</i></b>		
153	False statements, evasion of duties . . . . .	350
153.1	Hindering an officer . . . . .	353
154	Misdescription of goods in accounting documents . . . . .	354
155	Keeping, acquiring, disposing of goods illegally imported . . . . .	354
156	Possession of blank documents . . . . .	358
157	Opening and unpacking goods; breaking seals . . . . .	359
158	Officers, etc., of corporations . . . . .	359
159	Smuggling — into Canada . . . . .	359
159.1	Offences re marking of goods . . . . .	362
160	General offence and punishment . . . . .	362
160.1	Penalty for hindering an officer . . . . .	365

Table of Contents

161	Summary conviction offence and punishment . . . . .	365
	<b><i>Procedure (ss. 162–163)</i></b>	
162	Venue . . . . .	366
163	Limitation period in summary convictions . . . . .	366
	<b><i>(ss. 163.1–163.3)</i></b>	
	[Heading repealed 2001, c. 32, s. 62.]	
163.1	[Repealed 2001, c. 32, s. 62.] . . . . .	366
163.2	[Repealed 2001, c. 32, s. 62.] . . . . .	366
163.3	[Repealed 2001, c. 32, s. 62.] . . . . .	366
<b>PART VI.1 — ENFORCEMENT OF CRIMINAL OFFENCES OTHER THAN OFFENCES UNDER THIS ACT (SS. 163.4–163.5)</b>		
	<b><i>Powers of Designated Officers (ss. 163.4–163.5)</i></b>	
163.4	Designation by President . . . . .	366
163.5	Powers of designated officers . . . . .	367
<b>PART VII — REGULATIONS (SS. 164–214)</b>		
164	Regulations . . . . .	368
164.1	Incorporation by reference . . . . .	370
165	Prohibition or regulation of importation . . . . .	370
166	Bonds and security . . . . .	370
167	Special services . . . . .	371
167.1	Retroactive effect . . . . .	371
	<b><i>Parliamentary Review (s. 168)</i></b>	
168	Permanent review by Parliamentary Committee . . . . .	372
	<b><i>Transitional (s. 169)</i></b>	
169	Definition of “former Act” . . . . .	372
169.1	[Proposed] CUFTA 2017 . . . . .	372
	<b><i>Consequential Amendments (ss. 170–213)</i></b>	
<b>Canada Post Corporation Act [R.S., c. C-10] (ss. 170–172)</b>		
	<b>Customs Tariff [R.S., c. C-54] (ss. 173–185)</b>	
	<b>Excise Act [R.S., c. E-14] (s. 186)</b>	
	<b>Excise Tax Act [R.S., c. E-15] (ss. 187–196)</b>	
<b>Special Import Measures Act [R.S., c. S-15] (ss. 197–212)</b>		
	<b>General (s. 213)</b>	
	<b><i>Coming Into Force (s. 214)</i></b>	
214	Commencement . . . . .	373

## Table of Contents

### **SCHEDULE**

**SCHEDULE I** [Repealed 2012, c. 18, s. 31.]

**SCHEDULE II** [Repealed 2012, c. 18, s. 31.]

**SCHEDULE III** [Repealed 2012, c. 18, s. 31.]

**SCHEDULE IV** [Repealed 2012, c. 18, s. 31.]

### **CANADA BORDER SERVICES AGENCY ACT**

#### **SHORT TITLE**

1	Short title . . . . .	383
---	-----------------------	-----

#### **INTERPRETATION**

2	Definitions . . . . .	383
---	-----------------------	-----

#### **ESTABLISHMENT AND MANDATE OF THE AGENCY**

3	Agency established . . . . .	384
---	------------------------------	-----

4	Head office . . . . .	384
---	-----------------------	-----

5	Mandate of Agency . . . . .	384
---	-----------------------------	-----

#### **MINISTER**

6	Minister responsible . . . . .	384
---	--------------------------------	-----

#### **PRESIDENT AND EXECUTIVE VICE-PRESIDENT**

7	Appointment . . . . .	385
---	-----------------------	-----

8	Role of President . . . . .	385
---	-----------------------------	-----

9	Delegation by President . . . . .	385
---	-----------------------------------	-----

10	Remuneration . . . . .	385
----	------------------------	-----

#### **HUMAN RESOURCES**

11	Officers and employees . . . . .	386
----	----------------------------------	-----

#### **POWERS OF THE AGENCY**

12	Exercise of powers conferred on Minister . . . . .	386
----	--	-----

13	Agreements . . . . .	386
----	----------------------	-----

14	Agreements to administer a tax . . . . .	386
----	--	-----

#### **EXPENDITURES**

15	Appropriation Acts . . . . .	387
----	------------------------------	-----

#### **ANNUAL REPORT**

15.1	Annual report . . . . .	387
------	-------------------------	-----

#### **TRANSITIONAL PROVISIONS**

##### ***Definitions***

16	Definitions . . . . .	387
----	-----------------------	-----

##### ***Former Agency***

17	President and Executive Vice-president . . . . .	387
----	--	-----

18	Transfer of appropriations . . . . .	388
----	--------------------------------------	-----

19	References . . . . .	388
----	----------------------	-----

##### ***Canada Customs and Revenue Agency***

20	Positions . . . . .	389
----	---------------------	-----

21	Continuation of rights and property . . . . .	389
----	---	-----

22	Continuation of obligations and liabilities . . . . .	389
----	---	-----

## Table of Contents

23	Real property, immovables and licences . . . . .	389
24	Continuation of legal proceedings: Canada Revenue Agency . . . . .	390
25	Validity of documents: Canada Revenue Agency . . . . .	390
26	Continuation of evidentiary presumption: Canada Revenue Agency . . . . .	391
27	References . . . . .	391
28	References in documents and other provisions: Canada Revenue Agency . . . . .	391
<b><i>Royal Canadian Mint Act</i></b>		
29	Royal Canadian Mint Act . . . . .	392
<b>CONSEQUENTIAL AMENDMENTS</b>		
<b><i>Agriculture and Agri-Food Administrative Monetary Penalties Act [1995, c. 40]</i></b>		
30	. . . . .	392
<b><i>Air Travellers Security Charge Act [2002, c. 9, s. 5]</i></b>		
31	. . . . .	392
32	Proof of documents . . . . .	392
<b><i>Canada Agricultural Products Act [R.S., c. 20 (4th Supp.)]</i></b>		
33	1997, c. 6, s. 39 . . . . .	393
<b><i>Canada Customs and Revenue Agency Act [1999, c. 17]</i></b>		
34	. . . . .	393
35	. . . . .	393
36	2002, c. 22, s. 322 . . . . .	393
37	. . . . .	394
38	Continuation . . . . .	394
39	. . . . .	394
40	. . . . .	394
41	2002, c. 22, s. 323 . . . . .	394
42	. . . . .	394
43	2004, c. 16, s. 4(F) . . . . .	394
44	. . . . .	394
45	. . . . .	395
46	. . . . .	395
47	Authorization by Commissioner . . . . .	395
48	Obligation de renseigner les organismes fédéraux . . . . .	395
49	Obligation de renseigner les gouvernements provinciaux . . . . .	395
50	Restriction . . . . .	395
51	Agreements to administer a tax . . . . .	395
52	. . . . .	396
<b><i>Canadian Food Inspection Agency Act [1997, c. 6]</i></b>		
53	Role of Canada Border Services Agency . . . . .	396
<b><i>Canadian International Trade Tribunal Act [R.S., c. 47 (4th Supp.)]</i></b>		
54	. . . . .	396
55	. . . . .	396
56	Application . . . . .	396
<b><i>Department of Citizenship and Immigration Act [1994, c. 31]</i></b>		
57	. . . . .	396

Table of Contents

	<b><i>Criminal Code [R.S., c. C-46]</i></b>	
58	2002, c. 22, s. 324 . . . . .	397
	<b><i>Cultural Property Export and Import Act [R.S., c. C-51]</i></b>	
59	1999, c. 17, s. 121 . . . . .	397
	<b><i>Customs Act [R.S., c. 1 (2nd Supp.)]</i></b>	
60	1999, c. 17, s. 123(2) . . . . .	397
61	2001, c. 25, s. 3 . . . . .	398
62	1992, c. 28, s. 2(1) . . . . .	398
63	1992, c. 28, s. 5(1) . . . . .	398
64	1992, c. 28, s. 7(1) . . . . .	398
65	1992, c. 28, s. 7(1) . . . . .	399
66	1992, c. 28, s. 7(1) . . . . .	399
67	1993, c. 44, s. 83 . . . . .	399
68	2001, c. 25, s. 32 . . . . .	399
69	2001, c. 25, s. 33 . . . . .	399
70	1997, c. 14, s. 38 . . . . .	399
71	2001, c. 25, s. 36 . . . . .	399
72	2001, c. 25, s. 39(1) . . . . .	400
73	1997, c. 36, s. 166 . . . . .	400
74	2001, c. 25, s. 41(1) . . . . .	400
75	. . . . .	400
76	Ancillary powers . . . . .	400
77	2001, c. 25, s. 58(1) . . . . .	401
78	2001, c. 25, s. 58(1) . . . . .	401
79	2001, c. 25, s. 58(1) . . . . .	401
80	2001, c. 25, s. 61 . . . . .	402
81	2001, c. 25, s. 68 . . . . .	403
82	2001, c. 25, s. 80 . . . . .	403
83	1998, c. 7, s. 1 . . . . .	403
84	. . . . .	404
85	. . . . .	404
	<b><i>Customs and Excise Offshore Application Act [R.S., c. C-53]</i></b>	
86	1999, c. 17, s. 129(1) . . . . .	404
	<b><i>Customs Tariff [1997, c. 36]</i></b>	
87	1999, c. 17, s. 130 . . . . .	405
88	. . . . .	405
89	. . . . .	405
	<b><i>Employment Insurance Act [1996, c. 23]</i></b>	
90	1999, c. 17, s. 133 . . . . .	405
	<b><i>Excise Act [R.S., c. E-14]</i></b>	
91	R.S., c. 1 (2nd Supp.), s. 213(2) (Sch. II, item 5(F)); 1999, c. 17, s. 139(5) . . . . .	405
	<b><i>Excise Act, 2001 [2002, c. 22]</i></b>	
92	. . . . .	406
93	Authorization . . . . .	406
94	Availability and sampling of imported DA and SDA . . . . .	406
95	Limitation on refunding overpayments . . . . .	406
96	Restriction . . . . .	407

Table of Contents

97	.....	407
98	Proof of documents .....	407
<b><i>Excise Tax Act [R.S., c. E-15]</i></b>		
99	1999, c. 17, s. 145(3) .....	408
100	Delegation of powers .....	408
101	R.S., c. 7 (2nd Supp.), s. 34(1); 1995, c. 41, s. 114; 2002, c. 22, s. 381(2) .....	408
102	R.S., c. 7 (2nd Supp.), s. 50(1); 1999, c. 17, par. 156(e) .....	408
103	2001, c. 17, s. 235 .....	409
104	1999, c. 17, s. 152(2) .....	410
105	1993, c. 27, s. 81(1) .....	410
106	1997, c. 10, s. 41.1(1); 1999, c. 17, par. 155(d) .....	410
107	1990, c. 45, s. 12(1); 1999, c. 17, s. 154, par. 156(j) .....	410
108	1992, c. 28, s. 41(1) .....	411
109	1997, c. 10, s. 254 .....	411
110	1997, c. 10, s. 254 .....	412
<b><i>Family Orders and Agreements Enforcement Assistance Act [R.S., c. 4 (2nd Supp.)]</i></b>		
111	1999, c. 31, s. 9(F) .....	412
<b><i>Feeds Act [R.S., c. F-9]</i></b>		
112	1997, c. 6, s. 46 .....	412
<b><i>Fertilizers Act [R.S., c. F-10]</i></b>		
113	1997, c. 6, s. 49 .....	412
<b><i>Financial Administration Act [R.S., c. F-11]</i></b>		
114	SOR/2003-431 .....	413
115	.....	413
<b><i>Fish Inspection Act [R.S., c. F-12]</i></b>		
116	1997, c. 6, s. 60 .....	413
<b><i>Health of Animals Act [1990, c. 21]</i></b>		
117	1997, c. 6, s. 68 .....	413
<b><i>Immigration and Refugee Protection Act [2001, c. 27]</i></b>		
118	Minister of Citizenship and Immigration .....	414
119	2004, c. 15, s. 72 .....	414
<b><i>Income Tax Act [R.S., c. 1 (5th Supp.)]</i></b>		
120	Proof of documents .....	414
<b><i>Meat Inspection Act [R.S., c. 25 (1st Supp.)]</i></b>		
121	1997, c. 6, s. 72 .....	415
122	1997, c. 6, s. 73 .....	415
<b><i>Plant Protection Act [1990, c. 22]</i></b>		
123	1997, c. 6, s. 82 .....	415
<b><i>Proceeds of Crime (Money Laundering) and Terrorist Financing Act [2000, c. 17; 2001, c. 41, s. 48]</i></b>		
124	.....	415
125	.....	416
126	Exception .....	416
127	.....	416

## Table of Contents

	<b><i>Public Service Superannuation Act [R.S., c. P-36]</i></b>	
128	.....	417
	<b><i>Royal Canadian Mint Act [R.S., c. R-9]</i></b>	
129	.....	417
130	.....	417
	<b><i>Seeds Act [R.S., c. S-8]</i></b>	
131	1997, c. 6, s. 88 .....	417
	<b><i>Special Import Measures Act [R.S., c. S-15]</i></b>	
132	1999, c. 17, s. 180(2) .....	417
133	1999, c. 17, s. 182 .....	418
134	.....	418
135	.....	420
136	.....	420
137	Application .....	420
	<b><i>Terminology Changes</i></b>	
138	.....	420
139	.....	422
140	.....	422
141	.....	422
142	.....	422
143	.....	424
	<b><i>COORDINATING AMENDMENTS</i></b>	
144	2003, c. 22 .....	424
145	Bill C-6 .....	426
146	Bill C-22 .....	427
	<b><i>COMING INTO FORCE</i></b>	
147	Order in council .....	427

## **CANADA REVENUE AGENCY ACT**

	<b>SHORT TITLE</b>	
1	Short title .....	429
	<b>INTERPRETATION</b>	
2	Definitions .....	429
	<b>HER MAJESTY</b>	
3	Binding on Her Majesty .....	430
	<b>CONTINUATION AND MANDATE OF THE AGENCY</b>	
4	Continuation .....	430
5	Mandate .....	430
	<b>MINISTER</b>	
6	Powers, duties and functions of Minister .....	431
7	Designation of officers .....	431
8	Authorization to act on Minister's behalf .....	431
9	Minister may direct on exercise of powers .....	432
10	Direction from other federal ministers .....	432
11	Directions to the Agency .....	432
12	Compliance with directions .....	432

## Table of Contents

13	Minister's power of inquiry . . . . .	432
<b>STRUCTURE OF THE AGENCY</b>		
<b><i>Board of Management</i></b>		
14	Establishment . . . . .	432
15	Appointment and tenure of directors . . . . .	432
16	Qualifications of directors . . . . .	433
17	Renewal of term . . . . .	433
18	Continuation in office . . . . .	433
19	Part-time office . . . . .	433
20	Expenses . . . . .	433
21	Accident compensation . . . . .	433
<b><i>Chair</i></b>		
22	Appointment and tenure of Chair . . . . .	433
23	Incapacity or vacancy . . . . .	433
24	Powers, duties and functions of Chair . . . . .	434
<b><i>Commissioner and Deputy Commissioner</i></b>		
25	Appointment and tenure of Commissioner . . . . .	434
26	Appointment and tenure of Deputy Commissioner . . . . .	434
27	Incapacity or vacancy . . . . .	434
28	Full-time office . . . . .	434
29	Expenses . . . . .	434
<b>GENERAL AUTHORITY OF THE AGENCY</b>		
30	Matters over which Agency has authority . . . . .	434
<b>MANAGEMENT AND DIRECTION OF THE AGENCY</b>		
<b><i>Responsibilities of the Board</i></b>		
31	Role of the board . . . . .	435
32	By-laws . . . . .	435
33	Advisory role . . . . .	435
34	Limitation . . . . .	435
35	Board's access to information . . . . .	435
<b><i>Responsibilities of the Commissioner</i></b>		
36	Role of Commissioner . . . . .	435
37	Authorization by Commissioner . . . . .	436
38	Commissioner to keep Minister informed . . . . .	436
39	Commissioner to keep departments informed . . . . .	436
40	Commissioner to keep provinces informed . . . . .	436
41	Reporting to provincial ministers . . . . .	436
<b><i>Duties and Indemnification of Directors</i></b>		
42	Duty of care . . . . .	437
43	Disclosure of interest in contract . . . . .	437
44	Avoidance standards . . . . .	438
45	Application to court . . . . .	438
46	Power to indemnify . . . . .	438
<b>CORPORATE BUSINESS PLAN</b>		
47	Corporate business plan . . . . .	438
48	Compliance with corporate business plan . . . . .	439
49	Summary of corporate business plan . . . . .	439

## Table of Contents

	<b>HUMAN RESOURCES</b>	
50	Separate agency . . . . .	439
51	Human resources management . . . . .	439
52	Group insurance and benefit programs . . . . .	440
53	Appointment of employees . . . . .	440
54	Staffing program . . . . .	440
55	Mobility to departments . . . . .	440
56	Public Service Commission reports . . . . .	441
57	Political activities . . . . .	441
58	Negotiation of collective agreements . . . . .	441
59	Assessment of recourse . . . . .	441
	<b>EXPENDITURES</b>	
60	Unexpended appropriations . . . . .	441
	<b>CONTRACTS, AGREEMENTS, ARRANGEMENTS AND LEGAL PROCEEDINGS</b>	
61	Contracts, agreements and arrangements . . . . .	442
62	Contracts with Her Majesty . . . . .	442
63	Agreements to administer a tax . . . . .	442
63.1	Agreements — organ donors . . . . .	442
64	Interpretation . . . . .	443
65	International contracts . . . . .	443
66	Choice of service providers . . . . .	443
67	Legal services . . . . .	443
68	Services by Public Service Commission . . . . .	443
69	Legal proceedings . . . . .	443
70	Assertions against third parties . . . . .	444
	<b>INTELLECTUAL PROPERTY</b>	
71	Intellectual property . . . . .	444
72	Inventions . . . . .	444
	<b>REAL PROPERTY AND IMMOVABLES</b>	
73	Definitions . . . . .	444
74	Administration of real property and immovables . . . . .	445
75	Acquisition and leasing of real property and immovables . . . . .	445
76	Licences . . . . .	445
77	Transfers to provinces . . . . .	445
78	Grants and concessions . . . . .	446
79	Signing instruments and acts . . . . .	446
80	Grants and concessions to Agency . . . . .	446
81	Utilities . . . . .	446
82	Grants to municipalities . . . . .	446
83	Consideration . . . . .	446
84	<i>Federal Real Property and Federal Immovables Act</i> not applicable . . . . .	447
85	Other provisions inapplicable . . . . .	447
86	Expropriation . . . . .	447
	<b>REPORTS TO PARLIAMENT</b>	
87	Audits . . . . .	447
88	Annual report . . . . .	447
89	Review of Act after five years . . . . .	448

## Table of Contents

<b>APPLICATION OF THE OFFICIAL LANGUAGES ACT</b>		
89.1	<i>Official Languages Act applies</i> . . . . .	448
<b>TRANSITIONAL</b>		
90	Powers, duties and functions . . . . .	448
91	Continuation of staff . . . . .	448
92	Executive group . . . . .	449
93	Term and other employees . . . . .	450
94	Continuation of positions . . . . .	450
95	Employees on probation . . . . .	450
96	Agency employees continued . . . . .	450
97	Designated positions . . . . .	450
98	Pending competitions and appointments . . . . .	450
99	Eligibility lists . . . . .	451
100	Pending appeals . . . . .	451
101	Pending grievances . . . . .	451
102	Transfer of appropriations . . . . .	451
103	Rights and obligations transferred . . . . .	451
104	Commencement of legal proceedings . . . . .	452
105	Evidentiary presumption . . . . .	452
<b>COMPREHENSIVE AND PROGRESSIVE AGREEMENT FOR TRANS-PACIFIC PARTNERSHIP IMPLEMENTATION ACT</b>		
<b>SHORT TITLE</b>		
1	Short title . . . . .	453
<b>INTERPRETATION</b>		
2	Definitions . . . . .	453
3	Interpretation consistent with Agreement . . . . .	453
4	Non-application of Act and Agreement to water . . . . .	453
5	Construction . . . . .	454
<b>HER MAJESTY</b>		
6	Binding on Her Majesty . . . . .	454
<b>PURPOSE</b>		
7	Purpose . . . . .	454
<b>CAUSES OF ACTION</b>		
8	Causes of action under sections 9 to 13 . . . . .	454
<b>PART 1 — IMPLEMENTATION OF THE AGREEMENT</b>		
<b><i>Approval and Representation on the Commission</i></b>		
9	Approval . . . . .	455
10	Canadian representative on Commission . . . . .	455
<b><i>Panels and Labour Council</i></b>		
11	Powers of Minister . . . . .	455
<b><i>Expenses</i></b>		
12	Payment of expenditures . . . . .	455
<b><i>Orders</i></b>		
13	Orders — Article 28.20 of TPP . . . . .	456

## Table of Contents

### **PART 2 — RELATED AMENDMENTS AND TRANSITIONAL PROVISION**

#### ***Related Amendments***

<b><i>Export and Import Permits Act [R.S., c. E-19]</i></b>		456
14 .....		456
15 Payments and securities .....		456
<b><i>Financial Administration Act [R.S., c. F-11]</i></b>		457
16 .....		457
<b><i>Trade-marks Act [R.S., c. T-13]</i></b>		457
17 1993, c. 44, s. 234; 2014, c. 32, s. 53 .....		457
53 [Proposed] Proceedings for interim custody .....		457
18 1993, c. 44, s. 234; 2014, c. 32, s. 53 .....		457
<b><i>Investment Canada Act [R.S., c. 28 (1st Supp.)]</i></b>		458
19 .....		458
<b><i>Customs Act [R.S., c. 1 (2nd Supp.)]</i></b>		458
20 .....		458
21 Certificate of origin completed by importer .....		458
22 2017, c. 6, s. 83(2) .....		458
23 2012, c. 18, s. 26(F) .....		458
24 2012, c. 18, s. 27 .....		458
25 Certificate of Origin — CPTPP .....		459
26 2001, c. 25, s. 57 .....		459
27 .....		459
28 .....		459
29 .....		460
30 .....		460
<b><i>Commercial Arbitration Act [R.S., c. 17 (2nd Supp.)]</i></b>		460
31 .....		460
<b><i>Canadian International Trade Tribunal Act [R.S., c. 47 (4th Supp.)]</i></b>		460
32 2014, c. 14, s. 31(1) .....		460
33 Definition of “principal cause” .....		461
34 Filing of complaint — CPTPP Tariff .....		461
35 2014, c. 14, s. 36 .....		462
36 .....		462
37 .....		462
38 2014, c. 28, s. 40(1) .....		462
39 2014, c. 28, s. 41 .....		463
<b><i>Customs Tariff [1997, c. 36]</i></b>		463
40 .....		463
41 2017, c. 8, s. 34 .....		464
42 .....		464
43 Application of CPTPT .....		464
44 Order by Governor in Council .....		501
45 Goods of tariff item No. 9971.00.00 — CPTPP country .....		503
46 .....		503
47 .....		503
<b><i>Transitional Provision</i></b>		508
48 Investment Canada Act .....		508

## Table of Contents

### PART 3 — COORDINATING AMENDMENTS AND COMING INTO FORCE

#### *Coordinating Amendments*

49	2014, c. 20 .....	508
	<i>Coming into Force</i>	
50	Order in council .....	509
	<b>SCHEDULE 1</b>	
	<b>SCHEDULE 2</b>	
	<b>SCHEDULE 3</b>	
	<b>SCHEDULE 4</b>	
	<b>SCHEDULE 5</b>	
	<b>SCHEDULE 6</b>	
	<b>SCHEDULE 7</b>	
	<b>SCHEDULE 8</b>	
	<b>SCHEDULE 9</b>	
	<b>SCHEDULE 10</b>	
	<b>SCHEDULE 11</b>	
	<b>SCHEDULE 12</b>	
	<b>SCHEDULE 13</b>	

### CULTURAL PROPERTY EXPORT AND IMPORT ACT

#### **SHORT TITLE**

1	Short title .....	611
---	-------------------	-----

#### **INTERPRETATION**

2	Definitions .....	611
---	-------------------	-----

#### **HER MAJESTY**

3	Binding on Her Majesty .....	612
---	------------------------------	-----

#### **CANADIAN CULTURAL PROPERTY EXPORT CONTROL LIST**

4	Establishment of Control List .....	612
---	-------------------------------------	-----

#### **PERMIT OFFICERS**

5	Designation of permit officers .....	613
---	--------------------------------------	-----

#### **EXPERT EXAMINERS**

6	Designation of expert examiners .....	613
---	---------------------------------------	-----

#### **EXPORT PERMITS**

7	Immediate issue of export permit .....	613
---	--	-----

8	Determination by permit officer .....	613
---	---------------------------------------	-----

9	Determination by expert examiner .....	614
---	--	-----

10	Where object not included in Control List .....	614
----	---	-----

11	Where object included in Control List .....	614
----	---	-----

12	Issue of export permit .....	614
----	------------------------------	-----

## Table of Contents

13	Notice of refusal . . . . .	614
14	Deposit of copy . . . . .	615
15	Alteration of permits by Minister and notice . . . . .	615
16	No export permit for two years . . . . .	615
<b>GENERAL PERMITS</b>		
17	General permits to export . . . . .	615
<b>REVIEW BOARD</b>		
<i><b>Review Board Established</b></i>		
18	Review Board established . . . . .	615
19	Remuneration . . . . .	616
<i><b>Duties</b></i>		
20	Duties . . . . .	616
<i><b>Head Office and Sittings</b></i>		
21	Head office . . . . .	616
<i><b>Advisers</b></i>		
22	Expert advice . . . . .	616
23	[Repealed 2014, c. 20, s. 391.] . . . . .	617
<i><b>Rules and Procedure</b></i>		
24	Rules . . . . .	617
25	Review Board may receive information . . . . .	617
26	Information given to applicant . . . . .	617
27	Exclusion from hearing . . . . .	617
28	Review Board shall dispose of matters informally and expeditiously . . . . .	617
<i><b>Review of Applications for Export Permits</b></i>		
29	Request for review by Review Board . . . . .	617
30	Request for determination of fair offer to purchase . . . . .	618
31	Limitation on export permits . . . . .	619
<i><b>Determination Relating to Income Tax Matters</b></i>		
32	Request for determination of Review Board . . . . .	619
<i><b>Income Tax Certificate</b></i>		
33	Income tax certificate . . . . .	620
<i><b>Appeals Before the Tax Court of Canada</b></i>		
33.1	Appeal of redetermination of fair market value . . . . .	621
33.2	Extension of time for appeal . . . . .	621
<i><b>Report to Minister</b></i>		
34	Report to Minister . . . . .	622
<b>FINANCIAL</b>		
35	Grants and loans from moneys appropriated . . . . .	622
36	Canadian Heritage Preservation Endowment Account established . . . . .	622
<b>CONVENTION FOR THE PROTECTION OF CULTURAL PROPERTY IN THE EVENT OF ARMED CONFLICT AND ITS PROTOCOLS</b>		
36.1	Definitions . . . . .	622
<b>FOREIGN CULTURAL PROPERTY</b>		
37	Definitions . . . . .	624

## Table of Contents

	<b>DESIGNATION OF CULTURAL PROPERTY</b>	
38	Designation of cultural property . . . . .	625
	<b>REGULATIONS</b>	
39	Regulations . . . . .	625
	<b>OFFENCES AND PUNISHMENT</b>	
40	Export or attempt to export . . . . .	626
41	No transfer of permits . . . . .	626
42	False information . . . . .	626
43	Import or attempt to import foreign cultural property . . . . .	626
44	Export or attempt to export . . . . .	626
45	Offences and punishment . . . . .	626
46	Officers, etc., of corporations . . . . .	627
47	Venue . . . . .	627
48	Evidence . . . . .	627
	<b>GENERAL</b>	
49	Other lawful obligations . . . . .	627
50	Customs officers' duties . . . . .	627
51	Application of powers under the <i>Customs Act</i> . . . . .	627
52	Report to Parliament . . . . .	628

## SCHEDULE

### **[CONVENTION] — ARTICLE 1 OF THE CONVENTION FOR THE PROTECTION OF CULTURAL PROPERTY IN THE EVENT OF ARMED CONFLICT DONE AT THE HAGUE ON MAY 14, 1954**

#### **CUSTOMS AND EXCISE OFFSHORE APPLICATION ACT**

##### **SHORT TITLE**

1	Short title . . . . .	631
---	-----------------------	-----

##### **INTERPRETATION**

2	Definitions . . . . .	631
---	-----------------------	-----

##### **CUSTOMS JURISDICTION**

3	Application of federal customs laws to designated goods . . . . .	632
---	---	-----

##### **INFORMATION AND DOCUMENTATION**

4	Information and documentation . . . . .	633
---	---	-----

##### **ACQUIRED RIGHTS**

###### ***Goods For Use on Site***

5	Goods for use on site . . . . .	633
---	---------------------------------	-----

###### ***Goods Under Prior Order***

6	Goods under prior order . . . . .	634
---	-----------------------------------	-----

###### ***Special Rules***

7	Five year successive operation . . . . .	634
---	--	-----

8	Goods removed and returned . . . . .	635
---	--------------------------------------	-----

## Table of Contents

	<b><i>Ships</i></b>	
9	Canadian ships in coasting trade .....	635
10	Canadian ships under prior order .....	635
	 <b>EXPORT ACT</b> 	
1	Short title .....	637
2	Export duties on certain logs and pulpwood .....	637
3	Export duties on certain ores .....	637
4	When duties chargeable .....	637
5	Prohibiting export .....	637
6	Restrictions on the movement of intoxicating liquors .....	638
	 <b>SCHEDULE</b> 	
	 <b>EXPORT AND IMPORT PERMITS ACT</b> 	
	<b>SHORT TITLE</b>	
1	Short title .....	641
	<b>INTERPRETATION</b>	
2	Definitions .....	641
	<b>ESTABLISHMENT OF CONTROL LISTS</b>	
3	Export control list of goods and technology .....	644
3.1	[Repealed 1999, c. 31, s. 89.] .....	645
4	Area control list of countries .....	645
4.1	Automatic Firearms Country Control List .....	645
4.11	Brokering Control List .....	645
4.2	Definitions .....	645
5	Import control list of goods .....	646
5.1	Addition to Export Control List or Import Control List .....	650
5.11	[Repealed 1997, c. 14, s. 73.] .....	650
5.2	Addition to Export Control List or Import Control List — Schedule 2 .....	650
5.3	Addition to Import Control List to implement Agreement on Agriculture .....	651
5.4	Definitions .....	651
6	Amendment of lists .....	653
	<b>BILATERAL EMERGENCY MEASURES: TEXTILE AND APPAREL GOODS</b>	
6.1	Definition of “originating goods” .....	653
	<b>IMPORT OR EXPORT ACCESS</b>	
6.2	Determination of quantities .....	654
	<b>SOFTWOOD LUMBER PRODUCTS EXPORT ACCESS</b>	
6.3	Definitions .....	654
6.4	Export from a region .....	655
	<b>PERMITS AND CERTIFICATES</b>	
7	Export permits .....	655
7.1	Brokering permits .....	656
7.2	Security considerations — export and brokering .....	656

## Table of Contents

7.3	Mandatory considerations — export and brokering . . . . .	656
7.4	Substantial risk . . . . .	656
8	Import permits . . . . .	657
8.1	Import and export permits . . . . .	657
8.2	Minister to issue permit . . . . .	657
8.3	Import permits — allocation . . . . .	658
8.31	Export permits — allocation . . . . .	658
8.4	Export permits for softwood lumber products . . . . .	658
8.5	Retroactive permits . . . . .	659
9	Import certificates . . . . .	659
9.01	[Repealed 1997, c. 14, s. 77.] . . . . .	659
9.1	Minister may issue certificate — Schedule 4 . . . . .	659
9.2	Minister may issue certificate . . . . .	659
10	Alteration of permits, etc. . . . .	659
10.1	Inspectors . . . . .	660
10.2	Inspection . . . . .	660
10.3	Keeping records . . . . .	661
11	Other lawful obligations not affected by permit, etc. . . . .	662
<b>REGULATIONS</b>		
12	Regulations . . . . .	662
<b>PROHIBITIONS</b>		
13	Export or attempt to export . . . . .	663
14	Import or attempt to import . . . . .	663
14.1	Exception . . . . .	663
14.2	Broker or attempt to broker . . . . .	663
15	Diversion, etc. . . . .	664
16	No transfer or unauthorized use of permits . . . . .	664
16.1	Transfers or unauthorized use . . . . .	665
17	False or misleading information, and misrepresentation . . . . .	665
18	Aiding and abetting . . . . .	665
<b>OFFENCE AND PUNISHMENT</b>		
19	Offence and penalty . . . . .	665
20	Officers, etc., of organization . . . . .	665
21	Applicant for permit for non-resident . . . . .	666
22	Venue . . . . .	666
23	Evidence . . . . .	666
23.1	Evidence — Brokering Control List . . . . .	667
<b>GENERAL</b>		
24	Customs officers duties . . . . .	667
25	Application of powers under the <i>Customs Act</i> . . . . .	667
26	[Repealed 2018, c. 26, s. 20.] . . . . .	667
<b>REPORTS TO PARLIAMENT</b>		
27	Annual reports . . . . .	667

## Table of Contents

<b>SCHEDULE 1 — COUNTRIES</b>		
<b>SCHEDULE 2 — INTERGOVERNMENTAL ARRANGEMENTS — COLLECTION OF INFORMATION RELATING TO QUOTAS</b>		
<b>SCHEDULE 3 — INTERGOVERNMENTAL ARRANGEMENTS — COLLECTION OF INFORMATION RELATING TO IMPORTS OF TEXTILE AND APPAREL GOODS</b>		
<b>SCHEDULE 4 — INTERGOVERNMENTAL ARRANGEMENTS — ISSUANCE OF CERTIFICATES FOR THE EXPORT OF GOODS SUBJECT TO FOREIGN IMPORT QUOTAS</b>		
 <b>EXPORT AND IMPORT OF ROUGH DIAMONDS ACT</b> 		
<b>SHORT TITLE</b>		
1	Short title .....	673
<b>INTERPRETATION</b>		
2	Definitions .....	673
<b>MINISTERIAL POWERS</b>		
3	Amendment of schedule .....	674
4	Disclosure .....	674
5	Statistics .....	674
6	Delegation of ministerial powers, duties and functions .....	674
7	Designation of inspectors and investigators .....	674
<b>EXPORTING ROUGH DIAMONDS</b>		
8	Requirements for exporting rough diamonds .....	674
9	Issuance of Canadian Certificate .....	675
10	Notice of deficiency .....	675
11	Replacement certificate .....	675
12	Invalidation of Canadian Certificate .....	675
13	Reporting .....	675
<b>IMPORTING ROUGH DIAMONDS</b>		
14	Requirements for importing rough diamonds .....	675
15	Return of imported rough diamonds .....	676
16	Reporting .....	676
<b>IN-TRANSIT ROUGH DIAMONDS</b>		
17	Seizure of in-transit rough diamonds .....	676
18	Interpretation .....	676
<b>INSPECTIONS</b>		
19	Powers .....	676
20	Stopping a conveyance .....	677
21	Production of designation document .....	677
22	Duty to assist .....	677
<b>INVESTIGATIONS</b>		
23	Designation document to be produced .....	677
24	Entry .....	677
<b>DISPOSITION OF THINGS SEIZED</b>		
25	Notice of reason for seizure .....	677
26	Storage or removal .....	678
27	Duration of detention .....	678

## Table of Contents

	<b>FORFEITURE</b>	
28	Forfeiture of rough diamonds and other things .....	678
29	Consensual forfeiture .....	678
30	Forfeiture certificate .....	678
31	Disposition of rough diamonds forfeited .....	678
32	Return of things seized if no forfeiture .....	679
	<b>LIABILITY FOR COSTS</b>	
33	Liability for costs .....	679
	<b>REGULATIONS</b>	
34	Regulations .....	679
35	Ministerial regulations .....	679
	<b>OFFENCES AND PUNISHMENT</b>	
36	False or misleading information, and misrepresentation .....	680
37	Forging or altering a Canadian Certificate .....	680
38	Transfer, sale, etc., of a Canadian Certificate .....	680
39	Failing to maintain or falsifying records .....	680
40	Obstruction .....	680
40.1	Summary conviction offence .....	680
41	Punishment .....	680
42	Officers, etc., of corporations .....	681
43	Applicant for Certificate for non-resident .....	681
44	Venue .....	681
45	Evidence .....	681
45.1	Review .....	681
	<b>COMING INTO FORCE</b>	
46	Coming into force .....	682
	<b>SCHEDULE</b>	
	<b>IMPORTATION OF INTOXICATING LIQUORS ACT</b>	
1	Short title .....	685
2	Definitions .....	685
3	Prohibition .....	686
4	Burden of proof .....	688
5	Punishment .....	688
6	Prosecution in place where liquor imported .....	688
7	Search warrants .....	688
8	Sacramental, medicinal and other purposes exempted .....	689
	<b>SCHEDULE</b>	
	<b>PROCEEDS OF CRIME (MONEY LAUNDERING) AND TERRORIST FINANCING ACT</b>	
	<b>SHORT TITLE</b>	
1	Short title .....	692

## Table of Contents

	<b>INTERPRETATION</b>	
2	Definitions .....	692
	<b>OBJECT OF ACT</b>	
3	Object .....	693
	<b>HER MAJESTY</b>	
4	Binding on Her Majesty .....	694
	<b>PART 1 — RECORD KEEPING, VERIFYING IDENTITY, REPORTING OF SUSPICIOUS TRANSACTIONS AND REGISTRATION (SS. 5–11.4)</b>	
	<i><b>Application</b></i>	
5	Application of Part .....	694
5.1	Clarification .....	696
	<i><b>Record Keeping and Verifying Identity</b></i>	
6	Record keeping .....	696
6.1	Verifying identity .....	696
	<i><b>Reporting and Other Requirements</b></i>	
7	Transactions if reasonable grounds to suspect .....	696
7.1	Disclosure .....	696
8	No disclosure of reports .....	697
9	Financial transactions to be reported .....	697
9.1	Reports under other Acts .....	697
9.2	Inability to verify identity .....	697
9.3	Politically exposed persons .....	698
9.31	Prohibition if unregistered .....	699
9.4	Correspondent banking .....	699
9.5	Electronic funds transfer .....	700
9.6	Compliance program .....	700
9.61	Measures and information: paragraph 5(e.1) .....	700
9.7	Foreign branches and subsidiaries .....	701
9.8	Information exchange between affiliated entities .....	701
9.9	[Proposed] Definition of “agent or mandatary” .....	702
9.91	[Proposed] Agent or mandatary .....	702
9.92	[Proposed] Duty to verify .....	702
9.93	[Proposed] Agent or mandatary — criminal convictions .....	702
10	Immunity .....	703
10.1	Non-application to legal counsel .....	703
11	Solicitor-client privilege or professional secrecy .....	703
	<i><b>Registration</b></i>	
	<i><b>Application and Revocation</b></i>	
11.1	Registration requirement .....	703
11.11	Ineligible for registration .....	703
11.12	Application for registration .....	705
11.13	Changes to information .....	706
11.14	Clarifications — applicant .....	707
11.15	Notice of registration .....	707
11.16	Denial of application .....	707
11.17	Clarifications — registrant .....	707
11.171	Revocation — contravention .....	707
11.18	Written reasons .....	707

## Table of Contents

11.19	Renewal of registration . . . . .	708
11.2	Cessation of activity . . . . .	708
	<b>Review</b>	
11.3	Application for review by Director . . . . .	708
	<b>Appeal to Federal Court</b>	
11.4	Appeal . . . . .	708
<b>PART 1.1 — PROTECTION OF CANADA'S FINANCIAL SYSTEM (SS. 11.41–11.7)</b>		
	<i><b>Interpretation</b></i>	
11.41	Definition of “foreign entity” . . . . .	709
	<i><b>Ministerial Directive</b></i>	
11.42	Minister’s written directive . . . . .	709
11.43	Due to comply . . . . .	710
11.44	Foreign branches and subsidiaries . . . . .	710
11.45	[Repealed 2014, c. 20, s. 269.] . . . . .	710
11.46	Inconsistency . . . . .	711
11.47	Statutory Instruments Act . . . . .	711
11.48	Review . . . . .	711
	<i><b>Limitation and Prohibition of Financial Transactions</b></i>	
11.49	Regulations — limitation and prohibition . . . . .	711
11.5	Review . . . . .	712
11.6	Foreign branches . . . . .	712
11.7	Ministerial permit . . . . .	712
<b>PART 2 — REPORTING OF CURRENCY AND MONETARY INSTRUMENTS (SS. 11.8–39)</b>		
	<i><b>Interpretation</b></i>	
11.8	Definition of “officer” . . . . .	712
	<i><b>Reporting</b></i>	
12	Currency and monetary instruments . . . . .	713
13	[Repealed 2018, c. 27, s. 174.] . . . . .	713
	<i><b>Retention</b></i>	
14	Temporary retention . . . . .	714
	<i><b>Searches</b></i>	
15	Search of the person . . . . .	714
16	Search of conveyance . . . . .	715
17	Examination and opening of mail . . . . .	715
	<i><b>Seizures</b></i>	
18	Seizure and forfeiture . . . . .	715
19	Power to call in aid . . . . .	716
19.1	Recording of reasons for decision . . . . .	716
20	Report to President and the Centre . . . . .	716
	<i><b>Exported Mail</b></i>	
21	Mail to be made available to an officer . . . . .	716
	<i><b>Transfer to the Minister of Public Works and Government Services</b></i>	
22	When forfeiture under s. 14(5) . . . . .	717
	<i><b>Forfeiture</b></i>	
23	Time of forfeiture . . . . .	717

## Table of Contents

	<b><i>Review and Appeal</i></b>	
24	Review of forfeiture . . . . .	717
24.1	Corrective measures . . . . .	717
25	Request for Minister's decision . . . . .	718
25.1	Extension of time by Minister . . . . .	718
25.2	Extension of time by Federal Court . . . . .	718
26	Notice of President . . . . .	719
27	Decision of the Minister . . . . .	719
28	If there is no contravention . . . . .	719
29	If there is a contravention . . . . .	719
30	Appeal to Federal Court . . . . .	720
31	Service of notices . . . . .	720
	<b><i>Third Party Claims</i></b>	
32	Interest as owner . . . . .	720
33	Order . . . . .	721
34	Appeal . . . . .	721
35	Delivery after final order . . . . .	721
	<b><i>Disclosure and Use of Information</i></b>	
36	Prohibition . . . . .	722
37	Use of information . . . . .	723
	<b><i>Agreements for Exchange of Information</i></b>	
38	Agreements with foreign states . . . . .	723
38.1	Agreements with foreign states . . . . .	723
	<b><i>Delegation</i></b>	
39	Minister's duties . . . . .	724
	<b>PART 3 — FINANCIAL TRANSACTIONS AND REPORTS ANALYSIS CENTRE OF CANADA (ss. 40–72.1)</b>	
	<b><i>Object</i></b>	
40	Object . . . . .	724
	<b><i>Establishment of the Centre</i></b>	
41	Centre established . . . . .	724
42	Minister is responsible . . . . .	724
	<b><i>Organization and Head Office</i></b>	
43	Appointment of Director . . . . .	725
44	Accident compensation . . . . .	725
45	Director's powers . . . . .	725
46	Employees . . . . .	725
47	Remuneration . . . . .	725
48	Head office . . . . .	725
	<b><i>Human Resources</i></b>	
49	Personnel . . . . .	726
50	Political activities . . . . .	726
	<b><i>Appropriation</i></b>	
50.1	[Heading added 2021, c. 23, s. 164.] Advance amounts out of C.R.F. . . . .	726
	<b><i>Authority to Provide Services</i></b>	
51	Authority to provide services . . . . .	727

## Table of Contents

<b><i>Assessments</i></b>		
[Heading added 2021, c. 23, s. 165.]		
51.1	Centre to ascertain expenses .....	727
51.2	Assessment of particular expenses .....	727
51.3	Prescribed information .....	727
51.4	Assessment binding .....	728
<b><i>Disclosure of Information</i></b>		
52	Director to report to Minister .....	728
53	Limitation .....	729
53.1	Director or officer to disclose information for the purpose of Part 1.1 .....	729
53.2	Limitation .....	729
53.3	Director to seek consent .....	730
53.31	Information — assessment of risks .....	730
53.32	[Proposed] National security or integrity of financial system .....	730
53.4	National Security and Intelligence Committee of Parliamentarians Act .....	731
53.5	National Security and Intelligence Review Agency Act .....	731
53.6	[Proposed] Retail Payment Activities Act .....	731
<b><i>Reports and Information</i></b>		
54	Reports and information .....	732
54.1	Registrar .....	733
<b><i>Disclosure and Use of Information</i></b>		
55	Disclosure by Centre prohibited .....	733
55.1	Disclosure — threats to security of Canada .....	739
56	Agreements and arrangements .....	742
56.1	Disclosure to foreign agencies .....	743
56.2	Usefulness of information .....	746
57	Use of information .....	746
58	Feedback, research and public education .....	746
58.1	Centre may disclose information to Minister .....	747
59	Immunity from compulsory processes .....	747
60	Limitation on orders for disclosure of information .....	747
60.1	Application for production order .....	749
60.2	Hearing of applications .....	752
60.3	Purpose of application .....	752
61	Certain provisions not applicable .....	754
<b><i>Compliance Measures</i></b>		
62	To ensure compliance .....	754
63	Warrant required to enter dwelling-house .....	755
63.01	Means of telecommunication .....	755
63.1	Information demand .....	755
64	Definition of “judge” .....	755
65	Disclosure to law enforcement agencies .....	757
65.01	Disclosure to Canada Revenue Agency .....	757
65.02	Disclosure to Canada Revenue Agency .....	758
65.03	Disclosure to Bank of Canada .....	758
65.1	Agreements and arrangements .....	758

## Table of Contents

<b><i>Contracts and Agreements</i></b>		
66	Power to enter into . . . . .	759
67	Choice of service providers . . . . .	759
<b><i>Legal Proceedings</i></b>		
68	Centre . . . . .	759
68.1	Filing of documents . . . . .	759
69	No liability . . . . .	759
<b><i>Audit</i></b>		
70	Audit . . . . .	760
<b><i>Reports</i></b>		
71	Annual report . . . . .	760
72	Review of Act by parliamentary committee . . . . .	760
<b><i>Service of Notices</i></b>		
72.1	Authorized person . . . . .	760
<b>PART 4 — REGULATIONS (S. 73)</b>		
73	Regulations . . . . .	761
<b>PART 4.1 — NOTICES OF VIOLATION, COMPLIANCE AGREEMENTS AND PENALTIES (SS. 73.1–73.5)</b>		
<b><i>Violations</i></b>		
73.1	Regulations . . . . .	762
73.11	Criteria for penalty . . . . .	762
73.12	How contravention may be proceeded with . . . . .	763
73.13	Commission of violation . . . . .	763
<b><i>Notices of Violation</i></b>		
73.14	Contents of notice . . . . .	763
73.15	Payment of penalty . . . . .	763
<b><i>Compliance Agreements</i></b>		
73.16	Contents of compliance agreement . . . . .	764
73.17	Compliance agreement complied with . . . . .	764
73.18	Compliance agreement not complied with . . . . .	764
73.19	Application for review . . . . .	765
73.2	Deemed violation . . . . .	765
<b><i>Appeal to Federal Court</i></b>		
73.21	Right of appeal . . . . .	765
<b><i>Publication</i></b>		
73.22	Publication . . . . .	766
<b><i>Rules about Violations</i></b>		
73.23	Violations not offences . . . . .	766
73.24	Due diligence available . . . . .	766
<b><i>Collection of Penalties</i></b>		
73.25	Debts to Her Majesty . . . . .	767
73.26	Certificate . . . . .	767
73.27	Collecting penalties . . . . .	767
73.28	Interest . . . . .	767
73.29	Garnishment . . . . .	767
73.3	Write-off . . . . .	768

## Table of Contents

	<b><i>General Provisions</i></b>	
73.4	Evidence . . . . .	768
73.5	Time limit . . . . .	768
	<b>PART 5 — OFFENCES AND PUNISHMENT (SS. 74–82)</b>	
74	General offences . . . . .	768
75	Reporting and regulations — sections 7 and 7.1 and subsection 11.49(1) · . . . .	769
76	Disclosure . . . . .	769
77	Reporting — section 9 . . . . .	769
77.1	Registry . . . . .	769
77.2	Threats and retaliation against employees . . . . .	770
77.3	Offence — structured financial transactions . . . . .	770
77.4	[Proposed] Offence — registration . . . . .	770
78	Liability of officers and directors . . . . .	771
79	Offence by employee, agent or mandatary . . . . .	771
80	Exemption . . . . .	771
81	Time limitation — five years . . . . .	771
82	Venue . . . . .	771
	<b>PART 6 — TRANSITIONAL PROVISION, CONSEQUENTIAL AND CONDITIONAL AMENDMENTS, REPEAL AND COMING INTO FORCE (SS. 83–99)</b>	
	<b><i>Transitional Provision</i></b>	
83	Regulations remain in effect . . . . .	772
83.1	[Proposed] Definitions . . . . .	772
83.2	[Proposed] Agent or mandatary . . . . .	772
83.3	[Proposed] Documents — registration . . . . .	772
	<b><i>Consequential Amendments</i></b>	
	<b>Access to Information Act [R.S., c. A-1]</b>	
84	· . . . .	773
85	· . . . .	773
	<b>Canada Post Corporation Act [R.S., c. C-10]</b>	
86	R.S., c. 1 (2nd Supp.), s. 170(2) . . . . .	773
87	R.S., c. 1 (2nd Supp.), s. 171 . . . . .	773
88	R.S., c. 1 (2nd Supp.), s. 172(1) . . . . .	774
	<b>Criminal Code [R.S., c. C-46]</b>	
89	R.S., c. 27 (1st Supp.), s. 71 . . . . .	774
	<b>Privacy Act [R.S., c. P-21]</b>	
90	· . . . .	774
	<b>Public Service Staff Relations Act [R.S., c. P-35]</b>	
91	· . . . .	774
	<b>Seized Property Management Act [1993, c. 37]</b>	
92	· . . . .	774
93	· . . . .	774
94	1995, c. 22, s. 18 (Sch. IV, item 11) . . . . .	775
95	1997, c. 23, s. 23 . . . . .	775
96	1997, c. 23, s. 24 . . . . .	775
	<b><i>Conditional Amendments</i></b>	
97	Bill C-6 . . . . .	776

Table of Contents

	<b><i>Repeal</i></b>	
98	Repeal .....	776
	<b><i>Coming into Force</i></b>	
99	Coming into force .....	776

**MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS ACT**

**SHORT TITLE**

1	Short title .....	777
	<b>INTERPRETATION</b>	
2	Definitions .....	777
3	Inconsistency of Acts .....	778
	<b>SCHEDULE</b>	
4	Designation .....	778
	<b>PUBLICATION OF AGREEMENTS</b>	
5	Publication in <i>Canada Gazette</i> .....	779
	<b>ADMINISTRATIVE ARRANGEMENTS</b>	
6	Administrative arrangements .....	779
	<b>FUNCTIONS OF THE MINISTER</b>	
7	Functions of Minister .....	780

**PART I — FOREIGN INVESTIGATIONS OR OTHER PROCEEDINGS IN RESPECT OF  
OFFENCES (SS. 8–35)**

***Implementation***

8	Limitation — requests under agreements .....	780
---	--	-----

***Fines***

9	Standing and jurisdiction .....	780
---	---------------------------------	-----

***International Criminal Court***

9.1	Orders for restraint or seizure .....	781
9.2	Orders of reparation or forfeiture or imposing fines .....	781

***Foreign Orders for Restraint, Seizure and Forfeiture of Property in  
Canada***

9.3	Orders for restraint or seizure .....	782
9.4	Orders of forfeiture .....	783

***Search and Seizure***

10	Application of <i>Criminal Code</i> .....	784
11	Approval of request for investigative measures .....	784
12	Issuance of search warrant .....	785
13	Seizure of other things .....	786
13.1	[Repealed 2014, c. 31, s. 38.] .....	786
14	Report .....	786
15	Sending abroad .....	786
16	Terms and conditions .....	786
16.1	Other warrants .....	787
16.2	Sending abroad — certain warrants .....	787

***Production Orders***

17	Approval of request to obtain evidence .....	787
----	--	-----

## Table of Contents

18	Evidence-gathering order . . . . .	788
19	Report . . . . .	789
20	Sending abroad . . . . .	790
21	Terms and conditions . . . . .	790
22	Contempt of court . . . . .	790
22.01	Application of <i>Criminal Code</i> . . . . .	791
22.02	Approval of request to obtain production . . . . .	791
22.03	Production and non-disclosure orders . . . . .	791
22.04	Sending abroad . . . . .	791
22.05	Offence . . . . .	792
22.06	Orders to gather tax information . . . . .	792
<b><i>Video Link</i></b>		
22.1	Approval of request to obtain evidence by video link, etc. . . . .	792
22.2	Order for video link, etc. . . . .	793
22.3	Other laws about witnesses to apply . . . . .	793
22.4	Contempt of court in Canada . . . . .	793
<b><i>Arrest Warrant</i></b>		
23	Arrest warrant . . . . .	794
<b><i>Examination of Place or Site</i></b>		
23.1	Approval of request for examination of place or site . . . . .	794
<b><i>Transfer of Detained Persons</i></b>		
24	Approval of transfer request . . . . .	795
25	Making of transfer order . . . . .	795
26	Absence deemed imprisonment . . . . .	796
27	Variation of transfer order . . . . .	796
28	Copy of order to jailer . . . . .	796
29	Exception for young persons . . . . .	796
<b><i>Lending Exhibits</i></b>		
30	Approval of loan request . . . . .	796
31	Making of loan order . . . . .	796
32	Variation of loan order . . . . .	797
33	Copy of order to custodian . . . . .	797
34	Presumption of continuity . . . . .	797
<b><i>Appeal</i></b>		
35	Appeal on question of law . . . . .	797
<b>PART II — ADMISSIBILITY IN CANADA OF EVIDENCE OBTAINED ABROAD PURSUANT TO AN AGREEMENT (SS. 36–39)</b>		
36	Foreign records . . . . .	797
37	Foreign things . . . . .	798
38	Status of certificate . . . . .	798
39	Service abroad . . . . .	798
<b>PART III — IMPLEMENTATION OF TREATIES IN CANADA (SS. 40–44)</b>		
<b><i>Special Authorization to Come Into Canada</i></b>		
40	Special authorization . . . . .	798
41	Safe conduct . . . . .	799
<b><i>Detention in Canada</i></b>		
42	Detention of transferred person . . . . .	799

## Table of Contents

	<b><i>Determination of the Validity of Refusals</i></b>	
43	Powers of judge .....	800
	<b><i>Privilege for Foreign Records</i></b>	
44	Privilege .....	800
	<b>PART IV — CONSEQUENTIAL AMENDMENTS AND COMING INTO FORCE (S. 49)</b>	
	<b><i>Coming into Force</i></b>	
49	Coming into force .....	800
	<b>SCHEDULE — DESIGNATED STATES OR ENTITIES</b>	
	<b>SPECIAL ECONOMIC MEASURES ACT</b>	
	<b>SHORT TITLE</b>	
1	Short title .....	801
	<b>INTERPRETATION</b>	
2	Definitions .....	801
2.1	Deemed ownership .....	802
	<b>HER MAJESTY</b>	
3	Binding on Her Majesty .....	802
	<b>PURPOSE</b>	
3.1	Purpose of Act .....	802
	<b>ORDERS AND REGULATIONS</b>	
4	Orders and regulations .....	802
5	Costs .....	804
5.1	Application for review .....	804
5.2	Ranking .....	805
	<b>FORFEITURE ORDERS</b>	
5.3	Definitions .....	805
5.4	Forfeiture .....	805
5.5	Not a Crown corporation .....	806
5.6	Payment out of Proceeds Account .....	806
	<b>ADMINISTRATION AND ENFORCEMENT</b>	
6	Enforcement .....	806
6.1	Sharing of information .....	806
6.2	RCMP .....	807
6.21	FINTRAC .....	807
6.3	Provision of information .....	807
7	Tabling in Parliament .....	807
7.1	Agreements .....	808
8	Offence and punishment .....	809
9	Peace officers for the purposes of this Act .....	809
10	Evidence .....	809
11	Proceedings .....	809
12	Consent of Attorney General required .....	810

## Table of Contents

### **EXCISE TAX ACT**

#### **PART IX — GOODS AND SERVICES TAX**

##### **DIVISION III — TAX ON IMPORTATION OF GOODS [SS. 212–216]**

212	Imposition of goods and services tax .....	811
212.1	[HST on casual imports] .....	811
213	Exception [non-taxable importations] .....	812
213.1	Security .....	812
213.2	[Inward processing] Import certificate.....	812
214	Payment [and administration] of taxes [on importations] .....	813
214.1	Deduction [for provincial point-of-sale rebate].....	813
215	Value of goods .....	813
215.1	Rebate for returned goods .....	813
216	Meaning of “determination of the tax status” .....	815

### **SELECT LUXURY ITEMS TAX ACT**

#### **SHORT TITLE**

1	Short title .....	817
---	-------------------	-----

#### **PART 1 — SELECT LUXURY ITEMS TAX (SS. 2–59)**

##### **DIVISION 1 — INTERPRETATION AND APPLICATION**

###### **Subdivision A — Interpretation**

2	Definitions .....	817
3	Meaning of administration or enforcement of this Act .....	822
4	Person resident in Canada .....	822
5	Arm’s length .....	823
6	Negative amounts.....	823
7	Sale — subject item .....	824
8	Improvement to subject item .....	824
9	Price threshold .....	825
10	Definition of “business” .....	826
11	Where vessel journeys originate and terminate .....	828
12	Registration of vehicle .....	829

###### **Subdivision B — Consideration and Retail Value**

13	Definitions .....	829
14	Value of consideration .....	830
15	Levies included in consideration .....	832
16	Retail value of subject item .....	832

###### **Subdivision C — Her Majesty**

17	Her Majesty .....	832
----	-------------------	-----

#### **DIVISION 2 — APPLICATION OF TAX**

###### **Subdivision A — Tax on Sale**

18	Tax — sale of subject item .....	832
19	Tax not payable — registered vendor of vehicles .....	834

###### **Subdivision B — Tax on Importation**

20	Tax — importation into Canada .....	835
21	Tax not payable — registered vendor .....	836

## Table of Contents

22	Definition of “determination of the tax status” . . . . .	838
<b>Subdivision C — Tax in Other Circumstances</b>		
23	Tax — registration of registered vendor’s vehicle . . . . .	839
24	Tax — lease of subject vehicle . . . . .	839
25	Tax — lease of aircraft or vessel . . . . .	840
26	Tax — use of aircraft or vessel . . . . .	841
27	Tax — ceasing to be registered vendor . . . . .	842
28	Tax — ceasing to be qualifying aircraft user . . . . .	843
<b>Subdivision D — Tax on Improvements</b>		
29	Rules — improvement after sale . . . . .	844
30	Rules — improvement in other circumstances . . . . .	845
31	Improvement period — regulations . . . . .	845
32	Non-arm’s length — joint and several, or solidary, liability . . . . .	845
<b>Subdivision E — General Rules</b>		
33	Tax not payable — regulations . . . . .	846
34	Amount of tax — general . . . . .	846
35	Amount of tax — improvement . . . . .	846
<b>DIVISION 3 — CERTIFICATES</b>		
36	Exemption certificate . . . . .	846
37	Tax certificate . . . . .	847
38	Application for special import certificate . . . . .	849
<b>DIVISION 4 — REBATES</b>		
<b>Subdivision A — Rebates to Net Tax</b>		
39	Rebate to net tax — export . . . . .	851
40	Rebate to net tax — regulations . . . . .	851
41	Application for rebate to net tax . . . . .	851
<b>Subdivision B — Other Rebates</b>		
42	Rebate — foreign representative . . . . .	852
43	Rebate — payment in error . . . . .	852
44	Rebate — regulations . . . . .	853
45	Restriction on rebate . . . . .	853
<b>Subdivision C — General Rules for Rebates</b>		
46	Restriction on rebate . . . . .	853
47	Single application . . . . .	853
48	Restriction — bankruptcy . . . . .	853
49	Statutory recovery rights . . . . .	853
<b>DIVISION 5 — REGISTRATION, REPORTING PERIODS, RETURNS AND REQUIREMENT TO PAY</b>		
50	Qualifying sale . . . . .	853
51	Application for registration . . . . .	855
52	Cancellation of registration . . . . .	856
53	Security — registration . . . . .	856
54	Reporting periods . . . . .	857
55	Filing of return . . . . .	857
56	Form and content . . . . .	857
57	Net tax — obligation . . . . .	857
58	Overpayment of rebate or interest . . . . .	858
59	Information return . . . . .	858

Table of Contents

<b>PART 2 — ADMINISTRATION (SS. 60–157)</b>		
<b>DIVISION 1 — MISCELLANEOUS</b>		
<b>Subdivision A — Trustees, Receivers and Personal Representatives</b>		
60	Definitions .....	860
61	Estate or succession of deceased individual .....	863
62	Definitions .....	863
63	Distribution by trust .....	864
<b>Subdivision B — Amalgamation and Winding-up</b>		
64	Amalgamations .....	864
65	Winding-up .....	864
<b>Subdivision C — Partnerships and Joint Ventures</b>		
66	Partnerships .....	865
67	Joint ventures .....	865
<b>Subdivision D — Anti-avoidance</b>		
68	Definitions .....	866
69	Definitions .....	867
<b>DIVISION 2 — ADMINISTRATION AND ENFORCEMENT</b>		
<b>Subdivision A — Payments</b>		
70	Set-off of rebate .....	868
71	Definition of “electronic payment” .....	868
72	Small amounts owing .....	868
73	Authority for separate returns .....	868
74	Definition of “electronic filing” .....	869
75	Execution of returns, etc. ....	869
76	Extension of time .....	869
77	Demand for return .....	870
<b>Subdivision B — Administration and Officers</b>		
78	Minister’s duty .....	870
79	Staff .....	870
80	Administration of oaths .....	870
81	Inquiry .....	870
<b>Subdivision C — Interest</b>		
82	Specified rate of interest .....	871
83	Compound interest on amounts owed by Her Majesty .....	872
84	Interest if Act amended .....	872
85	Waiving or reducing interest .....	872
86	Cancellation of penalties and interest .....	872
87	Dishonoured instruments .....	872
<b>Subdivision D — Records and Information</b>		
88	Keeping records .....	873
89	Electronic funds transfer .....	873
90	Requirement to provide information or record .....	873
91	Definitions .....	874
<b>Subdivision E — Assessments</b>		
92	Assessment .....	877
93	Assessment of rebate .....	878
94	Restriction on payment by Minister .....	878

## Table of Contents

95	Notice of assessment . . . . .	878
96	Limitation period for assessments . . . . .	878
<b>Subdivision F — Objections to Assessment</b>		
97	Objection to assessment . . . . .	880
98	Extension of time by Minister . . . . .	881
<b>Subdivision G — Appeal</b>		
99	Extension of time by Tax Court of Canada . . . . .	881
100	Appeal to Tax Court of Canada . . . . .	882
101	Extension of time to appeal . . . . .	882
102	Limitation on appeals to Tax Court of Canada . . . . .	883
103	Institution of appeals . . . . .	883
104	Disposition of appeal . . . . .	883
105	References to Tax Court of Canada . . . . .	883
106	Reference of common questions to Tax Court of Canada . . . . .	884
<b>Subdivision H — Penalties</b>		
107	Failure to file return . . . . .	885
108	Failure to file by electronic transmission . . . . .	885
109	Failure to register . . . . .	885
110	Penalty — false statement . . . . .	885
111	Penalty for false declaration — special import certificate . . . . .	886
112	Failure to apply — tax certificate . . . . .	886
113	Failure to notify — tax certificate . . . . .	886
114	Penalty — unregistered importer . . . . .	886
115	Failure to answer demand . . . . .	886
116	Failure to provide information . . . . .	886
117	Failure to provide information . . . . .	887
118	False statements or omissions . . . . .	887
119	General penalty . . . . .	887
120	Waiving or cancelling penalties . . . . .	887
<b>Subdivision I — Offences and Punishment</b>		
121	Offence for failure to file return or to comply with demand or order . . . . .	888
122	Offences for false or deceptive statement . . . . .	888
123	Definition of “confidential information” . . . . .	889
124	Failure to pay tax . . . . .	889
125	General offence . . . . .	889
126	Compliance orders . . . . .	890
127	Officers of corporations, etc. . . . .	890
128	No power to decrease punishment . . . . .	890
129	Information or complaint . . . . .	890
<b>Subdivision J — Inspections</b>		
130	Definition of “dwelling-house” . . . . .	890
131	Compliance order . . . . .	891
132	Search warrant . . . . .	892
133	Definition of “foreign-based information or record” . . . . .	893
134	Copies . . . . .	894
135	Compliance . . . . .	894
136	Information respecting non-resident persons . . . . .	894

## Table of Contents

	<b>Subdivision K — Collection</b>	
137	Definitions .....	895
138	Security .....	896
139	Collection restrictions .....	897
140	Over \$10,000,000 — security .....	898
141	Certificates .....	898
142	Garnishment .....	901
143	Recovery by deduction or set-off .....	902
144	Acquisition of debtor's property .....	902
145	Money seized from debtor .....	902
146	Seizure .....	903
147	Person leaving Canada or defaulting .....	903
148	Definitions .....	903
149	Compliance by unincorporated bodies .....	905
150	Definition of "transaction" .....	906
	<b>Subdivision L — Evidence and Procedure</b>	
151	Service .....	908
152	Timing of receipt .....	908
153	Proof of service .....	908
	<b>DIVISION 3 — REGULATIONS</b>	
154	Regulations .....	912
155	Positive or negative amount — regulations .....	912
156	Incorporation by reference — limitation removed .....	912
157	Certificates and registrations not statutory instruments .....	913

## SCHEDULE — REMOTE COMMUNITIES — QUALIFYING FLIGHT

### 86-946 — ABATEMENT OF DUTIES PAYABLE REGULATIONS

#### SHORT TITLE

1	.....	920
	<b>INTERPRETATION</b>	
2	.....	920
	<b>DETERMINATION OF AMOUNT OF ABATEMENT</b>	
3	.....	920
4	.....	921
	<b>ABATEMENT NOT TO BE GRANTED</b>	
5	.....	921

### 86-1062 — ACCOUNTING FOR IMPORTED GOODS AND PAYMENT OF DUTIES REGULATIONS

1	[Repealed SOR/2018-121, s. 2.] .....	922
	<b>INTERPRETATION [S. 2]</b>	
2	.....	922

Table of Contents

<b>PART I — [SS. 3–16]</b>		
<b><i>General Manner of Accounting</i></b>		
3	.....	924
4	.....	924
<b><i>General Requirements Respecting the Accounting for and Payment of Duties on Casual Goods</i></b>		
5	.....	924
5.1	.....	925
<b><i>General Requirements Respecting the Accounting for Commercial Goods</i></b>		
6	.....	925
<b><i>Release Without Accounting</i></b>		
7	.....	926
<b><i>Release of Goods Imported by Courier Prior to Accounting and Prior to Payment of Duties</i></b>		
7.1	.....	927
7.2	.....	927
7.3	.....	928
7.4	.....	928
7.5	.....	928
<b><i>Release of Goods Imported as Mail</i></b>		
8	.....	928
8.1	[Repealed SOR/98-186, s. 1.] .....	928
8.2	.....	928
8.3	.....	928
<b><i>Release of and Interim Accounting for Commercial Goods</i></b>		
9	.....	929
<b><i>Final Accounting and Payment of Duties for Commercial Goods After Interim Accounting (No CSA Authorization)</i></b>		
9.1	.....	929
10	.....	929
10.1	.....	929
<b><i>Release of Eligible Goods Under Paragraph 32(2)(b) of the Act</i></b>		
10.2	.....	929
<b><i>Final Accounting and Payment of Duties for Commercial Goods Under Subsection 32(2) of the Act (CSA Importer)</i></b>		
10.3	.....	930
10.31	.....	930
10.4	.....	930
<b><i>CSA Authorizations</i></b>		
10.5	.....	931
10.6	.....	932
10.7	.....	933
10.71	.....	933
10.8	.....	933
10.81	.....	934
10.82	.....	934

Table of Contents

	<b><i>Manner of Making Payment</i></b>	
10.9	.....	934
	<b><i>Security for Release of Goods</i></b>	
11	.....	934
	<b><i>Release of and Interim Accounting for Commercial Goods where Information is Deficient</i></b>	
12	.....	935
13	.....	936
	<b><i>Release of Plans, Drawings, Blueprints, Machinery and Equipment</i></b>	
14	.....	936
15	.....	937
16	[Repealed SOR/97-112, Sched., s. 5.] .....	937
	<b>PART II — [S. 17]</b>	
17	[Repealed SOR/2006-152, s. 19.] .....	937
	<b>SCHEDULE 1</b>	
	<b>SCHEDULE 2 — CSA IMPORTER INFORMATION</b>	
	<b>SCHEDULE 3 — CSA CARRIER INFORMATION</b>	
	<b>86-944 — AGENTS' ACCOUNTING FOR IMPORTED GOODS AND PAYMENT OF DUTIES REGULATIONS</b>	
	<b>SHORT TITLE</b>	
1	.....	942
	<b>INTERPRETATION</b>	
2	.....	942
	<b>CIRCUMSTANCES IN WHICH PERSON MAY TRANSACT BUSINESS AS AGENT</b>	
3	.....	942
	<b>2004-69 — CANADA CUSTOMS AND REVENUE AGENCY REGULATIONS, NO. 2 [REPEALED]</b>	
	<b>BLOCK TRANSFER</b>	
1	.....	943
	<b>CESSATION OF EFFECT</b>	
2	.....	943
	<b>COMING INTO FORCE</b>	
3	.....	943
	<b>97-332 — CERTIFICATION OF ORIGIN OF GOODS EXPORTED TO A FREE TRADE PARTNER REGULATIONS</b>	
	<b>INTERPRETATION</b>	
1	.....	944

Table of Contents

<b>CERTIFICATION CRITERIA FOR A NON-PRODUCING EXPORTER</b>		
2	.....	944
<b>LANGUAGE OF CERTIFICATE</b>		
3	.....	944
<b>REPEAL</b>		
4	.....	945
<b>COMING INTO FORCE</b>		
5	.....	945
 <b>2004-129 — CCRFTA VERIFICATION OF ORIGIN REGULATIONS</b>		
<b>INTERPRETATION</b>		
1	.....	946
<b>MANNER OF CONDUCTING A VERIFICATION OF ORIGIN</b>		
2	.....	946
<b>PREScribed PREMISES</b>		
3	.....	947
<b>CONDITIONS FOR CONDUCTING A VERIFICATION VISIT</b>		
4	.....	947
<b>POSTPONEMENT OF A VERIFICATION VISIT</b>		
5	.....	947
<b>OBSERVERS</b>		
6	.....	948
<b>GENERALLY ACCEPTED ACCOUNTING PRINCIPLES</b>		
7	.....	948
<b>VERIFICATION LETTERS AND VERIFICATION QUESTIONNAIRES</b>		
8	.....	948
<b>EXTENSION OF COMPLETION OF A VERIFICATION LETTER OR VERIFICATION QUESTIONNAIRE</b>		
9	.....	948
<b>DENIAL OR WITHDRAWAL OF PREFERENTIAL TARIFF TREATMENT UNDER CCRFTA</b>		
10	.....	949
11	.....	949
12	.....	949
<b>METHODS OF SENDING DOCUMENTS</b>		
13	.....	949
<b>COMING INTO FORCE</b>		
14	.....	949
 <b>2017-175 — CETA RULES OF ORIGIN REGULATIONS</b>		
<b>RULES OF ORIGIN</b>		
1	.....	950

Table of Contents

	<b>COMING INTO FORCE</b>	
2	.....	950
<b>2017-177 — CETA TARIFF PREFERENCE REGULATIONS</b>		
	INTERPRETATION	
1	.....	951
	GENERAL	
2	.....	951
	<b>COMING INTO FORCE</b>	
3	.....	951
<b>97-75 — CIFTA VERIFICATION OF ORIGIN REGULATIONS</b>		
	INTERPRETATION	
1	.....	952
	MANNER OF CONDUCTING A VERIFICATION OF ORIGIN	
2	.....	952
	PRESCRIBED PREMISES	
3	.....	952
	CONDITIONS FOR CONDUCTING A VERIFICATION VISIT	
4	.....	952
	POSTPONEMENT OF A VERIFICATION VISIT	
5	.....	953
	OBSERVERS	
6	.....	953
	VERIFICATION QUESTIONNAIRES	
7	.....	953
	WITHDRAWAL OF PREFERENTIAL TARIFF TREATMENT UNDER CIFTA	
8	.....	954
	<b>COMING INTO FORCE</b>	
9	.....	954
<b>2018-221 — CPTPP RULES OF ORIGIN REGULATIONS</b>		
	RULES OF ORIGIN	
1	.....	955
	<b>COMING INTO FORCE</b>	
2	.....	955
<b>2018-223 — CPTPP TARIFF PREFERENCE REGULATIONS</b>		
	INTERPRETATION	
1	.....	956

Table of Contents

	<b>SHIPMENT</b>	
2	.....	956
	<b>APPLICABLE PREFERENTIAL TARIFF</b>	
3	.....	957
	<b>COMING INTO FORCE</b>	
4	.....	957
 <b>2002-412 — CROSS-BORDER CURRENCY AND MONETARY INSTRUMENTS REPORTING REGULATIONS</b>		
	<b>INTERPRETATION</b>	
1	.....	958
<b>REPORTING OF IMPORTATIONS AND EXPORTATIONS</b>		
	<i>Minimum Value of Currency or Monetary Instruments</i>	
2	.....	959
	<i>Manner of Reporting</i>	
3	.....	959
3.1	.....	960
	<i>Importation Reporting</i>	
4	.....	960
5	.....	961
6	.....	961
7	.....	961
8	.....	961
	<i>Exceptions to Importation Reporting</i>	
9	.....	962
10	.....	962
	<i>Exportation Reporting</i>	
11	.....	962
12	.....	963
13	.....	963
14	.....	963
<b>EXCEPTION APPLICABLE TO THE BANK OF CANADA</b>		
15	.....	963
<b>EXEMPTION APPLICABLE TO IMPORTED SHARES</b>		
15.1	.....	963
	<b>RETENTION</b>	
16	.....	963
17	.....	963
	<b>PENALTIES</b>	
18	.....	964
<b>AMENDMENTS TO THESE REGULATIONS</b>		
19	.....	964
20	.....	964
21	.....	965
22	.....	965

Table of Contents

23	.....	965
<b>COMING INTO FORCE</b>		
24	.....	965
<b>SCHEDULE 1 — INFORMATION TO BE GIVEN BY PERSON DESCRIBED IN PARAGRAPH 12(3)(A) OF ACT, IF NOT TRANSPORTING ON BEHALF OF ENTITY OR OTHER PERSON</b>		
<b>SCHEDULE 2 — INFORMATION TO BE GIVEN BY PERSON DESCRIBED IN PARAGRAPH 12(3)(A) OF ACT (IF TRANSPORTING ON BEHALF OF ENTITY OR OTHER PERSON) OR BY PERSON OR ENTITY DESCRIBED IN PARAGRAPH 12(3)(B), (C) OR (E) OF ACT</b>		
<b>SCHEDULE 3 — INFORMATION TO BE GIVEN BY PERSON DESCRIBED IN PARAGRAPH 12(3)(D) OF ACT</b>		

**86-1067 — CUSTOMS BROKERS LICENSING REGULATIONS**

<b>SHORT TITLE</b>		
1	.....	970
<b>INTERPRETATION</b>		
2	.....	970
<b>PREScribed QUALIFICATIONS FOR CUSTOMS BROKERS</b>		
3	.....	970
4	.....	971
5	[Repealed SOR/2006-151, s. 2.] .....	972
6	[Repealed SOR/2006-151, s. 2.] .....	972
<b>APPLICATION FOR LICENCE</b>		
7	.....	972
8	.....	972
9	[Repealed SOR/2002-149, s. 4.] .....	973
<b>SECURITY</b>		
10	.....	973
<b>FEES</b>		
11	.....	973
<b>DURATION</b>		
12	.....	974
<b>TERMS AND CONDITIONS</b>		
13	.....	974
<b>TRANSACTION OF BUSINESS AS A CUSTOMS BROKER</b>		
14	.....	974
<b>EXAMINATIONS</b>		
15	.....	975
16	.....	975
<b>RECORDS</b>		
17	.....	975
<b>CANCELLATION OR SUSPENSION</b>		
18	.....	976

Table of Contents

	<b>SURRENDER OF LICENCE</b>	
19	.....	976
<b>SCHEDULE</b>		
<b>86-1065 — CUSTOMS SUFFERANCE WAREHOUSES REGULATIONS</b>		
<b>SHORT TITLE</b>		
1	.....	978
<b>INTERPRETATION</b>		
2	.....	978
<b>PART I— LICENSING OF SUFFERANCE WAREHOUSES</b>		
<i><b>Issuance of Licence</b></i>		
3	.....	979
<i><b>Security</b></i>		
4	.....	980
<i><b>Licence Fees</b></i>		
5	.....	980
<i><b>Amendment of Licence</b></i>		
6	.....	981
<i><b>Cancellation or Suspension of Licence</b></i>		
7	.....	981
8	.....	981
9	.....	982
<i><b>Reinstatement of Licence</b></i>		
10	.....	982
<b>PART II— OPERATION OF SUFFERANCE WAREHOUSES</b>		
<i><b>Facilities, Equipment and Personnel</b></i>		
11	.....	982
<i><b>Operation and Maintenance Standards</b></i>		
12	.....	983
13	.....	983
<i><b>Receipt and Refusal of Goods</b></i>		
14	.....	983
14.1	.....	984
14.2	[Repealed SOR/2005-211, s. 3.]	984
<i><b>Time Limits</b></i>		
15	.....	984
16	[Repealed SOR/96-38, Sched., s. 7.]	984
<i><b>Alteration of Goods</b></i>		
17	.....	985

Table of Contents

**2002-336 — DESIGNATED PROVISIONS (CUSTOMS) REGULATIONS**

1	<b>DESIGNATION OF PROVISIONS</b>	986
2	<b>SHORT-FORM DESCRIPTIONS</b>	986
3	<b>COMING INTO FORCE</b>	986

**SCHEDULE 1 — DESIGNATED PROVISIONS OF THE CUSTOMS ACT AND ITS  
REGULATIONS**

**SCHEDULE 2 — DESIGNATED PROVISIONS OF THE CUSTOMS TARIFF AND ITS  
REGULATIONS**

**98-44 — DETERMINATION, RE-DETERMINATION AND FURTHER RE-  
DETERMINATION OF ORIGIN, TARIFF CLASSIFICATION AND VALUE  
FOR DUTY REGULATIONS**

1	<b>INTERPRETATION</b>	997
2	<b>TIME PERIOD</b>	997
	<b>NOTICE</b>	
<i>Determination, Re-determination and Further Re-determination of Origin, Tariff Classification and Value for Duty by a Designated Officer under Sections 58 and 59 of the Act</i>		
3	.....	997
3.1	.....	998

*Re-determination and Further Re-determination of Origin, Tariff  
Classification and Value for Duty by the President under Section 61 of  
the Act*

4	.....	998
5	<b>PAYMENT OF DUTIES</b>	999
6	<b>REFUND OF DUTIES</b>	999
7	<b>REPEAL</b>	999
8	<b>COMING INTO FORCE</b>	999

**86-876 — DIRECT SHIPMENT OF GOODS REGULATIONS**

**SHORT TITLE**

1	.....	1000
---	-------	------

Table of Contents

<b>GENERAL</b>	
2	..... 1000
3	..... 1000
 <b>98-50 — DIVERSION OF IMPORTED GOODS EXEMPTION REGULATIONS</b>	
<b>INTERPRETATION</b>	
1	..... 1001
<b>EXEMPTION FOR EMERGENCY USE</b>	
2	..... 1001
3	..... 1001
<b>REPEAL</b>	
4	..... 1001
<b>COMING INTO FORCE</b>	
5	..... 1001
 <b>86-1072 — DUTY FREE SHOP REGULATIONS</b>	
<b>SHORT TITLE</b>	
1	..... 1002
<b>INTERPRETATION</b>	
2	..... 1002
<b>PART I — LICENSING OF DUTY FREE SHOPS</b>	
<i><b>Issuance of Licence</b></i>	
3	..... 1003
<i><b>Security</b></i>	
4	..... 1004
5	[Repealed SOR/2002-218, s. 3.] ..... 1004
<i><b>Term of Licence</b></i>	
6	..... 1004
<i><b>Amendment of Licence</b></i>	
7	..... 1005
<i><b>Cancellation or Suspension of Licences</b></i>	
8	..... 1005
9	..... 1005
10	..... 1006
<i><b>Reinstatement and Renewal of Licences</b></i>	
11	..... 1006
12	..... 1006
<b>PART II — OPERATION OF DUTY FREE SHOPS</b>	
<i><b>Facilities, Services and Standards</b></i>	
13	..... 1007
14	..... 1007
15	..... 1008

## Table of Contents

	<b><i>Receipt of Goods</i></b>	
16	.....	1008
	<b><i>Provision of Information</i></b>	
17	[Repealed SOR/2019-259, s. 6.] .....	1008
17.1	.....	1008
	<b><i>Transfer of Ownership of Goods</i></b>	
18	.....	1008
19	.....	1009

### **2017-173 — EXPORT ALLOCATIONS REGULATIONS**

	<b>INTERPRETATION</b>	
1	Definition of “product” .....	1010
	<b>EXPORT ALLOCATIONS</b>	
2	Application .....	1010
3	Considerations to be taken into account .....	1010
4	Information to be supplied .....	1011
5	Issuance of export allocation .....	1011
	<b>COMING INTO FORCE</b>	
6	.....	1011

### **97-71 — EXPORTERS’ AND PRODUCERS’ RECORDS REGULATIONS**

	<b>INTERPRETATION</b>	
1	.....	1012
	<b>GENERAL</b>	
2	.....	1013
	<b>GOODS THAT ARE EXPORTED TO A FREE TRADE PARTNER</b>	
	<b><i>Exporter</i></b>	
3	.....	1013
	<b><i>Producer</i></b>	
4	.....	1013
	<b><i>Inspection of Records</i></b>	
5	.....	1014
6	[Repealed SOR/97-330, s. 6.] .....	1014
	<b>ELECTRONIC OR OTHER FORMAT</b>	
7	.....	1014
8	.....	1014
	<b>REPEAL</b>	
9	.....	1014
	<b>COMING INTO FORCE</b>	
10	.....	1014

Table of Contents

**2017-174 — EXPORT PERMITS REGULATIONS (NON-STRATEGIC PRODUCTS)**

**INTERPRETATION**

1	Definition of “product” .....	1015
	<b>PERMIT</b>	
2	Application .....	1015
3	Amendments .....	1016
4	[Repealed SOR/2021-71, s. 2.] .....	1016

**97-72 — FREE TRADE AGREEMENT ADVANCE RULINGS REGULATIONS**

**INTERPRETATION**

1	.....	1017
---	-------	------

**CLASSES OF PERSONS ELIGIBLE TO APPLY FOR AN ADVANCE RULING**

2	.....	1017
3	[Repealed SOR/97-331, s. 4.] .....	1018

**APPLICATION FOR AN ADVANCE RULING**

4	.....	1018
5	.....	1018
6	.....	1018

**ADVANCE RULING**

*General*

7	.....	1018
8	.....	1018
9	.....	1018

*Application*

10	.....	1018
11	.....	1018
12	.....	1019

***Declining and Postponing the Issuance of an Advance Ruling***

13	.....	1019
----	-------	------

**MODIFICATION OR REVOCATION OF AN ADVANCE RULING**

***Grounds for Modification or Revocation***

14	.....	1019
15	[Repealed SOR/97-331, s. 10.] .....	1021

***Notice of Modification or Revocation***

16	.....	1021
----	-------	------

***Effective Date of Modification or Revocation***

17	.....	1021
----	-------	------

***Application of Modification or Revocation***

18	.....	1021
----	-------	------

***Postponement of Effective Date***

19	.....	1021
----	-------	------

Table of Contents

	<b>REPEAL</b>	
20	.....	1022
	<b>COMING INTO FORCE</b>	
21	.....	1022
 <b>86-1011 — IMPORTED GOODS RECORDS REGULATIONS</b>		
1	[Repealed SOR/2005-384, s. 2.] .....	1023
	<b>INTERPRETATION</b>	
1.1	.....	1023
	<b>GENERAL</b>	
2	.....	1023
3	.....	1024
3.1	.....	1024
4	.....	1025
5	.....	1026
6	.....	1026
	<b>ENFORCEMENT</b>	
7	.....	1026
8	.....	1026
 <b>86-1121 — INTEREST RATE FOR CUSTOMS PURPOSES REGULATIONS</b>		
	<b>SHORT TITLE</b>	
1	.....	1027
	<b>INTERPRETATION</b>	
2	.....	1027
	<b>DETERMINATION OF RATE OF INTEREST</b>	
3	.....	1027
4	.....	1027
5	[Repealed SOR/97-557, s. 3.] .....	1028
 <b>97-333 — NAFTA AND CCFTA VERIFICATION OF ORIGIN REGULATIONS</b>		
	<b>INTERPRETATION</b>	
1	.....	1029
	<b>MANNER OF CONDUCTING A VERIFICATION OF ORIGIN</b>	
2	.....	1029
	<b>PREScribed PREMises</b>	
3	.....	1030
	<b>CONDITIONS FOR CONDUCTING A VERIFICATION VISIT</b>	
4	.....	1030
	<b>POSTPONEMENT OF A VERIFICATION VISIT</b>	
5	.....	1030

Table of Contents

	<b>OBSERVERS</b>	
6	.....	1031
7	.....	1031
8	.....	1031
	<b>GENERALLY ACCEPTED ACCOUNTING PRINCIPLES</b>	
9	.....	1031
	<b>VERIFICATION LETTERS AND VERIFICATION QUESTIONNAIRES</b>	
10	.....	1031
11	.....	1031
	<b>SUBSEQUENT VERIFICATION LETTERS AND VERIFICATION QUESTIONNAIRES</b>	
12	.....	1032
	<b>DENIAL OR WITHDRAWAL OF PREFERENTIAL TARIFF TREATMENT UNDER NAFTA OR OF PREFERENTIAL TARIFF TREATMENT UNDER CCFTA</b>	
13	.....	1032
14	.....	1032
15	.....	1033
	<b>METHODS OF SENDING DOCUMENTS</b>	
16	.....	1033
17	.....	1033
18	.....	1033
	<b>REPEAL</b>	
19	.....	1033
	<b>COMING INTO FORCE</b>	
20	.....	1033
	<b>98-49 — NAFTA MARKING DETERMINATION, RE-DETERMINATION AND FURTHER RE-DETERMINATION REGULATIONS</b>	
	<b>INTERPRETATION</b>	
1	.....	1034
	<b>MANNER OF MAKING A DETERMINATION</b>	
2	.....	1034
	<b>CLASS OF PERSONS</b>	
3	.....	1034
4	.....	1034
	<b>REPEAL</b>	
5	.....	1035
	<b>COMING INTO FORCE</b>	
6	.....	1035
	<b>93-608 — NAFTA PRESCRIBED CLASS OF GOODS REGULATIONS</b>	
	<b>SHORT TITLE</b>	
1	.....	1036

Table of Contents

	<b>CLASS OF GOODS</b>	
2	.....	1036
 <b>2020-155 — CUSMA RULES OF ORIGIN REGULATIONS</b>		
<b>PART 1 — INTERPRETATION</b>		
1	Definitions .....	1037
2	Conversion of currency .....	1047
<b>PART 2 — ORIGINATING GOODS</b>		
3	Wholly obtained or produced goods .....	1049
4	Treatment of recovered materials used in production of remanufactured good .....	1054
5	De minimis rule — non-originating materials .....	1055
6	Set .....	1064
<b>PART 3 — REGIONAL VALUE CONTENT</b>		
7	Calculation .....	1066
<b>PART 4 — MATERIAL</b>		
8	Value of material used in production .....	1075
<b>PART 5 — GENERAL PROVISIONS</b>		
9	Accumulation .....	1087
10	Transport requirements — retention of originating status .....	1094
11	Exceptions .....	1095
<b>PART 6 — AUTOMOTIVE GOODS</b>		
<i>Definitions</i>		
12	Definitions .....	1095
<i>Product-Specific Rules of Origin for Vehicles and Certain Auto Parts</i>		
13	Product-specific rules of origin .....	1101
<i>Further Requirements Related to the RVC for Passenger Vehicles, Light Trucks and Parts Thereof</i>		
14	Roll-up of originating materials .....	1120
<i>Further RVC Requirements — Heavy Trucks and Parts Thereof</i>		
15	RVC — VNM .....	1123
<i>Averaging for Passenger Vehicles, Light Trucks and Heavy Trucks</i>		
16	Categories .....	1124
<i>Steel and Aluminum</i>		
17	Passenger vehicle, light truck or heavy truck .....	1126
<i>Labour Value Content</i>		
18	LVC requirements — passenger vehicles .....	1128
<i>Alternative Staging Regime</i>		
19	Eligible vehicles .....	1132
<i>RVC for Other Vehicles</i>		
20	VNM .....	1133

Table of Contents

21	<b>PART 7 — COMING INTO FORCE</b>	
	S.C. 2020, c. 1 .....	1156
	<b>SCHEDULE 1 — PRODUCT-SPECIFIC RULES OF ORIGIN</b>	
	<b>SCHEDULE 2 — GOODS SET OUT IN TABLE 2.10.1 OF CHAPTER 2 OF THE AGREEMENT</b>	
	<b>SCHEDULE 3 — VALUE OF GOODS</b>	
	<b>SCHEDULE 4 — UNACCEPTABLE TRANSACTION VALUE</b>	
	<b>SCHEDULE 5 — REASONABLE ALLOCATION OF COSTS</b>	
	INTERPRETATION	
	METHODS TO REASONABLY ALLOCATE COSTS	
	COSTS NOT REASONABLY ALLOCATED	
	<b>APPENDIX A — COST RATIO METHOD</b>	
	<b>APPENDIX B — DIRECT LABOUR AND DIRECT MATERIAL RATIO METHOD</b>	
	<b>APPENDIX C — DIRECT COST RATIO METHOD</b>	
	<b>SCHEDULE 6 — VALUE OF MATERIALS</b>	
	<b>SCHEDULE 7 — METHODS FOR DETERMINING THE VALUE OF NON-ORIGINATING MATERIALS THAT ARE IDENTICAL MATERIALS AND THAT ARE USED IN THE PRODUCTION OF A GOOD</b>	
	DEFINITIONS	
	GENERAL	
	<b>AVERAGE VALUE FOR ROLLING AVERAGE METHOD</b>	
	<b>APPENDIX [1] — EXAMPLES ILLUSTRATING THE APPLICATION OF THE METHODS FOR DETERMINING THE VALUE OF NON-ORIGINATING MATERIALS THAT ARE IDENTICAL MATERIALS AND THAT ARE USED IN THE PRODUCTION OF A GOOD</b>	
	<b>SCHEDULE 8 — INVENTORY MANAGEMENT METHODS</b>	

Table of Contents

<b>Part 1 — Fungible Materials</b>
<i>Definitions</i>
<i>General</i>
<i>Specific Identification Method</i>
<i>Average Method</i>
<i>Manner of Dealing with Opening Inventory</i>
<b>Part 2 — Fungible Goods</b>
<i>Definitions</i>
<i>General</i>
<i>Specific Identification Method</i>
<i>Average Method</i>
<i>Manner of Dealing with Opening Inventory</i>

**APPENDIX A — EXAMPLES ILLUSTRATING THE APPLICATION OF THE INVENTORY MANAGEMENT METHODS TO DETERMINE THE ORIGIN OF FUNGIBLE MATERIALS**

**APPENDIX B — EXAMPLES ILLUSTRATING THE APPLICATION OF THE INVENTORY MANAGEMENT METHODS TO DETERMINE THE ORIGIN OF FUNGIBLE GOODS**

**SCHEDULE 9 — METHOD FOR CALCULATING NON-ALLOWABLE INTEREST COSTS**

**DEFINITIONS**

**GENERAL**

**APPENDIX [2] — EXAMPLE ILLUSTRATING THE APPLICATION OF THE METHOD FOR CALCULATING NON-ALLOWABLE INTEREST COSTS IN THE CASE OF A FIXED-RATE CONTRACT**

**SCHEDULE 10 — GENERALLY ACCEPTED ACCOUNTING PRINCIPLES**

**2020-156 — CUSMA RULES OF ORIGIN FOR CASUAL GOODS REGULATIONS**

	<b>INTERPRETATION</b>	
1	Definition of “casual goods” .....	1205
	<b>CASUAL GOODS</b>	
2	United States Tariff .....	1205
3	Mexico Tariff .....	1205
	<b>COMING INTO FORCE</b>	
4	S.C. 2020, c. 1 .....	1205

**2020-157 — CUSMA TARIFF PREFERENCE REGULATIONS**

	<b>INTERPRETATION</b>	
1	Definitions .....	1207

Table of Contents

	<b>SHIPMENT</b>	
	<b><i>United States Tariff</i></b>	
2	Goods produced in the United States .....	1207
3	Goods produced in Canada .....	1208
	<b><i>Mexico Tariff</i></b>	
4	Goods produced in Mexico .....	1209
5	Goods produced in Canada .....	1209
	<b>COMING INTO FORCE</b>	
6	S.C. 2020, c. 1 .....	1210

**SCHEDULE — TARIFF CLASSIFICATION IN THE LIST OF TARIFF PROVISIONS**

**86-1066 — OFFICERS AUTHORIZED TO EXERCISE POWERS OR  
PERFORM DUTIES OF THE MINISTER OF NATIONAL REVENUE**

**REGULATIONS**

**SHORT TITLE**

1	.....	1211
	<b>INTERPRETATION</b>	
2	.....	1211
	<b>DELEGATION OF THE POWERS AND DUTIES OF THE MINISTER</b>	
3	.....	1211
4	.....	1212
5	.....	1212
6	.....	1212
7	.....	1212
8	.....	1212
9	[Revoked SOR/89-65, Sched., s. 1.] .....	1212
10	.....	1212
11	.....	1213
12	.....	1213
13	.....	1213
13.1	.....	1213
14	.....	1213
15	[Revoked SOR/89-65, Sched., s. 3.] .....	1213
16	.....	1213
17	.....	1214
18	.....	1214
19	.....	1214
20	.....	1214
21	.....	1214
22	.....	1214
23	.....	1214
24	.....	1214
25	.....	1215
26	.....	1215
27	.....	1215
28	.....	1215

## Table of Contents

29	.....	1215
29.1	.....	1215
29.2	.....	1215
30	.....	1216
31	.....	1216
32	.....	1216
32.1	.....	1216
33	.....	1216
34	.....	1216
35	.....	1216
36	.....	1217
36.1	.....	1217
36.2	.....	1217
36.3	.....	1217
36.4	.....	1217
37	.....	1217
38	.....	1217
38.1	.....	1217
39	.....	1217
40	.....	1218
41	.....	1218
42	.....	1218
43	.....	1218

## **SI/2003-214 — ORDER TRANSFERRING FROM THE MINISTER OF CITIZENSHIP AND IMMIGRATION TO THE DEPUTY PRIME MINISTER AND MINISTER OF PUBLIC SAFETY AND EMERGENCY PREPAREDNESS THE CONTROL AND SUPERVISION OF THE CANADA BORDER SERVICES AGENCY**

### **2003-219 — PASSENGER INFORMATION (CUSTOMS) REGULATIONS**

1	Interpretation .....	1220
2	Purpose .....	1220
3	Prescribed circumstances and conditions .....	1220
4	Prescribed classes .....	1221
5	Prescribed information .....	1221
6	Prescribed manner .....	1221
7	Prescribed time — advance passenger information .....	1222
8	Missing or inaccurate information .....	1222
9	Time of transmission — paragraph 5(f) .....	1222

Table of Contents

**SCHEDULE — [PROPOSED] INFORMATION ABOUT PERSONS IN A RESERVATION SYSTEM**

**95-418 — PERSONS AUTHORIZED TO ACCOUNT FOR CASUAL GOODS REGULATIONS**

	SHORT TITLE	
1	.....	1224
<b>INTERPRETATION</b>		
2	.....	1224
<b>AUTHORIZATION OF COURIERS</b>		
3	.....	1224
<b>REVOCATION OF AUTHORIZATION</b>		
4	.....	1225
5	.....	1225
6	.....	1225
<b>RECORDS</b>		
7	.....	1225
8	.....	1226
9	.....	1226
<b>NOTIFICATION OF CHANGES</b>		
10	.....	1226
<b>COMING INTO FORCE</b>		
11	.....	1226

**2003-323 — PRESENTATION OF PERSONS (2003) REGULATIONS**

	INTERPRETATION	
1	Definitions .....	1227
<b>PART 1 — EXCEPTIONS</b>		
<i><b>Exceptions to Presentation under Subsection 11(1) of the Act</b></i>		
2	Exception .....	1228
<i><b>Exception to Subsection 11(3) of the Act</b></i>		
3	Commercial passenger conveyances .....	1229
<i><b>Advance Notification</b></i>		
4	Information to be provided — non-commercial passenger conveyance .....	1230
<b>PART 2 — PRESENTATION IN ALTERNATIVE MANNERS</b>		
<i><b>Authorizations</b></i>		
5	CANPASS Air program .....	1231
6	Other CANPASS program .....	1232
6.1	NEXUS program (air, land and marine) .....	1232
6.2	Free and secure trade program (FAST) .....	1233
6.21	Commercial Driver Registration Program (CDRP) .....	1233
6.3	Biometric data .....	1233

## Table of Contents

	<b><i>Applications for Authorizations</i></b>	
7	Application .....	1234
8	Exception — corporate aircraft .....	1234
9	Authorized persons to have authorizations .....	1235
10	Duration .....	1235
	<b><i>Alternative Manners of Presentation</i></b>	
11	Alternative manners .....	1235
12	Carrying of Authorization .....	1236
13	Conditions of authorizations .....	1236
14	Loss or theft .....	1236
14.1	Condition — commercial goods belonging to person .....	1236
	<b><i>Advance Notification</i></b>	
15	Information to be provided — aircraft .....	1236
16	[Repealed SOR/2005-385, s. 12.] .....	1237
17	Information to be provided — marine pleasure craft .....	1237
18	Change to information .....	1237
19	Obligation to wait .....	1237
	<b><i>Amendments to Authorizations</i></b>	
20	At request of authorized person .....	1238
	<b><i>Renewals</i></b>	
21	By Minister .....	1238
	<b><i>Suspensions and Cancellations of Authorizations</i></b>	
22	Grounds .....	1238
23	Review .....	1239
	<b><i>Fees</i></b>	
24	NEXUS and FAST Programs .....	1239
	<b><i>Presentation of Persons (Customs) Regulations</i></b>	
25	Repeal of definition .....	1239
26	Repeal .....	1239
	<b><i>Coming Into Force</i></b>	
27	Coming into force .....	1239

## 98-52 — PROOF OF ORIGIN OF IMPORTED GOODS REGULATIONS

### INTERPRETATION

1	.....	1240
2	.....	1241
3	.....	1241
	<b>PROOF OF ORIGIN OF GOODS FROM COUNTRIES THAT ARE BENEFICIARIES OF THE GENERAL PREFERENTIAL TARIFF, COMMONWEALTH CARIBBEAN COUNTRIES TARIFF OR LEAST DEVELOPED COUNTRY TARIFF</b>	
4	.....	1241
	<b>PROOF OF ORIGIN OF GOODS FROM COUNTRIES THAT ARE BENEFICIARIES OF THE MOST-FAVoured-NATION TARIFF, AUSTRALIA TARIFF OR NEW ZEALAND TARIFF</b>	
5	.....	1242

Table of Contents

<b>PROOF OF ORIGIN OF GOODS THAT ARE ENTITLED TO THE BENEFIT OF PREFERENTIAL TARIFF TREATMENT UNDER NAFTA, CCFTA, CCRFTA, CPFTA, CCOFTA, CPAFTA OR CHFTA</b>		
6	.....	1243
7	.....	1244
8	.....	1244
9	.....	1244
<b>PROOF OF ORIGIN OF GOODS THAT ARE ENTITLED TO THE BENEFIT OF PREFERENTIAL TARIFF TREATMENT UNDER CJFTA</b>		
9.1	.....	1245
9.2	.....	1245
9.3	.....	1245
9.4	.....	1245
<b>PROOF OF ORIGIN OF GOODS THAT ARE ENTITLED TO THE BENEFIT OF PREFERENTIAL TARIFF TREATMENT UNDER CIFTA</b>		
10	.....	1246
11	.....	1247
12	.....	1247
<b>PROOF OF ORIGIN OF GOODS THAT ARE ENTITLED TO THE BENEFIT OF PREFERENTIAL TARIFF TREATMENT UNDER CEFTA</b>		
12.1	.....	1247
12.2	.....	1247
12.3	.....	1248
<b>TIME</b>		
13	.....	1248
<b>REPEAL</b>		
14	.....	1248
<b>COMING INTO FORCE</b>		
15	.....	1248
<b>SCHEDULE — EXPORTER'S STATEMENT OF ORIGIN</b>		
 <b>98-48 — REFUND OF DUTIES REGULATIONS</b>		
<b>INTERPRETATION</b>		
1	.....	1249
<b>PART 1 — GOODS THAT HAVE SUFFERED DAMAGE, DETERIORATION OR DESTRUCTION</b>		
<b><i>Application</i></b>		
2	.....	1249
<b><i>Notice</i></b>		
3	.....	1249
<b><i>Evidence in Support of Application</i></b>		
4	.....	1250
<b><i>Amount of Refund</i></b>		
5	.....	1250

Table of Contents

<b><i>Classes of Goods in Respect of Which and Circumstances Where No Refunds Shall Be Granted</i></b>		
6		1250
<b>PART 2 — GOODS DEFICIENT IN QUANTITY</b>		
<i>Application</i>		
7		1251
<i>Notice</i>		
8		1251
<i>Evidence in Support of Application</i>		
9		1251
<i>Amount of Refund</i>		
10		1251
<b><i>Classes of Goods in Respect of Which and Circumstances Where No Refunds Shall Be Granted</i></b>		
11		1251
<b>Circumstances When Unpaid Refund May Be Applied to Duties That Become Due</b>		
12		1252
<b>PART 3 — GOODS OF INFERIOR QUALITY</b>		
<i>Application</i>		
13		1252
<i>Notice</i>		
14		1252
<i>Evidence in Support of Application</i>		
15		1252
<i>Amount of Refund</i>		
16		1253
<b><i>Classes of Goods in Respect of Which and Circumstances Where No Refund Shall be Granted</i></b>		
17		1253
<b>PART 4 — GOODS EXPORTED FROM A NAFTA COUNTRY OR CHILE</b>		
<i>Application</i>		
18		1253
<i>Time Limit for Application — Goods Exported from Chile</i>		
18.1		1253
<i>Evidence in Support of Application</i>		
19		1254
<i>Amount of Refund</i>		
20		1254
<b>PART 5 — GOODS IMPORTED FROM ISRAEL OR ANOTHER CIFTA BENEFICIARY OR SHIPPED THROUGH THE UNITED STATES</b>		
<i>Application</i>		
21		1254

Table of Contents

	<b><i>Evidence in Support of Application</i></b>	
22	.....	1254
	<b><i>Amount of Refund</i></b>	
23	.....	1255
	<b>PART 5.1 — GOODS IMPORTED FROM COSTA RICA, AN EFTA STATE, PERU, COLOMBIA, JORDAN, PANAMA OR HONDURAS</b>	
	<b><i>Application</i></b>	
23.1	.....	1255
	<b><i>Evidence in Support of Application</i></b>	
23.2	.....	1255
	<b><i>Amount of Refund</i></b>	
23.3	.....	1255
	<b>PART 6 — CLERICAL, TYPOGRAPHICAL OR SIMILAR ERROR</b>	
	<b><i>Application</i></b>	
24	.....	1256
	<b><i>Notice</i></b>	
24.1	.....	1256
	<b><i>Amount of Refund</i></b>	
25	.....	1256
	<b>PART 7 — DUTIES PAID OR OVERPAID DUE TO AN ERROR IN DETERMINATION</b>	
	<b><i>Application</i></b>	
26	.....	1256
	<b><i>Amount of Refund</i></b>	
27	.....	1256
	<b>PART 8 — GOODS SOLD OR OTHERWISE DISPOSED OF OR USED, BEFORE ANY OTHER USE IS MADE OF THE GOODS IN CANADA</b>	
	<b><i>Application</i></b>	
28	.....	1257
	<b><i>Evidence in Support of Application</i></b>	
29	.....	1257
	<b><i>Amount of Refund</i></b>	
30	.....	1257
	<b>PART 9 — DUTIES OVERPAID OR PAID IN ERROR FOR OTHER REASONS</b>	
	<b><i>Application</i></b>	
31	.....	1257
	<b><i>Evidence in Support of Application</i></b>	
32	.....	1258
33	.....	1258
33.1	.....	1258
	<b><i>Amount of Refund</i></b>	
34	.....	1258
35	.....	1258

Table of Contents

<b>PART 9.1 — APPLICATION OF REFUND OF DUTIES UNDER SECTION 74 OF THE ACT TO PAYMENT OF AMOUNTS OWING</b>	
35.1	..... 1259
<b>PART 10 — GOODS THAT ARE DEFECTIVE, ARE OF INFERIOR QUALITY OR ARE NOT THE GOODS ORDERED AND THAT HAVE BEEN DISPOSED OF OR EXPORTED</b>	
<i>Application</i>	
36	..... 1259
<i>Notice</i>	
37	..... 1259
<i>Evidence in Support of Application</i>	
38	..... 1259
<i>Amount of Refund</i>	
39	..... 1260
<b>PART 11 — REDUCTION OF AMOUNT OF REFUND</b>	
40	..... 1260
<b>PART 12 — REFUNDS NOT TO BE GRANTED</b>	
40.1	..... 1260
<i>Repeal</i>	
41	..... 1260
<i>Coming Into Force</i>	
42	..... 1260
 <b>2017-178 — REGULATIONS DEFINING “EU COUNTRY OR OTHER CETA BENEFICIARY”</b>	
<b>INTERPRETATION</b>	
1	..... 1261
<b>COMING INTO FORCE</b>	
2	..... 1261
<b>SCHEDULE</b>	
 <b>2005-23 — REPORTING OF EXPORTED GOODS REGULATIONS</b>	
<b>INTERPRETATION</b>	
1	..... 1267
<b>PRESCRIBED CLASSES OF PERSONS</b>	
2	..... 1268
<b>REPORTING BY THE EXPORTER</b>	
<i>Reporting at an Export Reporting Office</i>	
3	..... 1268
<i>Summary Reporting</i>	
4	..... 1268

Table of Contents

	<b><i>Restricted Goods</i></b>	
5	.....	1269
	<b><i>Exceptions to Reporting by the Exporter</i></b>	
6	.....	1269
7	.....	1270
8	.....	1270
	<b>REPORTING BY A CARRIER</b>	
	<b><i>Conveyances Used to Export Goods</i></b>	
9	.....	1270
	<b><i>Goods Other Than the Conveyances Used to Export Them</i></b>	
10	.....	1270
11	.....	1271
12	.....	1271
13	.....	1271
	<b>REPORTING BY A CUSTOMS SERVICE PROVIDER</b>	
14	.....	1272
	<b>ORAL REPORTING OF GOODS</b>	
15	.....	1272
	<b>MANNER OF REPORTING FISHING VESSELS</b>	
16	.....	1272
	<b>MANNER OF REPORTING CATCH</b>	
17	.....	1272
	<b>MANNER OF REPORTING FERRIES</b>	
18	.....	1272
	<b>MANNER OF REPORTING CONVEYANCES</b>	
19	.....	1272
	<b>REPEAL</b>	
20	.....	1273
	<b>COMING INTO FORCE</b>	
21	.....	1273

**86-873 — REPORTING OF IMPORTED GOODS REGULATIONS**

	<b>SHORT TITLE</b>	
1	.....	1274
	<b>INTERPRETATION</b>	
2	.....	1274
2.1	.....	1277
	<b>TIME FOR REPORTING GOODS</b>	
3	.....	1277
3.1	.....	1277
3.2	.....	1278
	<b>MANNER OF REPORTING GOODS</b>	
4	.....	1278
5	.....	1278

Table of Contents

<b>EXCEPTIONS TO REPORTING AT THE NEAREST CUSTOMS OFFICE</b>		
6	[Repealed SOR/2015-90, s. 4.] . . . . .	1279
7	.....	1279
7.1	.....	1280
7.2	.....	1280
<b>PERIODIC REPORTING</b>		
8	.....	1280
9	.....	1280
10	[Repealed SOR/2015-90, s. 7.] . . . . .	1280
11	.....	1280
<b>REPORT OF GOODS UNLOADED PRIOR TO REPORT</b>		
12	.....	1280
12.1	[Repealed SOR/2015-90, s. 8.] . . . . .	1281
12.2	[Repealed SOR/2015-90, s. 8.] . . . . .	1281
12.3	[Repealed SOR/2015-90, s. 8.] . . . . .	1281
<b>INFORMATION REQUIRED — TRANSPORT OF SPECIFIED GOODS</b>		
<i><b>Marine Mode</b></i>		
<i><b>Carrier</b></i>		
13	.....	1281
13.1	[Repealed SOR/2015-90, s. 8.] . . . . .	1281
13.2	[Repealed SOR/2015-90, s. 8.] . . . . .	1281
13.3	[Repealed SOR/2015-90, s. 8.] . . . . .	1282
13.4	[Repealed SOR/2015-90, s. 8.] . . . . .	1282
13.5	[Repealed SOR/2015-90, s. 8.] . . . . .	1282
13.6	[Repealed SOR/2015-90, s. 8.] . . . . .	1282
13.7	[Repealed SOR/2015-90, s. 8.] . . . . .	1282
13.71	[Repealed SOR/2015-90, s. 8.] . . . . .	1282
13.8	[Repealed SOR/2015-90, s. 8.] . . . . .	1282
13.81	[Repealed SOR/2015-90, s. 8.] . . . . .	1282
13.82	[Repealed SOR/2015-90, s. 8.] . . . . .	1282
13.83	[Repealed SOR/2015-90, s. 8.] . . . . .	1282
13.84	[Repealed SOR/2015-90, s. 8.] . . . . .	1282
13.85	[Repealed SOR/2015-90, s. 8.] . . . . .	1282
13.86	[Repealed SOR/2015-90, s. 8.] . . . . .	1282
13.87	[Repealed SOR/2015-90, s. 8.] . . . . .	1282
13.88	[Repealed SOR/2015-90, s. 8.] . . . . .	1282
13.89	[Repealed SOR/2015-90, s. 8.] . . . . .	1282
13.9	[Repealed SOR/2015-90, s. 8.] . . . . .	1283
13.91	[Repealed SOR/2015-90, s. 8.] . . . . .	1283
14	.....	1283
15	.....	1283
15.1	.....	1284
<i><b>Freight Forwarder</b></i>		
15.2	.....	1284
15.3	.....	1284

Table of Contents

	<b><i>Air Mode</i></b>	
	<b>Carrier</b>	
16	.....	1284
17	.....	1285
	<b>Freight Forwarder</b>	
17.1	.....	1285
17.2	.....	1285
	<b><i>Highway Mode</i></b>	
	<b>Carrier</b>	
18	.....	1286
19	.....	1286
	<b>Freight Forwarder</b>	
19.1	.....	1287
19.2	.....	1287
	<b><i>Rail Mode</i></b>	
	<b>Carrier</b>	
20	.....	1287
21	.....	1288
	<b>Freight Forwarder</b>	
21.1	.....	1288
21.2	.....	1288
	<b>INFORMATION REQUIRED — OTHER CIRCUMSTANCES</b>	
22	.....	1288
23	.....	1288
24	.....	1289
25	.....	1289
26	.....	1289
27	.....	1289
	<b>GENERAL PROVISION REGARDING TIME FOR GIVING INFORMATION BEFORE ARRIVAL</b>	
28	.....	1290
	<b>MANNER OF GIVING INFORMATION BEFORE ARRIVAL</b>	
29	.....	1290
	<b>CORRECTIONS</b>	
30	.....	1290
	<b>CARRIER CODE</b>	
31	.....	1291
32	.....	1291
33	.....	1291
34	.....	1292
35	.....	1292
36	.....	1292

Table of Contents

**SCHEDULE 1 — CONVEYANCE DATA**

**SCHEDULE 2 — DATA RELATING TO CARGO**

**SCHEDULE 3 — CARGO AND STOWAGE PLAN — MARINE MODE**

**98-61 — RETURNING PERSONS EXEMPTION REGULATIONS**

**INTERPRETATION**

1	.....	1305
	<b>REPORTING</b>	
2	.....	1305
	<b>CONDITIONS</b>	
3	.....	1305
	<b>COMING INTO FORCE</b>	
4	.....	1306

**86-1010 — SALE OF GOODS REGULATIONS**

**SHORT TITLE**

1	.....	1307
	<b>INTERPRETATION</b>	
2	.....	1307
	<b>APPLICATION</b>	
3	.....	1307
	<b>GENERAL</b>	
4	.....	1307
5	.....	1307
	<b>SALE BY PUBLIC TENDER</b>	
6	.....	1307
7	.....	1308
8	.....	1308
9	.....	1308

**96-40 — SHIPS' STORES REGULATIONS**

**SHORT TITLE**

1	.....	1309
	<b>INTERPRETATION</b>	
2	.....	1309
	<b>SHIPS' STORES</b>	
3	.....	1310
	<b>SEALING REQUIREMENTS</b>	
4	.....	1311
5	.....	1311
6	.....	1311

Table of Contents

	<b>PROVISIONING</b>	
7	.....	1311
8	.....	1311
	<b>SCHEDULE — SHIPS' STORES</b>	
	<b>86-991 — STORAGE OF GOODS REGULATIONS</b>	
	<b>SHORT TITLE</b>	
1	.....	1322
	<b>INTERPRETATION</b>	
2	.....	1322
2.1	[Repealed SOR/2005-215, s. 2.] .....	1322
	<b>TIME LIMIT FOR REMOVAL OF GOODS LEFT AT A CUSTOMS OFFICE</b>	
3	.....	1323
	<b>STORAGE CHARGES FOR COMMERCIAL GOODS LEFT AT A CUSTOMS OFFICE</b>	
4	.....	1323
	<b>TIME LIMIT FOR REMOVAL OF GOODS FROM A PLACE OF SAFE-KEEPING</b>	
5	.....	1324
	<b>STORAGE CHARGES FOR GOODS DEPOSITED IN A PLACE OF SAFE-KEEPING</b>	
6	.....	1324
	<b>SCHEDULE</b>	
	<b>98-47 — TARIFF ITEM NOS. 9971.00.00 AND 9992.00.00 ACCOUNTING REGULATIONS</b>	
	<b>INTERPRETATION</b>	
1	.....	1326
	<b>ACCOUNTING FOR GOODS</b>	
2	.....	1326
	<b>REPEALS</b>	
3	.....	1326
4	.....	1326
	<b>COMING INTO FORCE</b>	
5	.....	1326
	<b>86-1064 — TRANSPORTATION OF GOODS REGULATIONS</b>	
	<b>SHORT TITLE</b>	
1	.....	1327
	<b>INTERPRETATION</b>	
2	.....	1327
	<b>CONDITIONS UNDER WHICH GOODS MAY BE TRANSPORTED</b>	
3	.....	1327
4	.....	1328

## Table of Contents

<b>CONDITIONS UNDER WHICH GOODS MAY BE DELIVERED PRIOR TO RELEASE</b>	
4.1	..... 1329
<b>LIABILITY OF TRANSPORTER FOR DUTIES</b>	
5	..... 1329
5.1	[Repealed SOR/2006-156, s. 4.] ..... 1329
<b>SECURITY</b>	
6	..... 1329
<b>RECORDS</b>	
7	..... 1330
 <b>86-792 — VALUATION FOR DUTY REGULATIONS</b>	
<b>SHORT TITLE</b>	
1	..... 1332
<b>INTERPRETATION</b>	
2	..... 1332
<b>MEANING OF “PURCHASER IN CANADA”</b>	
2.1	..... 1332
<b>DETERMINATION OF THE VALUE FOR DUTY OF IMPORTED GOODS</b>	
3	..... 1333
4	..... 1333
4.1	..... 1334
4.2	..... 1334
5	..... 1334
6	..... 1335
 <b>98-45 — VERIFICATION OF ORIGIN (NON-FREE TRADE PARTNERS), TARIFF CLASSIFICATION AND VALUE FOR DUTY OF IMPORTED GOODS REGULATIONS</b>	
<b>INTERPRETATION</b>	
1	..... 1336
<b>PRESCRIBED MANNER OF VERIFICATION</b>	
2	..... 1336
2.1	[Repealed SOR/2008-77, s. 4.] ..... 1337
2.2	[Repealed SOR/2008-77, s. 4.] ..... 1337
<b>PRESCRIBED PREMISES</b>	
3	..... 1337
 <b>2004-99 — TAX COURT OF CANADA RULES OF PROCEDURE RESPECTING THE CUSTOMS ACT (INFORMAL PROCEDURE)</b>	
<b>SHORT TITLE</b>	
1	..... 1339

Table of Contents

	<b>INTERPRETATION</b>	
2	.....	1339
	<b>APPLICATION</b>	
3	.....	1340
	<b>ASSOCIATE JUDGES</b>	
3.1	.....	1340
	<b>FILING A NOTICE OF APPEAL</b>	
4	.....	1340
	<b>FILING OF OTHER DOCUMENTS</b>	
4.1	.....	1340
	<b>FILING DATE</b>	
4.2	.....	1340
	<b>ELECTRONIC FILING</b>	
4.3	.....	1341
	<b>APPELLANT'S ADDRESS FOR SERVICE OF DOCUMENTS</b>	
5	.....	1341
	<b>REPLY TO NOTICE OF APPEAL</b>	
6	.....	1341
	<b>EXPERT WITNESSES</b>	
7	.....	1342
	<b>DISCONTINUANCE</b>	
8	.....	1342
	<b>PRONOUNCING AND ENTERING OF JUDGMENTS</b>	
8.1	.....	1342
	<b>COSTS</b>	
9	.....	1342
10	.....	1343
11	.....	1343
12	.....	1343
13	.....	1343
14	.....	1343
15	.....	1343
	<b>COSTS IN VEXATIOUS PROCEEDINGS</b>	
16	.....	1344
	<b>REMOVAL OF AN APPEAL FROM THE INFORMAL PROCEDURE TO THE GENERAL PROCEDURE OR FROM THE GENERAL PROCEDURE TO THE INFORMAL PROCEDURE</b>	
17	.....	1344
18	.....	1344
	<b>APPLICATION FOR EXTENSION OF TIME</b>	
19	.....	1344
20	.....	1345
	<b>JUDGMENTS ON ADMISSIONS OR CERTAIN DOCUMENTARY EVIDENCE</b>	
21	.....	1346
	<b>SUBPOENA</b>	
22	.....	1346

Table of Contents

	<b>GENERAL</b>	
23	.....	1346
24	.....	1346
	<b>CONTEMPT OF COURT</b>	
25	.....	1347
	<b>SCHEDULE 4 — NOTICE OF APPEAL (INFORMAL PROCEDURE)</b>	
	<b>SCHEDULE 8 — NOTICE OF DISCONTINUANCE (INFORMAL PROCEDURE)</b>	
	<b>SCHEDULE 14 — BILL OF COSTS (INFORMAL PROCEDURE)</b>	
	<b>SCHEDULE 18 — ELECTION TO HAVE INFORMAL PROCEDURE APPLY</b>	
	<b>SCHEDULE 19 — APPLICATION FOR EXTENSION OF TIME FOR THE FILING OF A NOTICE OF OBJECTION (INFORMAL PROCEDURE)</b>	
	<b>SCHEDULE 20 — APPLICATION FOR EXTENSION OF TIME WITHIN WHICH AN APPEAL MAY BE INSTITUTED (INFORMAL PROCEDURE)</b>	
Index	.....	1363