



Ottawa, September 28, 2012

CUSTOMS NOTICE 12-027

Proposed Regulatory Amendments and Proposed New Regulations Related to the Implementation of the *Canada- Jordan Free Trade Agreement*

1. This notice announces regulatory amendments and a new regulation proposed by the Canada Border Services Agency (CBSA) in support of the implementation of the *Canada-Jordan Free Trade Agreement* (CJFTA). It is further proposed that these regulatory amendments and new regulations come into force on October 1, 2012, on the condition that the Governor in Council makes them.

Proposed Regulatory Changes

Certification of Origin of Goods Exported to a Free Trade Partner Regulations

2. It is proposed that the criteria in paragraph 2(c) of the *Certification of Origin of Goods Exported to a Free Trade Partner Regulations* be amended to refer to the case where goods are exported or are to be exported from Canada to Jordan. It is also proposed that a new paragraph be added to section 3 to provide for a certificate of origin, for goods exported or to be exported from Canada to Jordan, to be completed in English, French or Arabic.

Exporters' and Producers' Records Regulations

3. It is proposed that the definition of "advance ruling" set out in the *Exporters' and Producers' Records Regulations*, be amended to include reference to the advance ruling provision of the CJFTA.

Free Trade Agreement Advance Rulings Regulations

4. It is proposed that paragraph 2(d) of the *Free Trade Agreement Advance Rulings Regulations* be amended to expand the classes of persons eligible to apply for an advance ruling to include producers in Jordan of a material used in the production of goods produced in Jordan. With respect to the modification or revocation of an advance ruling, it is proposed that subparagraph 14(a)(vi) be amended to include reference to goods exported from Jordan and the provisions of Article 2-4 of the CJFTA. It is proposed

that paragraph 14(b) of the Regulations be amended to include reference to goods exported from Jordan and that a new subparagraph be added to that paragraph in order to reference an interpretation agreed to by Canada and Jordan regarding Chapter 2 or 4 of the CJFTA. It is proposed that paragraph 14(h) of the Regulations be amended to include a new subparagraph such that an advance ruling can be modified or revoked in order to conform with a modification of Chapter 2, 4 or 5 of the CJFTA.

Tariff Item Nos. 9971.00.00 and 9992.00.00

Accounting Regulations [French title to be amended at a future date to *Règlement sur la déclaration en détail de marchandises des n^{os} tarifaires 9971.00.00 et 9992.00.00 by the Regulations Amending Certain Regulations Made Under the Customs Act* (CEFTA and CPFTA).]

5. It is proposed that paragraph 2(b) of the Regulations be amended to include reference to Jordan so that proof of exportation of the goods to Jordan is required when accounting for the goods under section 32 of the *Customs Act*.

Refund of Duties Regulations

6. It is proposed that the heading to Part 5.1 of the *Refund of Duties Regulations* be amended to make reference to Jordan. It is also proposed that section 23.1 of the Regulations be amended such that Part 5.1 of the Regulations applies to the granting of a refund of duties paid on goods imported from Jordan on or after October 1, 2012, and for which no claim for preferential tariff treatment under the CJFTA was made at the time the goods were accounted for under subsection 32(1), (3) or (5) of the *Customs Act*. It is also proposed that paragraph 23.3(b) of the Regulations, respecting the amount of refund of duties, be amended to include the CJFTA.

Proof of Origin of Imported Goods Regulations

7. It is proposed that new provisions be added to the *Proof of Origin of Imported Goods Regulations* in order to:

(a) require the importer or owner of the goods for which the benefit of preferential tariff treatment under the CJFTA is claimed, to furnish to an officer, for purposes of section 35.1 of the *Customs Act*, a certificate of origin for the goods that is completed in English, French or Arabic at the time set out in section 13 of the Regulations;

(b) exempt the importer and owner of goods from the requirements of subsection 35.1(1) of the *Customs Act* if the importer or owner furnishes to an officer, at the time prescribed by paragraph 13(a) of the Regulations, a written and signed declaration, in English or French, certifying that the goods originate in Jordan and that a completed certificate of origin is in the importer's possession;

(c) exempt the importer and owner of casual goods for which the benefit of the preferential tariff treatment under the CJFTA is claimed from the requirements of subsection 35.1(1) of the *Customs Act*, if the casual goods are entitled to preferential tariff treatment under the CJFTA pursuant to the *CJFTA Rules of Origin for Casual Goods Regulations*;

(d) exempt the importer and owner of commercial goods for which the estimated value is less than \$1,600, and for which the benefit of preferential tariff treatment under the CJFTA is claimed, from the requirements of subsection 35.1(1) of the *Customs Act* if:

(i) the goods do not form part of a series of importations that is undertaken or arranged for the purpose of avoiding the requirements of subsection 35.1(1) of the *Customs Act*, and

(ii) the importer or owner of the goods furnishes to an officer, at the times set out in Section 13 of the Regulations, a commercial invoice for the goods, containing a written and signed statement, in English or French, from the exporter or producer of the goods,

certifying that the goods originate in Jordan, or a written and signed statement, in English or French, from the exporter or producer of the goods, certifying that the goods originate in Jordan;

(e) provide that where a certificate of origin is completed in Arabic, the importer or owner of the goods shall, at the request of an officer, furnish a translation of the certificate of origin in English or French;

(f) provide that a certificate of origin may apply in respect of a single importation of a good or two or more importations of identical goods, imported by the same importer, that occur within a period not exceeding 12 months, as set out in the signed certificate of origin;

(g) provide that a certificate of origin may be accepted as proof of origin for four years after the day on which it was signed.

Proposed New Regulation

CJFTA Verification of Origin Regulations

8. The new *CJFTA Verification of Origin Regulations* are proposed to implement the verification provisions of paragraph 4 of Article 5-5 and Article 5-6 of the CJFTA. The Regulations describe the process to be followed by officers when verifying claims for preferential tariff treatment under the CJFTA. The Regulations describe the notification requirements with respect to the postponement of a verification visit in Jordan.

Additional Information

9. 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**.

