

Canadian International Trade Tribunal

2005-2006

Report on Plans and Priorities

Minister of Finance

TABLE OF CONTENTS

SECTION I—OVERVIEW	1
Chairperson’s Message	1
Legislative Context	2
Tribunal’s Mission	2
Benefits to Canadians	3
Challenges and Risks	3
Stakeholder Expectations.....	5
Stakeholder Expectations of the Tribunal.....	5
Plans and Priorities.....	6
Tribunal’s Priorities	6
Summary Information on the Tribunal’s Priorities	7
SECTION II—RESULTS AND PERFORMANCE TARGETS (BY ACTIVITY).....	11
Overall Logic Model and Performance Indicators	11
Summary Logic Model of the Tribunal	11
Activity #1—Adjudication of Trade Cases.....	11
Result: Tribunal decisions are fair and impartial and published in a timely way.....	12
Activity #2—General Economic Inquiries and References.....	13
Result: Recommendations are fair and impartial and published in a timely way.....	13
SECTION III—SUPPLEMENTARY INFORMATION.....	14
Management Representation Statement	14
Organizational Information	15
Organizational Structure.....	15
Financial Tables	16
Table 1: Departmental Planned Spending and Full-time Equivalents	16
Table 2: Program Activities	17
Table 3: Voted and Statutory Items Listed in Main Estimates.....	17
Table 4: Net Cost of Department for the Estimates Year	17
Table 5: Resource Requirement by Branch	18
SECTION IV—OTHER ITEMS OF INTEREST	19
Contact for Further Information and Web Site	19
Legislation Governing the Work of the Canadian International Trade Tribunal.....	19
List of Statutory and Tribunal Reports	19

SECTION I—OVERVIEW

Chairperson's Message

I am pleased to present the Report on Plans and Priorities (RPP) of the Canadian International Trade Tribunal (the Tribunal) for 2005-2006.

One of the Tribunal's principal objectives is to ensure that Canada's business community has access to a fair and transparent process to settle trade disputes. In so doing, the Tribunal contributes to Canada's competitiveness in the global trade environment. The Tribunal conducts inquiries into cases relating to unfair trade (i.e. dumping and subsidizing) and complaints regarding federal government procurement, and hears appeals from decisions of the Canada Revenue Agency (CRA) and the Canada Border Services Agency (CBSA). In its advisory role, the Tribunal undertakes general economic inquiries and tariff references for the Minister of Finance or the Governor in Council.

The Tribunal's workload is, for the most part, externally generated. One of the Tribunal's main challenges continues to be the allocation of limited resources to an ever-increasing caseload in such a manner as to ensure that statutory deadlines are met and that the quality of its findings, determinations and recommendations is not compromised. The Tribunal must also ensure the continuity and renewal of its highly specialized workforce. Sufficient time must be provided for new staff to develop the required experience and competencies, which can take a number of years.

The Tribunal has been moving ahead with a range of technological improvements, with a view to making case-related information available to parties and their counsel in real time, while still protecting confidential information. Other service improvements include the automation of the hearing rooms, electronic filing, electronic questionnaires, and greater use of the Tribunal's Web site for external communications and the provision of information to the public.

The Tribunal will also continue to improve its management practices, placing its focus on learning and on the implementation of the *Public Service Modernization Act (PSMA)*.

Pierre Gosselin

Legislative Context

The Tribunal acts as an independent, quasi-judicial, decision-making body that is accountable to Parliament through the Minister of Finance for administrative purposes only. The Tribunal may be composed of up to 9 (currently 7) full-time members, including a chairperson and two vice-chairpersons, and is supported by a permanent staff of 87 people, who are responsible for court registry functions, the research and investigation of cases, legal services to the Members and staff, and corporate services. The Tribunal derives its authority from the *Canadian International Trade Tribunal Act (CITT Act)*, which received Royal Assent on September 13, 1988, the *Special Import Measures Act (SIMA)*, the *Customs Act* and the *Excise Tax Act*. The Tribunal's objective is to provide a fair and efficient trade remedies system to the Canadian public and the private sector and to offer the government, through the Tribunal's fact-finding inquiries and standing reference, the best advice available so that it can formulate strategies for making the Canadian business sector better able to provide jobs and growth in today's globalized commercial environment.

Under the *CITT Act*, the Tribunal is empowered, on complaint by an interested party or as directed by the Government, to carry out import safeguard inquiries into rapid increases in foreign imports (including through special procedures for imports specifically from the People's Republic of China [China]) and to formulate recommendations to the Government for dealing with them. Under *SIMA*, the Tribunal conducts inquiries into whether dumped and/or subsidized imports have injured Canadian manufacturers. Pursuant to the *Customs Act*, the *Excise Tax Act* and *SIMA*, the Tribunal is empowered to deal with appeals from decisions of the CRA and the CBSA on various customs and excise matters. With the implementation of the *North American Free Trade Agreement (NAFTA)*, the Tribunal's mandate was expanded to include reviewing bid challenges on federal government procurement matters. The Tribunal has also been designated as the bid challenge authority under the *Agreement on Internal Trade (AIT)* and the World Trade Organization (WTO) *Agreement on Government Procurement (AGP)*.

Tribunal's Mission

The Tribunal's main objective is to provide the public with easy access to its services so that it can efficiently and effectively adjudicate, within tight statutory deadlines, the cases referred to it. In its **quasi-judicial role**, the Tribunal's caseload is comprised of the following:

- Unfair trade cases—inquiries under *SIMA* into whether dumped and/or subsidized imports have caused or are threatening to cause material injury to a Canadian industry;
- Safeguard cases—inquiries into whether the rapid buildup of imports from China, or from around the world, is causing serious injury to a Canadian industry;
- Appeals of decisions of the CBSA made under the *Customs Act* and *SIMA*, and decisions of the CRA under the *Excise Tax Act*; and
- Bid challenges—inquiries into complaints by potential suppliers concerning federal government procurement under *NAFTA*, the *AIT* and the *AGP*.

The Tribunal also plays an **advisory role** for the Government by conducting general economic inquiries and references, in particular,:

- Safeguard cases—where the Tribunal finds serious injury to a Canadian industry, the Governor in Council may request it to recommend appropriate measures for dealing with the buildup of imports;

- Tariff and general economic inquiries referred by the Government—inquiries and advice on such economic, trade and tariff issues as are referred to the Tribunal by the Governor in Council or the Minister of Finance; and
- Standing tariff reference referred by the Minister of Finance—investigations into requests from Canadian producers for tariff relief on imported textile inputs that they use in their production.

The Tribunal obtains its operating budget through the Main Estimates process. It does not receive funds through grants and contributions or through cost recovery of its operational expenditures.

More detailed information on the Tribunal and its caseload is available on the Tribunal's Web site at www.citt-tcce.gc.ca.

Benefits to Canadians

Canadians benefit from the Tribunal through the enjoyment of:

- Access to fair and efficient processes for investigating complaints of economic injury from unfairly traded imports;
- Protection of Canadian businesses against unfair and injurious competition;
- Access to a fair and efficient process for investigating complaints of unfair government procurement decisions;
- Compliance with Canada's obligations under the WTO, and *NAFTA* and other trade agreements;
- Reliable economic and trade analysis and advice for the Government's policy-making function; and
- Ultimately, a fair and open trading system for individual Canadians and the Canadian business sector.

Challenges and Risks

Overall, the Tribunal delivers an indispensable trade adjudication service in the face of an increasingly heavy caseload and a complex environment. Specific challenges and risks include:

- **Impact of economic factors.** Rapid changes in the economic climate can lead to a deterioration of markets or to increased competition for the remaining business. Canadian producers can become increasingly sensitive to competition from foreign imports and more likely to seek protection against them. This may result in a larger number of inquiries in response to dumping and/or subsidizing complaints under *SIMA*.
- **Prevalence of electronic communications in courts and tribunals.** Increasingly, parties and their counsel appearing before the Tribunal expect to be able to interface with it electronically, as they now do with the courts and other tribunals. This includes the ability to submit applications and supporting documentation electronically, to access case information electronically and to be able to communicate with the Tribunal and the other parties electronically and securely. This is all the more relevant for the Tribunal, given the vast amount of records, files and background information associated with each case, and the fact that respondents to research questionnaires are often located outside Canada. Members and staff of

the Tribunal, as well as parties and their counsel, all need rapid access to supporting case information in the Tribunal's official record. Respondents to the Tribunal's research-oriented questionnaires also expect to be able to complete and file the questionnaires electronically. However, electronic communications raise specific issues in terms of protecting confidential business information. This puts ongoing pressure on the Tribunal to continue to stay abreast of the latest technology to be able to support efficient case management while still protecting confidential information.

- **Ensuring the continuity of expertise of the Tribunal.** The Tribunal's workforce is highly specialized, having developed its competencies through a number of years. The Tribunal is in a challenging period, since a number of senior and knowledgeable personnel have retired or will be retiring over the next few years. The learning curve for most positions is long, as there are few equivalents in the public service. This has required the Tribunal to put a major effort into training, recruitment and human resource planning.
- **Increasing caseload and complexity of cases.** The Tribunal is facing its largest workload ever on dumping and subsidizing inquiries. Further, the workload associated with procurement complaints (though now stabilized) has tripled since 1994, and the complaints have become much more complex, requiring the Tribunal to develop specific expertise in this area. At the same time, as discussed further below, the Tribunal has been faced with a reduction in its resources.
- **Responding to unexpected surges in caseload.** The Tribunal's caseload is externally generated, and it has no ability to predict or affect the volume of its intake of cases. This challenge is further exacerbated by the fact that, for key areas of its mandate (dumping and subsidizing, government procurement, safeguards and government references), the Tribunal's findings and determinations are subject to tight statutory or government-mandated deadlines. Consequently, the Tribunal must possess sufficient human and financial resources to dispose of its cases in a fair and timely manner. Inasmuch as its workload is quite difficult to predict, the Tribunal tries, whenever possible, to maintain a funding reserve to meet unexpected financial requests. Risk management for the Tribunal involves establishing the right balance in the allocation of limited resources to allow statutory deadlines to be met and concurrent operational requirements associated with the various areas of its mandate to be considered in a timely manner. The Tribunal also has well-established processes for shifting resources between cases and case teams and is constantly reviewing the allocation of resources to specific cases. Risk management also involves having on strength the appropriate mix of competencies to deal effectively with the demands of an evolving mandate.
- **Managing with fewer resources.** The Tribunal has been facing the threat of reduced resources—this has limited its ability to manage retirements and to start rebuilding the workforce. Recently, the Tribunal's resource levels were reduced by \$179,000 as part of government-wide re-allocation measures; this represents a significant change for the Tribunal. The Tribunal has limited flexibility in its budget—approximately 85 percent of the Tribunal's annual expenditures have been allocated to salaries and benefits, and about 75 percent of operating expenditures consist of non-discretionary expenditures that are required in a quasi-judicial organization, i.e. technology, telecommunications, translation, court reporting, printing, publishing, and mail and courier services. Accordingly, budget reductions have a disproportionate impact on training and development, the purchase of information technology equipment and related initiatives. With fewer resources available, the risk is that the Tribunal

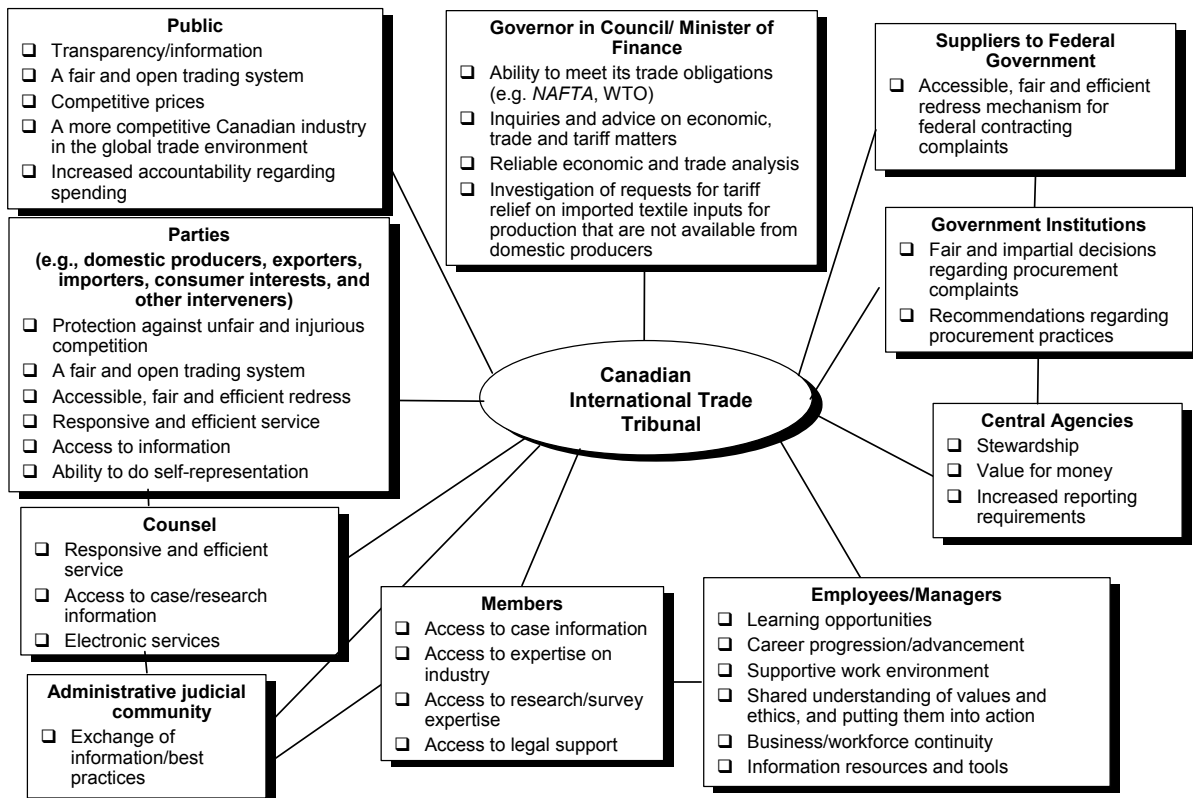
will have less time to address the broad issues and will not be able to make needed improvements to procedures and guidelines, as it will be working at or close to capacity.

Stakeholder Expectations

The Tribunal must strive to meet the expectations of a wide range of stakeholders, including:

- **Parties**—Litigants include domestic producers, exporters, importers and consumer groups. They typically want responsive service, timely processing of cases, information about cases and access to Tribunal files.
- **Counsel**—Lawyers and trade consultants who represent parties want responsive service and access to case files, decisions and staff reports. They also expect the information to be provided to them by the Tribunal in hard copy and electronic format.
- **Governor in Council/Minister of Finance**—As noted above, the Government occasionally looks to the Tribunal for reliable economic and trade analysis and advice, and relies on the Tribunal for the purpose of meeting Canada’s trade obligations.
- **Public**—At the highest level, Canada’s business sector and its trading partners throughout the world can expect a fair and open trading system, and Canadians can expect a more competitive Canadian industry in the global trade environment, as well as competitive prices.
- **Suppliers to Federal Government and Government Institutions**—Suppliers expect fair and impartial decisions relating to procurement complaints and recommendations to improve procurement practices.

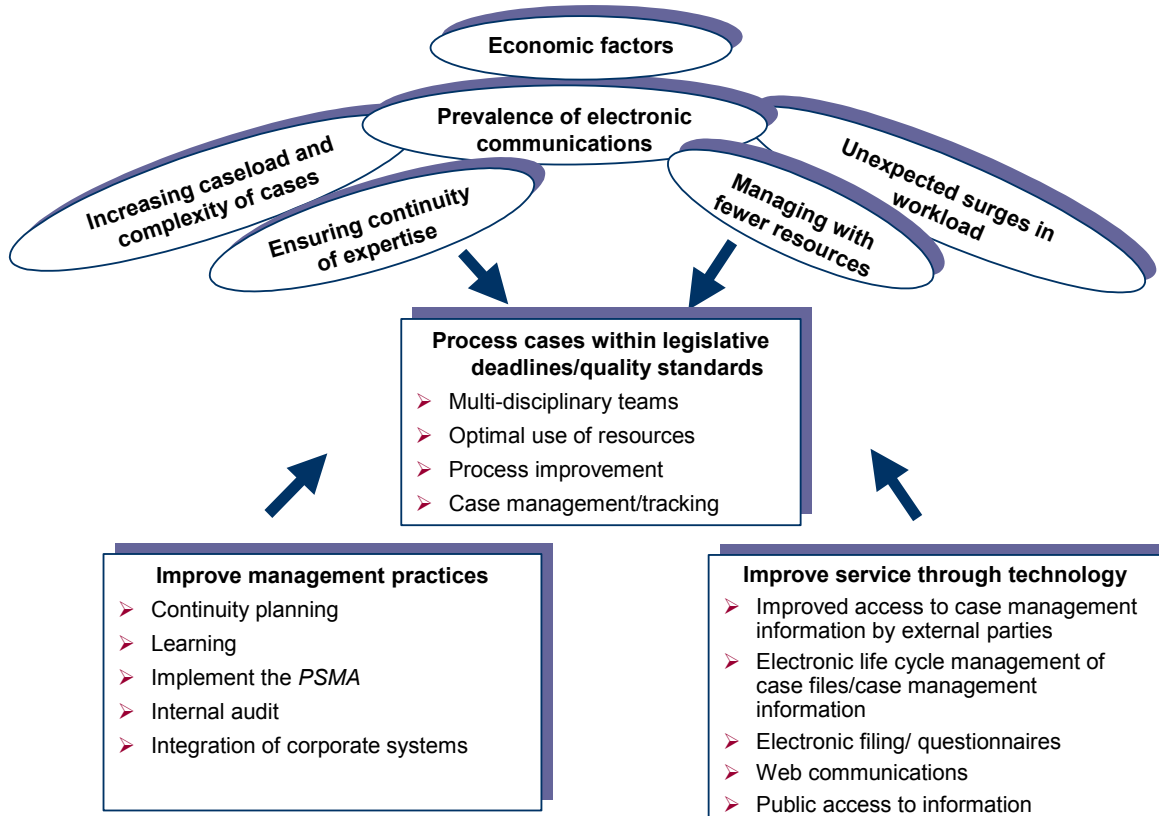
Stakeholder Expectations of the Tribunal



Plans and Priorities

As in previous years, the Tribunal’s key priority is to carefully consider and fairly decide cases within the tight deadlines imposed by legislation. Other supporting priorities are improving service through technology, as well as continuing to improve its management practices (with a particular focus on learning). These priorities are summarized in the chart below and discussed in further detail in the text that follows. The associated resources are also summarized below.

Tribunal’s Priorities



Summary Information on the Tribunal's Priorities**Strategic Outcome**

Fair, timely and effective disposition of international trade cases and government-mandated inquiries in various areas of the Tribunal's jurisdiction

Financial Resources (\$ thousands)

2005-2006	2006-2007	2007-2008
9,552	9,552	9,552

Human Resources

2005-2006	2006-2007	2007-2008
94	94	94

Tribunal's Priorities

	Type	Planned Spending		
		2005-2006	2006-2007	2007-2008
Process Cases Within Legislative Deadlines/Quality Standards	Ongoing	8,479	8,479	8,479
Improve Service Through Technology	Ongoing	595	595	595
Improve Management Practices	Ongoing	478	478	478

- Process Cases Within Legislative Deadlines/Quality Standards

The Tribunal's overall priority continues to be hearing cases and making sound decisions expeditiously on matters that fall within its jurisdiction pursuant to acts of Parliament. This implies giving first priority to cases that have legislated deadlines. In doing so, the Tribunal will strive to maintain the quality of its findings, determinations and recommendations. This means a continuing strong focus on the following aspects of the Tribunal's business:

- Ensuring adequate staffing levels;
- Bringing staff expertise together around each case through multi-disciplinary and cross-functional teams to ensure the highest level of expertise appropriate to each case;
- Optimal scheduling and use of staff resources between investigations;
- Implementing ongoing process improvements, and updates to practice rules, notes and guidelines;
- Implementing rigorous quality control mechanisms through internal peer review approvals, editing of research reports and evaluations at the end of cases; and
- Exercising a strong discipline of case management and tracking to ensure compliance with deadlines.

The level of satisfaction of stakeholders with the Tribunal's procedures and guidelines entails a number of considerations, for example, the response time with regard to requests for information, the effectiveness of the Tribunal's procedures, and the overall efficiency of the adjudication process. Some years ago, at the request of the Commodity Tax Committee of the Canadian Bar Association (CBA), the Tribunal established a Bench and Bar Committee (the Committee). The Committee serves as a forum to

discuss procedural issues of common interest. It is composed of lawyers nominated by the CBA and lawyers of the Department of Justice, and trade consultants invited by the Tribunal. Meetings of the Committee provide an opportunity for participants to present their views and concerns about the Tribunal's processes and procedures and any proposed changes. The Committee typically holds one meeting during the fiscal year.

The Tribunal also seeks the views of stakeholders on new procedures prior to their implementation as guidelines or practice notices. The process is typically to issue the guideline in draft form, to solicit and receive comments from interested parties, and then to discuss the matter with the Committee. These consultative mechanisms allow the Tribunal to remain accessible to various groups of litigants and to take advantage of their points of view on procedures and processes.

- Improve Service Through Technology

The Tribunal will continue to dedicate significant efforts to improve the delivery of services to parties and their counsel by leveraging information technology for better, faster and more efficient service. For a number of years, the Tribunal has undertaken initiatives to improve electronic access to information. This focus will continue over the next fiscal year, through a number of projects:

- **Continue ongoing technology improvements.** The Tribunal has maintained a focus on automating and integrating all the information around a case, with the objective of providing full electronic filing once confidentiality and legal issues have been resolved. The Tribunal has implemented an application that allows for the electronic compilation of the administrative record in dumping and subsidizing inquiries. The Tribunal has extended the use of the application to the hearing portion of its proceedings, in order to better manage the hearing time available to the Tribunal, proceed more rapidly and efficiently throughout the hearing and allow the parties to participate more efficiently in a proceeding. The focus over the next fiscal year will be on providing improved access to case management information by remote parties and leveraging technology to facilitate the collection of information (e.g. increased use of electronic questionnaires to collect and compile industry information).
- **Implement electronic life cycle management of case files.** The Tribunal has obtained Government On-Line funds of \$136,000 (\$68,000 in 2004-2005 and \$68,000 in 2005-2006) to apply the Policy on the Management of Government Information to *SIMA* case files in partnership with the CBSA and the Library and Archives of Canada. A project is under way to develop the requirements and plan for the electronic life cycle management of *SIMA* case files (as a single file), using electronic document management systems to provide the parties with information sharing, controlled and secure electronic access, protection of confidential information, tracking and document search capabilities. Tasks will include identifying requirements for the electronic life cycle management of *SIMA* case files, developing a plan for the implementation of a document management system, identifying improvement opportunities, and developing a methodology for managing case files from a business and archival perspective. The methodology and lessons learned will be shared with other departments.
- **Improve scope of information available to the public.** The Tribunal will continue to provide public accessibility to information, including services to the public in both official languages, information regarding the Tribunal's mandate and procedures, over-the-counter services, written and oral communications with the public and the efficient processing of documents relevant to eventual proceedings before the Tribunal.

- **Continue to improve communications through its Web site.** The Tribunal will continue to investigate initiatives relating to the strategic use of its Web site to communicate with various groups of stakeholders and the public and to ensure that stakeholders have a clear understanding of its jurisdiction. For example, the Web site is used to communicate and distribute documents, thus significantly enhancing the quality of services to those participating or interested in the Tribunal's cases. The Web site allows its users to register, free of charge, for a subscriber alert service that informs them when new documents are posted; potential suppliers to download a procurement complaint form or interested parties to download and complete electronic versions of Tribunal questionnaires. A repository of all documents produced by the Tribunal allows for research into past decisions.
- Improve Management Practices

The Tribunal is continuing to improve its management practices, building on the results of the capacity assessment of the Tribunal's management practices completed in 2003-2004 and the subsequent action plan developed in 2004-2005, while recognizing that the improvements will be made over a number of years and are at the mercy of Tribunal resource levels. Specific priorities for the upcoming fiscal year include:

- **Implement human resources (HR) continuity plans.** Maintaining continuity in the Tribunal's corporate knowledge amongst staff will require a sustained focus on training, recruitment, and HR and succession planning. Documentation on procedures, practice notes and guidelines must be kept up to date. Continuity plans need to be developed for key positions. The Tribunal will continue to assess its recruitment approaches and strategies (e.g. developing a pool of commercial officer development positions) and consider the best approach for transferring Tribunal values and corporate knowledge to new staff.
- **Implement a learning strategy.** The Tribunal will maintain a strong focus on learning, for both new and existing staff. The Tribunal will continue to develop in-house training programs, building on strong in-house traditions to foster in-house training seminars and guides, create position papers on special topics and share lessons learned by staff and Members.
- **Implement the *PSMA*.** The *PSMA* is bringing about changes in the way the federal public service hires and manages its employees. As is the case for other agencies, the Tribunal will need to align its HR practices to the requirements of the *PSMA*. More specifically, this will include: assessing readiness; training managers and HR staff in the provisions of the *PSMA*; conducting awareness sessions for employees; implementing mandatory labour relations mechanisms, such as labour management consultation committees and conflict management systems; and implementing new processes and policies for staffing. Given its size, the Tribunal has limited capacity in HR; accordingly, the implementation of the *PSMA* will pose significant challenges to the Tribunal.
- **Implement an internal audit program.** In accordance with Treasury Board Secretariat's policy on internal audit, the Tribunal finalized, in 2003-2004, its policy on internal audit and its risk-based internal audit plan. It will carry out, in 2005-2006, the internal audit of the financial function.
- **Integration of corporate systems.** The Tribunal has initiated a project whose objective is to integrate the Tribunal's financial systems. Financial data were being captured in three separate systems. Procurement and salary information has now been integrated into the GX financial system. The focus during 2005-2006 will be on the integration of asset information into the GX

financial system, thereby reducing the requirement for duplicate entries, ensuring better data integrity and providing timely information to managers.

SECTION II—RESULTS AND PERFORMANCE TARGETS (BY ACTIVITY)

Overall Logic Model and Performance Indicators

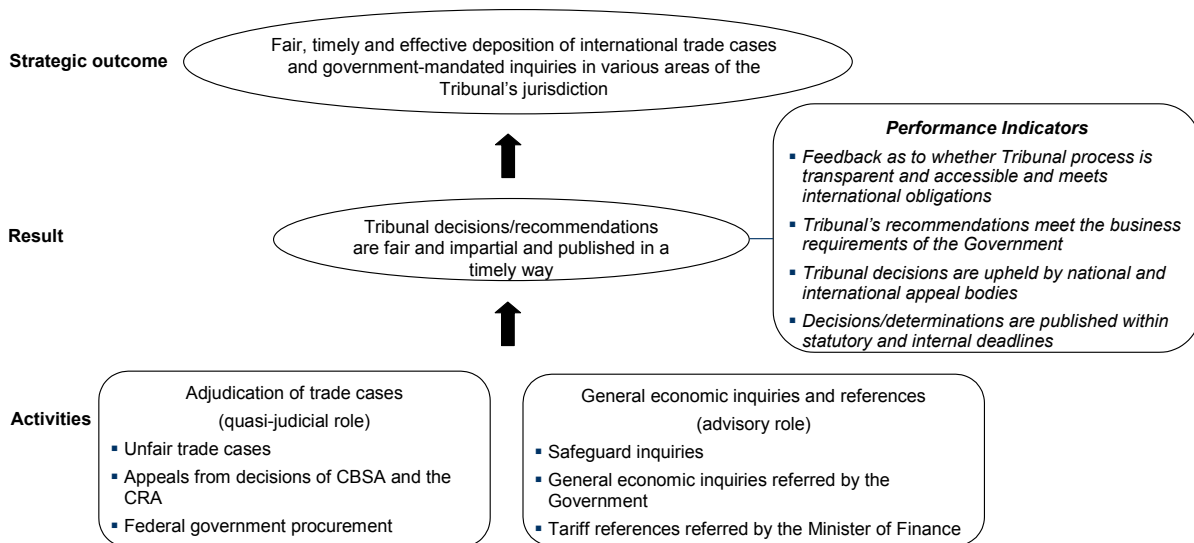
The Tribunal has a single strategic outcome:

Fair, timely and effective disposition of international trade cases and government-mandated inquiries in various areas of the Tribunal’s jurisdiction.

The result to be achieved in support of this strategic outcome is that the Tribunal’s decisions and recommendations are fair and impartial (and are viewed so by stakeholders) and published in a timely way (in terms of quality and meeting statutory and internal deadlines).

The Tribunal has two activities that contribute to the above result. These are: adjudication of trade cases (quasi-judicial role); and general economic inquiries and references (advisory role). The relationship between the activities, result and strategic outcome, as well as the performance indicators associated with this result, is summarized in the chart below.

Summary Logic Model of the Tribunal



Described below, for both program activities, are the performance objectives that the Tribunal is striving to achieve and the manner in which the Tribunal’s plans and priorities discussed earlier support these performance objectives. The performance objectives vary somewhat in application depending on the nature of the activity, i.e. whether it is the adjudication of trade cases, or general economic inquiries and references.

Activity #1—Adjudication of Trade Cases

The adjudication of trade cases is a quasi-judicial activity that includes unfair trade cases, appeals from decisions of the CBSA and the CRA and bid challenges relating to federal government procurement.

Financial Resources (\$ thousands)

2005-2006	2006-2007	2007-2008
9,553	8,824	8,824

Human Resources

2005-2006	2006-2007	2007-2008
93	86	86

Result: Tribunal decisions are fair and impartial and published in a timely way.

This result is the ongoing primary concern of the Tribunal. Key performance objectives include:

- **Decisions are published within statutory and internal deadlines.** The Tribunal's decisions regarding dumping and/or subsidizing and procurement complaints are subject to statutory deadlines. The Tribunal's first priority is therefore to ensure that these decisions are fair and impartial and issued within these deadlines. The Tribunal has implemented strong case management controls to ensure that it is able to meet these deadlines and does extensive tracking of the status of cases to ensure close adherence to prescribed deadlines. Detailed reports exist on the status of cases.

There is no statutory deadline imposed for the decisions on appeals of the CBSA and the CRA decisions. However, the Tribunal has adopted an informal, voluntary standard of publishing such decisions within 120 days of the hearing of an appeal. Tribunal management closely monitors these files to ensure that, to the greatest extent possible, the Tribunal adheres to this standard.

- **A high proportion of Tribunal decisions are upheld by national and international appeal bodies.** An indicator of the soundness of Tribunal decisions is the number of decisions that are upheld. The Tribunal's decisions on dumping and subsidizing matters may be reviewed by the Federal Court of Appeal or a binational panel under *NAFTA* in the case of a decision affecting U.S. and/or Mexican goods. WTO member states whose goods are affected by a Tribunal decision may also initiate dispute settlement proceedings under the WTO *Understanding on Rules and Procedures Governing the Settlement of Disputes*, if they believe that the Tribunal's procedures violated the WTO *Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994*. The Tribunal's decisions on appeals may be appealed to the Federal Court of Appeal or, in the case of the *Excise Tax Act*, the Federal Court. The Tribunal monitors whether its decisions have been the subject of applications for judicial review or appeals before these bodies. It determines, based on the issues raised in these applications, whether it will seek intervener status before the Federal Court of Appeal. It is automatically a party in any binational panel review under *NAFTA*.
- **Feedback on whether the Tribunal's processes are transparent and accessible and meet international obligations.** The WTO publishes comments every two years, through its Trade Policy Review Mechanism, on whether Canada and the Tribunal have fostered a fair and open trading system that is transparent and accessible and meets international obligations.

Activity #2—General Economic Inquiries and References

General economic inquiries and references are advisory activities of the Tribunal. These include safeguard inquiries, general economic inquiries referred by the Government and tariff references referred by the Minister of Finance.

Financial Resources (\$ thousands)

2005-2006	2006-2007	2007-2008
106	728	728

Human Resources

2005-2006	2006-2007	2007-2008
1	8	8

Result: Recommendations are fair and impartial and published in a timely way.

Key performance objectives are similar to those outlined above and include:

- **Decisions are published within statutory or government-mandated deadlines.** The Tribunal's decisions regarding tariff references and economic and safeguard inquiries are subject to government-mandated deadlines. The Tribunal has implemented strong case management controls to ensure that it is able to meet these deadlines and does extensive tracking of the status of cases.

There is no statutory or government-mandated deadline imposed for tariff recommendations pursuant to the standing textile tariff reference. However, the Tribunal has established voluntary internal deadlines for the disposition of cases under the Minister of Finance's standing reference on textiles.

- **Tribunal determinations and recommendations are upheld by national and international appeal bodies.** An indicator of the soundness of Tribunal determinations and recommendations is the number of determinations that were appealed and upheld, i.e. whether applications are dismissed or discontinued by appeal bodies.
- **Tribunal recommendations meet the business requirements of the Government.** That is, the extent to which the Government implements the recommendations of the inquiries and references. Recommendations are typically implemented through changes to tariffs. For example, the Tribunal monitors the extent to which the Government decides to implement the Tribunal's recommendations in the case of the standing reference on textiles.

SECTION III—SUPPLEMENTARY INFORMATION

Management Representation Statement

I submit, for tabling in Parliament, the 2005-2006 Report on Plans and Priorities for the Canadian International Trade Tribunal.

This document has been prepared based on the reporting principles contained in the *Guide to the preparation of Part III of the Estimates: Reports on Plans and Priorities*.

- It adheres to the specific reporting requirements outlined in the TBS guidance;
- It is based on the department's approved accountability structure as reflected in its MRRS;
- It presents consistent, comprehensive, balanced and accurate information;
- It provides a basis of accountability for the results achieved with the resources and authorities entrusted to it; and
- It reports finances based on approved planned spending numbers from the Treasury Board Secretariat in the RPP.

Julia Ginley
Director
Management Services

February 22, 2005

Organizational Information

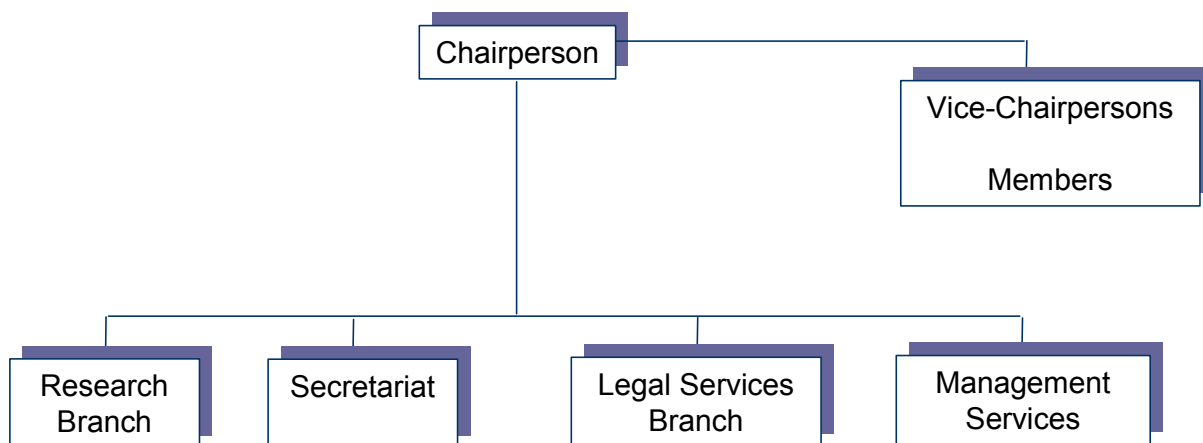
The Tribunal is an independent, investigative and quasi-judicial decision-making body that reports to Parliament through the Minister of Finance.

Under the *CITT Act*, the Tribunal may be composed of up to nine full-time members, including a chairperson and two vice-chairpersons, who are appointed by the Governor in Council for a term of up to five years. The Chairperson is the Chief Executive Officer responsible for the assignment of cases to the Members and for the management of the Tribunal's workload and resources.

The Members of the Tribunal are supported by a permanent staff of 87 people. Its principal officers are:

- the **Secretary**, responsible for relations with the public, the court registry functions of the Tribunal and relations with other government departments and other governments;
- the **Director General, Research**, responsible for the investigative portion of inquiries, the economic and financial analysis of firms and industries, the investigation of complaints by potential suppliers concerning any aspect of the procurement process and other fact finding required for Tribunal inquiries;
- the **General Counsel**, responsible for the provision of legal services to the Members and staff of the Tribunal; and
- the **Director, Management Services**, responsible for corporate services, such as HR management, financial management, information technology, materiel management, accommodation and administrative services, and for relationships with the central agencies on all matters relating to administrative policy and procedure.

Organizational Structure



Financial Tables

Table 1: Departmental Planned Spending and Full-time Equivalents

(\$ thousands)	Forecast Spending 2004-2005	Planned Spending 2005-2006	Planned Spending 2006-2007	Planned Spending 2007-2008
Adjudication of Trade Cases	9,605	9,449	8,824	8,824
General Economic Inquiries and References	210	103	728	728
Total Main Estimates	9,815	9,552	9,552	9,552
<i>Adjustments:</i>				
Supplementary Estimates:				
Operating Budget Carry Forward	409			
Program Expenditure for the \$1 Billion Re-allocation Exercise	-179			
<i>Budget Announcements:</i>				
Planned Procurement Savings		-10		
<i>Other:</i>				
TBVote 15	112	98	102	102
Employee Benefit Plans (EBP)		19	20	20
<i>Total Adjustments</i>	<i>342</i>	<i>107</i>	<i>122</i>	<i>122</i>
Total Planned Spending	10,157	9,659	9,674	9,674
Total Planned Spending	10,157	9,659	9,674	9,674
Plus: Cost of Services Received Without Charge	2,389	2,407	2,407	2,407
Net Cost of Program	12,546	12,066	12,081	12,081
Full-time Equivalents	89	94	94	94

Table 2: Program Activities

(\$ thousands)

2005-2006				
Program Activity	Budgetary			
	Operating	Total Main Estimates	Adjustments (planned spending not in Main Estimates)	Total Planned Spending
Adjudication of Trade Cases	9,449	9,449	104	9,553
General Economic Inquiries and References	103	103	3	106
Total	9,552	9,552	107	9,659

Table 3: Voted and Statutory Items Listed in Main Estimates

(\$ thousands)

2005-2006			
Vote or Statutory Item	Truncated Vote or Statutory Wording	Current Main Estimates	Previous Main Estimates
25	Program Expenditures	8,170	8,333
(S)	Contributions to Employee Benefit Plans	1,382	1,482
	Total Department	9,552	9,815

Table 4: Net Cost of Department for the Estimates Year

2005-2006	
(\$ thousands)	Total
Total Planned Spending	9,659
<i>Plus: Services Received Without Charge</i>	
Accommodation Provided by Public Works and Government Services Canada (PWGSC)	1,855
Contributions Covering Employer's Share of Employees' Insurance Premiums and Expenditures Paid by the TBS (excluding revolving funds)	552
2005-2006 Net Cost of Department	12,066

Table 5: Resource Requirement by Branch

(\$ thousands)	Adjudication of Trade Cases	General Economic Inquiries and References	Total Planned Spending
Chairman's Office	1,436	7	1,443
Secretariat	1,794	3	1,797
Research	3,343	75	3,418
Legal	890	4	894
Management Services	2,090	17	2,107
Total	9,553	106	9,659

SECTION IV—OTHER ITEMS OF INTEREST

Contact for Further Information and Web Site

The Secretary
Canadian International Trade Tribunal
Standard Life Centre
333 Laurier Avenue West, 17th Floor
Ottawa, Ontario
K1A 0G7

Telephone: (613) 993-3595
Fax: (613) 998-1322
E-mail: secretary@citt-tcce.gc.ca

Tribunal's Web Site: www.citt-tcce.gc.ca

Legislation Governing the Work of the Canadian International Trade Tribunal

Canadian International Trade Tribunal Act	R.S.C. 1985 (4th Supp.), c. 47
Customs Act	R.S.C. 1985 (2d Supp.), c. 1
Excise Tax Act	R.S.C. 1985, c. E-15
Special Import Measures Act	R.S.C. 1985, c. S-15
Softwood Lumber Products Export Charge Act	R.S.C. 1985 (3d Supp.), c. 12
Energy Administration Act	R.S.C. 1985, c. E-6
Canadian International Trade Tribunal Regulations	S.O.R./89-35
Canadian International Trade Tribunal Procurement Inquiry Regulations	S.O.R./93-602
Canadian International Trade Tribunal Rules	S.O.R./91-499

List of Statutory and Tribunal Reports

Annual Report

- 1989-90 to 2003-2004
- Textile Reference—Annual Status Report 1994-95 to 2000-2001 (incorporated into the Tribunal's Annual Report as of 2002-2003.)

Guides

- Procurement Review Process—A Descriptive Guide
- Safeguard Inquiry-Market Disruption-Imports from China-Guide for Complainant
- Safeguard Inquiry-Trade Diversion-Imports from China-Guide for Complainant
- Textile Reference Guide

Pamphlets

- Introductory Guide on the Canadian International Trade Tribunal
- Information on Appeals from Customs, Excise and *SIMA* Decisions
- Information on Dumping and Subsidizing Inquiries and Reviews
- Information on Economic, Trade and Tariff Inquiries

- Information on Import Safeguard Inquiries and Measures
- Information on Procurement Review
- Information on Textile Tariff Investigations