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Controlled Goods Directorate

Newsletter 20 – Winter 2009

Canada

BANKRUPTCY

Bankruptcy is a possible outcome when a person or company is facing a financial crisis. The process consists of a legal proceeding dealt with under the provisions of the *Bankruptcy and Insolvency Act* (BIA).

One of the many obligations in bankruptcy, as indicated by the Office of the Superintendent of Bankruptcy (OSB), is to make a list of assets and liabilities for the Trustee. The Controlled Goods Directorate (CGD) strongly recommends that all controlled goods under the control or owned by the bankrupt be listed and visibly marked on the list of assets and liabilities. Furthermore, the CGD recommends that all controlled goods be turned over to the Trustee at the earliest possible time and that you make disclosure of the controlled goods to the Official Receiver during the examination. Any attempt to liquidate assets during the insolvency period could result in an Investigation Order being issued to the Royal Canadian Mounted Police (RCMP) raising allegations of suspicious disposal of assets contrary to Sections 198 of the BIA and 392 of the *Criminal Code.*

In the event that you have filed an assignment with the Official Receiver, you must notify CGD without delay as specified under Section 9 of the *Controlled Goods Regulations* which stipulate: Every applicant and registered person shall, without delay, inform the Minister of any change in any of the information contained in the application for registration.
You can contact the CGD by telephone at 1-866-368-4646, by facsimile at 613-948-1722 or by email at dmc-cgd@tpsgc-pwgsc.gc.ca.

For more information on Bankruptcy please consult the attached document on Bankruptcy or visit the Publications section of the Controlled Goods Directorate's Web site at http://ssi-iss.tpsgc-pwgsc.gc.ca/dmc-cgd/

HIRING CONTRACTORS REQUIRING REGISTRATION WITH THE CONTROLLED GOODS PROGRAM

When hiring contractors who will require registration with the Controlled Goods Program, please ensure that they are provided with as much information as possible on the controlled goods/technology being accessed (i.e. Export Control List number, brief description of good/technology) and the nature of the work being performed. Clear details ensure a more efficient processing of a request to register and may help minimize delays in completing the registration.

NEW CGD WEB SITE

We are pleased to inform you that our Web site has recently been redesigned allowing for easier navigation and identification of information. We invite you to visit our new Web site at http://ssi-iss.tpsgc-pwgsc.gc.ca/dmc-cgd/

REMINDER – REPORTING SECURITY BREACHES

A registered person, as per section 10(h) of the *Controlled Goods Regulations*, is required to advise the Controlled Goods Directorate (CGD), without delay, of any security breach in relation to controlled goods. Examples of security breaches include: loss of goods, unauthorized examination/possession/transfer, willful damage, and tampering of controlled goods/technology. Security breaches of a criminal nature, subject to conviction under the *Criminal Code* (such as theft) should also be reported to the appropriate law enforcement agency.

You can advise the CGD of a security breach by telephone at 1-866-368-4646, by fax at 613-948-1722, or by email at dmc-cgd@tpsgc-pwgsc.gc.ca.

The Case Management and Best Practices Division of CGD reviews all reported security breaches to identify the cause and to ensure that corrective measures have been implemented to prevent reoccurrence.

CGD ON THE ROAD

The CGD will be participating in various trade show opportunities across Canada in 2009. These types of venues are ideal to speak with a CGD representative in person about the program and discuss any issues or questions that you may have. The CGD plans on attending the following events.

Western Aerospace Alliance Conference (WAAC)
Winnipeg – May 6 - 8, 2009

Material Management National Workshop
Montreal – May 11 – 14, 2009

Canada's National Security Technology Showcase (CANSEC)
Ottawa – May 26 - 27, 2009

Canadian Defence Security & Aerospace Exhibition (DEFSEC)
Halifax – September 9 – 11, 2009

Secure Canada 2009
Ottawa – Dates to be determined

Check out our Events page for future details and listings:
http://ssi-iss.tpsgc-pwgsc.gc.ca/dmc-cgd/evnmnts-evnts/evnmnts-evnts-eng.html