



Ottawa, May 24, 2013

# CUSTOMS NOTICE 13-011

## Changes to the Administration of the Trade-related Administrative Monetary Penalties

1. The purpose of this customs notice is to announce changes to the manner in which the Canada Border Services Agency (CBSA) administers its trade-related administrative monetary penalties, namely, contraventions C080 through C083 and C350 through C353, which came into effect on May 23, 2013.

2. These administrative changes relate to the specific “reason to believe” criterion that resulted in the application of an administrative monetary penalty. For information on “reason to believe”, please refer to Memorandum D11-6-6, *“Reason to Believe” and Self-adjustments to Declarations of Origin, Tariff Classification, and Value for Duty*, a copy of which can be found on the CBSA Web site at: [www.cbsa.gc.ca/publications/dm-md/d11/d11-6-6-eng.html](http://www.cbsa.gc.ca/publications/dm-md/d11/d11-6-6-eng.html).

3. The following changes have now been reflected in the revised Master Penalty Document (MPD), a copy of which can be found on the CBSA Web site at: [www.cbsa.gc.ca/trade-commerce/amps/reference-eng.html](http://www.cbsa.gc.ca/trade-commerce/amps/reference-eng.html).

(a) In instances where the contravention relates to “reason to believe” criterion (a), a first level penalty of \$150.00 will be assessed on a per issue basis (i.e., by type of error), to a maximum of \$5,000.

(b) In instances where the contravention relates to “reason to believe” criteria (b) through (g), a first level penalty of \$150.00 will be assessed on a per occurrence basis (i.e., in each instance where an error was made), to a maximum of \$25,000.

(c) The terms “per issue” and “per occurrence” are specifically defined within the revised MPD.

(d) Any penalties issued in respect of the same trade program (i.e., C080/C350, C081/C351, C082/C352, or C083/C353) will not exceed the maximum penalty amount for each specific level, including all penalties that are issued as a result of an audit, examination, verification or subsequent monitoring activity.

4. The second and third level penalties remain unchanged.

5. The penalty guidelines in the MPD have been revised to provide specific examples of the types of infractions that are subject to the assessment of these penalties.

### Additional Information

6. For more information, within Canada call the Border Information Service at **1-800-461-9999**. From outside Canada call 204-983-3500 or 506-636-5064. Long distance charges will apply. Agents are available Monday to Friday (08:00 – 16:00 local time/except holidays). TTY is also available within Canada: **1-866-335-3237**.

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