# **Customs Self-Assessment Program for Carriers**

### In Brief

- 1. This memorandum has been revised to include the obligations of CSA Carriers regarding the transmission of Advanced Commercial Information (ACI). This includes information regarding procedures for clients who strictly use the paper method of reporting CSA shipments as well as for participants that utilize the current CSA electronic reporting method.
- 2. This memorandum has been revised to include additional clarification in the following paragraphs:
  - (a) Section 1 CSA Application, Part II, paragraphs 36, 37 and 38 have been revised to clarify the system requirements as well as maintenance including audit trails.
  - (b) Section 1 Approval/Denial has been amended to provide clarification.
  - (c) Section 3 Reporting has been renamed CSA Reporting and Clearance and revised to include general information regarding eManifest procedures.
  - (d) Section 4 Owner-Operators and Secondary Carriers has been amended to provide clarification as to the definition and obligations.
  - (e) Section 4 Empty Conveyances has been amended to clarify the exemption to reporting Advanced Commercial Information for Empty Conveyances as well as information regarding usage of the FAST lane.
  - (f) Appendix B Bar Code Specifications for EDI Carriers has been amended to include a reference to the Bar Code Specifications for eManifest.
- 3. Appendix C Load Specifications for Terminals, Warehouses and Owner-Operators has been removed as participants are no longer required to submit Trade Chain Partners to the CBSA unless requested. Participants are required to maintain a list on site for verification purposes.
- 4. Paragraphs have been added or moved to consolidate information and/or to provide clarification to existing information. Additionally, the following new sections have been added to provide detailed information regarding new and existing policies and procedures.
  - (a) Section 2 Withdrawal, Suspension, Cancellation and Appeals
  - (b) Section 5 Compliance
- 5. Certain terminology, web site references, form names, and contact information at the Canada Border Services Agency have also been updated.

This memorandum outlines and explains the policies and procedures relating to the reporting and transportation of goods into Canada by a carrier authorized under the Customs Self-Assessment (CSA) program. The memorandum



also provides information on how to apply for a CSA authorization under the program, as well as information relating to the refusal, suspension or cancellation of a CSA authorization. Under the CSA program, an authorized carrier may report eligible goods to the Canada Border Services Agency (CBSA) using a CSA clearance process and, before release, deliver those goods in Canada directly to the place of business of an authorized importer, the owner of the goods, or a consignee of the importer. A glossary of terms used in this document is included at the beginning of this memorandum.

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# Legislations

Customs Act, paragraph 32(2)(b) and section 32.2

Accounting for Imported Goods and Payment of Duties Regulations

Reporting of Imported Goods Regulations

Transportation of Goods Regulations

# **Guidelines and General Information**

### **Definitions**

1. The following definitions apply to this memorandum:

Act <u>Customs Act</u>

**ACI** Advance Commercial Information.

**AIGPDR** Accounting for Importer Goods and Payment of Duties Regulations.

AMPS Administrative Monetary Penalty System.

**Authorized Officer** A person holding legal signing authority for the company that is applying for

authorization under CSA.

**Authorized to Deliver** The status of a CSA shipment that allows the carrier to deliver the goods

directly to the place of business of the importer, owner or consignee where the importer and carrier are authorized. In highway mode, the driver is registered under CDRP or FAST. The carrier is liable for duties until the importer, owner

or consignee receives the goods.

**Bonded Carrier Code** 

A unique four-character identifier issued by the CBSA used to identify a specific carrier who has posted a bond and has been authorized to operate as a bonded carrier.

**Border Services Officer** (BSO)

These are officers who were formerly designated as customs officers, immigration officers and food inspection officers.

**Business Number (BN)** 

A 15-character alphanumeric identifier assigned by the Canada Revenue Agency to identify a business. The BN consists of a nine-digit registration number and six- character account identifier. For example:

123456789RM0002 - The registration number 123456789 identifies the legal entity and the account identifier RM0002 identifies an importing/exporting division or branch of the legal entity.

**CADEX** 

Customs Automated Data Exchange.

**Carrier Code** 

A unique four-digit identifier issued by the CBSA to identify a specific carrier.

Carrier/Transporter

A person who, in accordance with the *Transportation of Goods Regulation*, is

authorized to transport goods or to cause goods to be transported.

**CCN** 

Cargo Control Number.

Commercial Driver Registration Program (CDRP) A voluntary CBSA program to register commercial truck drivers and allow them to participate in the CSA program. Drivers that meet the qualifications of the program become registered drivers and receive a photo identification card.

**Commercial Goods** 

Goods imported into Canada for sale or for any commercial, industrial,

occupational, institutional or other like use.

**CSA** 

Customs Self-Assessment.

**CSA Carrier** 

A carrier that holds a CSA authorization.

**CSA Clearance** 

A function performed by the CBSA that provides authorization to move inward from the CBSA's control. Under the CSA program, the clearance process occurs at the first point of arrival and provides the carrier with **authorization to deliver** goods to the place of business of the importer, owner or consignee before to release. (This is not to be confused with CSA release of the goods that occurs when the goods are delivered.)

**CSA-Eligible Goods** 

Eligible goods mean commercial goods that have been shipped directly from the United States or Mexico. With respect to both classes of goods, there is no requirement under any Act of Parliament or of the legislature of a province, or any regulation made under such Act for a permit, license or other similar document to be provided to the CBSA before the goods are released.

**CSA Importer** 

An importer that holds a CSA authorization.

**CSA Release** 

The date on which goods of the authorized importer are physically received on site, at the place of business of the importer, owner or consignee, regardless of when the goods are actually received into inventory.

**CSA Shipment of Goods** 

Goods that are eligible to enter Canada under a CSA service option, which are imported by an authorized importer and transported into Canada using an authorized carrier. In the case of commercial highway conveyances, the driver is to be registered under the CDRP or FAST.

**Division** A branch of a company that is not separately incorporated.

ECCRD – Electronic Commerce Client Requirements Document A document containing EDI message maps, supporting data element glossaries and code tables, used for systems programming.

**EDI** Electronic Data Interchange.

FAST – Free and Secure Trade

A commercial clearance initiative designed to ensure safety and security while expediting legitimate trade across the Canada-U.S. border.

Fleet Operator An owner-operator (see definition) who owns more than one piece of

equipment, which is dedicated to a CSA carrier by a written contractual

agreement.

**FPOA** First Point of Arrival. **FTZ** Foreign Trade Zone.

Instruments of International Trade (IIT) Empty shipper or importer owned containers and also those registered under Ottawa file or with container bank numbers, which are used to transport commercial goods to and from Canada. For example: shipping tanks, pallets, baskets, bins, boxes, cartons, crates, gaylords, load lock/spacers, racks, trays, totes or similar goods used to ship goods internationally.

**Letter of Authorization** A letter provided by the applicant/member business to the CBSA authorizing a third party representative to provide information to the CBSA on behalf of the

business. The business maintains full liability for all information provided to

the CBSA by their representative.

LTL Less than Truckload.

**OGD** Other Government Department.

**OIC** Order in Council.

**Owner-operator** A person who owns and operates transportation equipment, and has a written

contract to provide equipment exclusively to a CSA carrier.

**PARS** Pre-arrival Review System.

Participants'
Requirements Document

Requirements Document

for Carriers PIL A chapter of the ECCRD containing information about the required data

elements, EDI message maps and code tables.

Primary Inspection Line.

Post-Incident Analysis (PIA)

The activities undertaken with a member following a breach of supply chain security. The PIA will investigate the incident, identify any mitigating circumstances, and formulate a strategy for the prevention of future incidents.

**Primary Carrier** The CSA-approved carrier who assumes liability for the goods, and maintains

liability for duties and taxes until the goods are delivered to the place of business of the importer, owner or consignee. The primary carrier maintains the audit trail and books and records pertaining to the CSA shipment. Liability for the CSA shipment is controlled by use of the primary carrier's carrier code

at the time of report.

**Registered Driver** A driver who has qualified for and received a CDRP or FAST card.

**RMD** Release on minimum documentation.

**RNS** Release Notification System.

**Secondary carrier** The CSA-approved carrier who transports the goods into Canada on behalf of

the primary CSA carrier. Secondary carriers are required to carry a letter of authorization from the primary CSA carrier, and present both the primary

carrier's carrier code and their own carrier code at time of report.

**Service Option (SO)** A numeric identification used in the CBSA's system to identify a specific

clearance program.

**Shipment** Goods that are carried into Canada under a single transport document such as a

Bill of Lading (BOL) or waybill.

SO (CSA EDI-LTL) Sufferance Warehouse (SO Warehouse) An SO CSA EDI LTL Sufferance Warehouse is a sub-type of the Type S sufferance warehouse, as described in <a href="Memorandum D4-1-4">Memorandum D4-1-4</a>, <a href="Customs Sufferance Warehouses">Customs Sufferance Warehouses</a> which is operated by a person or persons for the storage of specific classes of imported goods arriving by any mode of transportation. The SO CSA EDI LTL Sufferance Warehouse is for goods

transported by CSA carriers.

TCCU Technical Commercial Client Unit – unit of the CBSA that provides technical

advice and testing to external commercial clients.

Terminals and Warehouses

Locations owned or controlled by the carrier company, where international freight is accessed, deconsolidated or consolidated, stored or transferred.

**Trade Chain Partner** 

(TCP)

An enterprise that is directly involved in the importation or cross-border movement of goods imported or transported by a CSA importer. For CSA carriers, the related TCPs include terminals and warehouses operated by the

carrier and owner-operators contracted to the carrier.

Transport Document

Number (TDN)

A cargo control number assigned by a carrier.

**United States Goods**Goods that are imported from the United States, including US FTZs, not

having been trans-shipped through the United States from a third country. United States goods may include goods originating in the United States, or

goods that have legally entered the commerce of the United States.

#### INTRODUCTION

2. The Customs Self-Assessment (CSA) program is designed to streamline the import process from the time goods are reported to the CBSA, through to the accounting and payment of duties. The CSA program is founded on the pre-approval and authorization of the driver, carrier and importer. The carrier's business systems are used to support the report of goods and the importer's business systems are used to support the self-assessment of trade data, revenue amounts and payment of duties and taxes.

3. To use Free and Secure Trade (FAST) lanes into Canada, carriers and importers must be authorized under the CSA program and/or the Partners in Protection (PIP) program and the driver must be registered in either the FAST

Commercial Driver Program or Commercial Driver Registration Program (CDRP). For additional information about FAST or PIP, refer to the CBSA website.

- 4. The purpose of this memorandum is to provide information and guidelines about CSA clearance. Information about CSA post-release processes is provided in <u>Memorandum D23-3-1</u>, <u>Customs Self-Assessment Program for Importers</u>. Information about CDRP and FAST registered drivers can be found on the <u>CBSA website</u>.
- 5. The CSA program is comprised of two components:
  - (1) Accounting, Revenue Reporting, Payment and Adjustment Importers authorized under the CSA program use the CSA accounting and payment processes for all commercial goods imported, regardless of the clearance process used to report the goods to the CBSA.
  - (2) **CSA Clearance** (Transportation and Reporting of Goods) CSA clearance is an optional reporting process available only to members of CSA. In order to utilize the CSA clearance, the following conditions must be present:
    - (a) the goods must be eligible goods as defined under section 2 of the <u>Accounting for Imported Goods</u> and Payment of Duties Regulations (AIGPDR);
    - (b) the importer of those goods is an authorized CSA importer;
    - (c) the carrier that transports those goods is an authorized CSA carrier;
    - (d) when reporting the goods, the operator of the conveyance provides in bar code format the CSA carrier's carrier code as assigned by the Agency and the CSA importer's business number; and
    - (e) in the case of eligible goods transported into Canada by a commercial highway conveyance as defined in section 1 of the *Presentation of Persons* (2003) *Regulations*, the driver of the conveyance holds an authorization under those Regulations, either the CDRP or FAST programs. Information on these driver programs may be found on the CBSA website.
- 6. The key features of the CSA program include:
  - (a) the risk assessment and authorization of the importer, carrier and highway driver;
  - (b) the reduction of the number of data elements required to effect clearance of CSA-eligible goods;
  - (c) the CSA clearance is used to request the "authority to deliver" eligible goods directly to the importer, owner or consignee prior to release;
  - (d) the carrier maintains liability as per section 20(2.1) of the Act for the duties and taxes applicable to the goods that are authorized for delivery until they are delivered to the place of business of the CSA importer, owner, or consignee
  - (e) the date of release is the date on which the imported goods are received at the place of business of the importer, owner or consignee; and
  - (f) the participating CSA carrier is assigned a CBSA officer.
- 7. General CBSA requirements regarding the transportation and reporting of goods outside the CSA program are described in Memorandum D3-1-1, *Policy Respecting the Importation and Transportation of Goods*.
- 8. All references to sections, subsections, and paragraphs in this memorandum are from the <u>Customs Act</u> unless otherwise stated.

#### PRIVACY STATEMENT

- 9. The information collected under the CSA program application and supporting documents is done in accordance with the authorities of sections 11, 12, and 13 of the *Customs Act* for the purposes of administering or enforcing the CSA Program. The information will be used to determine the eligibility of an applicant and to conduct compliance reviews (e.g. to ensure that members continue to adhere to program requirements) and may be disclosed internally for the purposes of investigation and enforcement activities relating to program applicants and members. The information may also be used for statistical purposes and program evaluation. Disclosure of the information collected under the CSA program application and supporting documents is governed by section 107 of the *Customs Act*.
- 10. In addition to the information outlined in the CSA program application and supporting documents, the CBSA may disclose the business name, address, contact information, business number, membership dates, membership status and business identifiers to other programs within the CBSA and to other government agencies, to confirm membership status, conduct debt checks or carry out the mandate of the CBSA, as applicable, under section 107 of the *Customs Act*.
- 11. Individuals have the right of access and/or can make corrections to their personal information under the *Privacy Act*. The information collected is described within Info Source under CSA detailed in the CBSA Info Source Chapter at <a href="http://www.cbsa-asfc.gc.ca/agency-agence/reports-rapports/pia-efvp/atip-aiprp/infosource-eng.html">http://www.cbsa-asfc.gc.ca/agency-agence/reports-rapports/pia-efvp/atip-aiprp/infosource-eng.html</a>.

#### SECTION 1 – CSA AUTHORIZATION

#### **ELIGIBILITY CRITERIA**

- 12. To participate in the CSA program, the carrier must meet all of the following basic eligibility criteria:
  - (a) the carrier satisfies the residency requirements:
    - if the carrier is an individual, the carrier ordinarily resides in Canada or the United States or, if the carrier is a partnership, the carrier has at least one partner who is an individual who ordinarily resides in Canada or the United States; or
    - if the carrier is a corporation, cooperative or limited partnership, the carrier has its head office in Canada or the United States or operates a branch office in Canada or the United States;
  - (b) the carrier is of good character;
  - (c) the carrier is solvent:
  - (d) the carrier has transported commercial goods to or from Canada at least once prior to the 90 days before the day on which the application was received;
  - (e) the carrier has posted minimum security of CAN\$25,000, in accordance with the *Transportation of Goods Regulations*; and
  - (f) the carrier's books, records and business processes has the internal controls necessary to permit the CBSA to determine if the carrier is in compliance with the Act and its Regulations.
- 13. A streamlined clearance process is one of the essential principles of the CSA program granted to low-risk clients of the CBSA. Low-risk clients must demonstrate that they are compliant with the legislation and regulations administered by the CBSA as well as legislation and regulations administered by other government departments.

- 14. Per the requirements of subsection 20(2.1) of the Act, the CSA carrier is liable for all duties and taxes, including those goods reported under a CSA clearance option for authority to deliver, until those goods are delivered to the place of business of the importer, owner or consignee. Given this liability for CSA shipments until proof of delivery is obtained, the applicant carrier must be a bonded carrier and must post security.
- 15. Carriers whose head office is located in Canada or the United States may apply for authorization as a CSA carrier. To be approved for the CSA program, carriers must have a unique CBSA carrier code, must be authorized to transport goods as a bonded carrier, and must have posted security of a minimum of CAN\$25,000 before having applied to the program. Where applicable, the legal entity must apply for all divisions at the time of application. Carriers who do not have bonded status before applying for the CSA program must receive authorization to operate as a bonded carrier before their application will be reviewed. Information on obtaining bonded-carrier status with the CBSA is provided in Memoranda D3-1-1, Policy Respecting the Importation and Transportation of Goods and D1-7-1, Posting Security for Transacting Bonded Operations. For additional information on the carrier code application process please refer to the CBSA website under the Import/Export Section.
- 16. In order for the CBSA to assess the risk of the applicant, a carrier who applies for CSA approval must have transported commercial goods to or from Canada at least once during the 90 days before the day on which the application was received. Operating as a carrier without a bonded CBSA carrier can also be used for this assessment and does not exclude the applicant from the CSA program. The carrier must ensure that all non-bonded carrier codes and business names under which they have operated are provided to the CBSA when they apply.

#### **CSA CARRIER APPLICATION**

- 17. The following section of this memorandum describes the application and approval process for carriers who wish to transport goods that are reported to the CBSA under the CSA clearance option. The application and approval process for importers who wish to be authorized as a CSA importer are described in <a href="Memorandum D23-3-1">Memorandum D23-3-1</a>, <a href="Customs Self-Assessment Program for Importers">Logical Program for Importers</a>.
- 18. There is no fee for applying to the CSA program. An application for a CSA authorization is made to the CBSA and is comprised of two parts which are to be completed by the carrier accurately and completely:
  - a) **Part I** Risk Assessment This portion of the application provides the CBSA with information that is used to develop a carrier profile and assess the risk of the applicant.
  - *Part II* Books, Records and Business systems

    This portion of the application is used to determine whether the carrier's systems, audit trails, internal controls, policies and procedures are in place to support CSA requirements.
- 19. Prior to beginning Part II of the application process participants must pass Part I. This is to avoid having clients invest in systems design or changes before the CBSA has evaluated their risk level.

  Note: Once both parts are completed, a Summary of Program Requirements shall be issued to the carrier, for signature, by the CBSA. The carrier will then return the signed document to the CBSA. Additional information regarding the Summary of Program Requirements can be found in paragraph 46.
- 20. Throughout the application process, the CBSA reserves the right to request information in addition to details provided by the carrier in Parts I and II of the application.
- 21. The CBSA will refuse to issue a CSA authorization to any applicant, if it is found that the applicant provided false or misleading information in any part of its application and may assess a penalty of CAN\$25,000.
- 22. Should the business decide to hire a third party to complete the application process, and/or in any other interactions with the CBSA, they must provide the CBSA with a Third Party Authorization letter signed by an authorized officer (see "Definitions" for details) of the business. The letter of authorization should be printed on the business' letterhead and should follow the suggested format outlined in Appendix G. The business maintains full liability for all information provided to the CBSA by their representative.

### Part I – CSA Application

- 23. To apply for CSA authorization, the carrier must first complete <u>Form E647, Customs Self-Assessment Program Carrier Application Part 1</u>.
- 24. An authorized officer of the business must sign the application form to certify that the information provided is true and complete. The signing officer must have authority for the divisions making the application, but does not have to be the same officer that signed Part I. When completed, the original signed application is submitted to:

Custom Self-Assessment Canada Border Services Agency 55 Bay Street North, 6th Floor Hamilton ON L8R 3P7 Canada

- 25. When an application is received by the CBSA, it will be assigned to a CBSA officer who will be the applicant's CSA contact point and provide ongoing guidance throughout participation in the CSA program.
- 26. During Part I of the application process, the carrier should ensure with the Canada Revenue Agency that the business is correctly registered under the Business Number (BN) program with an import/export account. You can register for a business number, or add an import/export account to an existing business number, by calling the CRA at 1-800-959-5525. To participate in the CSA program, it is essential that the legal entity is registered under only one nine-digit BN. Additional information about the BN can be found in departmental Memorandum D17-1-5, Registration, Accounting and Payment for Commercial Goods.

#### **Risk Assessment**

- 27. Information requested on Part I of the CSA application (Form E647) is used by the CBSA to assess the risk of the applicant carrier as a legal entity. This includes all divisions, terminals in Canada, the United States and Mexico, and warehouses that are owned or operated by the entity. Risk assessment focuses on conditions that might influence the illegitimate or unlawful entry of goods into Canada under the CSA program, or that could obstruct CBSA verification and audit activities. These conditions include, but are not limited to, the applicant's enforcement history with the CBSA, criminality, convictions of fraud, the past capability of the business to maintain proper books and records, to provide accessibility of these records to the CBSA, and the settlement of outstanding debts to the Crown.
- 28. As part of the risk assessment of a client, the CBSA may request a visit to the operations of the business to discuss or observe factors such as:
  - (a) security of the premises;
  - (b) internal controls;
  - (c) company policies such as the code of conduct and hiring practices; and
  - (d) training programs for trans-border drivers and crew.
- 29. In cases where there are indications of possible risk within the operations of an applicant, or depending on a carrier's cross-border history, the CBSA may request additional information before final approval of an application.
- 30. The time frame for processing, completing and approving the carrier may vary from case to case, for reasons such as:

- (a) the completeness of the submitted application;
- (b) the complexity of the information submitted;
- (c) the corporate structure of the entity;
- (d) the number of warehouses and terminals operated by the carrier;
- (e) the number of CBSA offices where the carrier has dealt with the CBSA; and
- (f) the carrier's delays in submitting the required information or additional information requested/required by the CBSA.

**Note**: Applicants may contact their CBSA officer with any inquiries about the status of their application.

### Part I - Approval

31. Those carriers whose Part I applications have been assessed and who have been determined to be low-risk carriers, are informed of this decision in writing and invited to continue to Part II of the application process. This notification is not final authorization to participate in the CSA program but permits the carrier to proceed to Part II. Final approval for participation is obtained only when Part II of the application process is completed successfully and the Summary of Program Requirements is signed by the approved carrier and accepted by the CBSA.

#### Part I - Denial

- 32. Carriers who are not approved under Part I of the application are notified of the decision and the reasons for the decision, in writing. The letter of notification will be sent to the attention of the authorized person in the business, who signed Part I of the application.
- 33. A carrier whose Part I application has not been approved, may appeal the decision by following the procedure outlined in paragraph 66.

### **Part II – CSA Application**

- 34. To commence the second phase of the CSA approval process, the carrier must complete <u>Form E656</u>, <u>Customs Self-Assessment Program Carrier Application Part II</u>. The Form E656 and instructions for completion can be obtained by contacting the assigned CBSA officer.
- 35. An authorized officer of the business must sign the application form to certify that the information provided is true and complete. The signing officer must have authority for the divisions making application, but does not have to be the same officer that signed Part I. When completed, the original signed application is submitted to:

Custom Self-Assessment Canada Border Services Agency 55 Bay Street North, 6th Floor Hamilton ON L8R 3P7 Canada

36. The purpose of Part II is to ensure that the carrier's business systems and records will provide for and confirm the report of all goods imported into Canada, and the proof of their delivery or alternative discharge. The carrier must demonstrate the audit trails and internal controls related to the transportation of imported goods from the initial order, to the delivery of a shipment and payment of an invoice. In addition, as described in the *Transportation of Goods Regulations*, eligibility as a CSA carrier is subject to the availability of records to prove disposition of the cargo, in accordance with sections 18 and 20 of the Act.

- 37. Details about the specific systems requirements for the CSA program are provided in Part II of the application. These requirements include how the carrier's systems will:
  - (a) identify a CSA shipment (goods that are reported under a CSA clearance option for authorization to deliver);
  - (b) identify an authorized CSA importer;
  - (c) identify a registered driver;
  - (d) produce a list of goods authorized for delivery that were not delivered within 40 days, including in-bond goods;
  - (e) maintain a current list of owner-operators, terminals and warehouses; and
  - (f) identify a CSA customer (importer) in the customer profile section of the system.
- 38. In Part II of the CSA application process, the applicant carrier is required to describe his or her existing business flow for an international shipment from the time an order is booked to the delivery of the goods, and the final invoicing and receipt of payment for the service. This information should be supplied no later than six months after notification that Part I of the client's application has been approved. Failure to submit the Part II CSA application within this timeframe may result in a request of resubmission of the Part I application. Sample documents related to the carrier's business flow are also requested to support the description, examples of which might include bills of lading, waybills, invoices, customs control documents, equipment lists, equipment usage logs, and dispatch records.
- 39. With Part II, the applicant carrier is also required to provide a list, in either paper or electronic format, of approximately 25 shipments isolating Canada-bound international shipments from all other shipments. Carriers having only a 90-day history will be asked by their CBSA officer to provide a sample listing of Canada-bound international shipments. The following information is required.
  - (a) control number i.e. invoice or PRO number, trip number, order number;
  - (b) date of order or pickup and customer-delivery receipt;
  - (c) customer consignee or billing name and full address, including country;
  - (d) shipper name and full address, including country;
  - (e) pickup location name, city and state;
  - (f) delivery location name and address, including country.
- 40. The carrier will be required to supply an all-inclusive, sequentially numbered listing of Canada-bound, U.S.-bound and domestic shipments for a specified period to ensure system integrity, or provide an alternative audit trail (including manual systems) that meets these requirements and is acceptable to the CBSA. The carrier is required to discuss the need for an alternative audit trail with the CBSA officer responsible for the file and the CBSA officer will determine whether it is acceptable to the CBSA.
- 41. The specific systems requirements and processes to support the CSA program, described in Part II of the application, must be shown to be in place before approval and must be operable before the CSA clearance process can be used. All specific systems requirements must be maintained and updated, as required. An authorized officer of the company must sign the application form, as certification that the information provided is true and complete.

- 42. The CSA carrier is required to keep audit trail records, relating to the transportation, report and delivery of goods in hard copy or electronic form for three years, plus the current year. A penalty, which may include removal from the CSA program, may apply for failure to maintain the required audit trails.
- 43. It is important to note that acceptance and approval of Part II of the application does not:
  - (a) signify certification of the client's business systems by the CBSA; or
  - (b) exempt the client from being subject to an Administrative Monetary Penalty (AMP) that might arise, if the CSA or CBSA requirements are not met.
- 44. Before final CSA authorization of the carrier, the CBSA reserves the right to request information, in addition to the details provided by the carrier in Part I and Part II of the application.
- 45. Carriers who misrepresent the facts or provide false information on the CSA application may be assessed a penalty, denied approval for, and/or removed from the CSA program. For additional information on CSA carrier suspension, removal and cancellation, see section 2 entitled "Withdrawal, Suspension, Cancellation and Appeals."

### Part II - Approval

- 46. The final approval for participation in the CSA program is obtained when the Technical Commercial Client Unit (TCCU) bar code testing is successfully completed and all other requirements have been met. A Summary of Program Requirements will be provided to the approved carrier upon completion and approval of Part II. This summary provides reinforcement of the obligations necessary for successful participation in the CSA Program. The client will provide the CBSA with a signed acknowledgement of receipt of this summary. Once the signed Summary of Program Requirements is received, the CBSA will activate the carrier's CSA status in the CBSA's system and the carrier will be authorized to use the CSA clearance process.
- 47. The CBSA officer will inform carriers who do not meet all the requirements of Part II of any recommended changes. If the carrier does not make changes based on these recommendations, the CBSA may ask the applicant to withdraw from the application process or may deny inclusion in the program. This does not preclude the carrier from re-applying, should the circumstances that led to a withdrawal or denial change, thus making it possible for the carrier to be compliant with all the requirements.

#### Part II - Denial

48. Carriers who are not approved under Part II of the application are notified of the decision and the reasons for the decision, in writing. The letter of notification will be sent to the attention of the authorized person in the business, who signed Part II of the application. A carrier, whose Part II application has not been approved, may appeal the decision by following the procedure outlined in paragraph 66.

#### **Transfer of CSA Authorization**

- 49. CSA authorization granted to a carrier that has successfully completed the CSA carrier application process is not transferable and cannot be sold, disposed of or acquired through amalgamation, change of legal personality or sale of business.
- 50. CSA applicants or members that undergo any such changes will need to withdraw and reapply under their new corporate structure in order to be considered for continued participation in the CSA program.

### **Updating Carrier Information**

51. CSA carriers are required to inform the CBSA of any corporate changes as these may impact their CSA authorization. Details regarding what changes are to be communicated to the CBSA and the timeframe within

which they are to be communicated can be found in section 2 entitled "Withdrawal, Suspension, Cancellation and Appeals."

# **Participants Listing**

- 52. As a service to our clients, the CBSA publishes a listing of authorized carriers to the CSA program on the CBSA website under Import and Export, Facilitating Trade, Trade Facilitation Programs, Customs Self-Assessment Program, Carriers, and then CSA Approved Carriers.
- 53. The carriers listed on the CBSA website have agreed to have their business name published as authorized CSA participants. The list may not include all authorized CSA carriers.

#### SECTION 2 – WITHDRAWAL, SUSPENSION, CANCELLATION AND APPEALS

#### WITHDRAWAL

- 54. Carriers wishing to withdraw their application or participation from the CSA program may do so at any time. Carriers must do so by informing the CBSA officer assigned to the file in writing on business letterhead. The notice must be signed by the authorized signing officer of the business. Once the carrier has submitted the withdrawal, he or she will receive written confirmation of withdrawal from the CSA program.
- 55. An application or CSA authorization that has been withdrawn will not be reinstated and a full reapplication will be required in order to be reconsidered for a CSA authorization.

#### **SUSPENSION**

- 56. The CBSA may suspend a CSA authorization of a CSA carrier if:
  - the carrier no longer meets the requirements set out in the <u>Transportation of Goods Regulations</u>;
  - the carrier fails to maintain its books, records and business processes and the internal controls necessary to permit the Agency to determine if the carrier is in compliance with the Act and its Regulations;
  - the carrier fails to maintain its security as per s. 6 of the <u>Transportation of Goods Regulations</u>;
  - the carrier becomes insolvent;
  - the carrier has transported goods into Canada that were released under paragraph 32(2)(b) of the Act that: (a) were not eligible goods,
    - (b) were transported into Canada by a commercial highway conveyance as defined in s. 1 of the <u>Presentation of Persons (2003) Regulations</u> operated by a driver who did not hold an authorization under those Regulations, or
    - (c) were delivered somewhere other than the place of business of the CSA importer, owner or consignee to which delivery was authorized;
  - the carrier has failed to provide the CBSA with a description of any commercial goods that:
    - (a) the carrier transported into Canada;
    - (b) were not released but were authorized for delivery to a place under subsection 19(1) or paragraph 32(2)(b) of the Act; and
    - (c) were not delivered to that place within 40 days after the authorization was given.
  - the carrier has been convicted of an offence under the Act or its regulations.
  - the carrier fails to notify the Minister of any change in the information described in Schedule 3 of the AIGPDR at least 30 days before they occur; and/or
  - the carrier fails to notify the CBSA <u>immediately</u> of the following information:
    - (a) any changes to the importer's name or corporate name, as the case may be, residence or business address, as the case may be, solvency or security;
    - (b) any changes to the ownership or organizational structure of the carrier; and
    - (c) the sale of all or part of the carrier's business.

- 57. In deciding whether to suspend a CSA authorization, the following factors will be considered:
  - (a) the severity of the breach and whether or not it was rectified soon after it was discovered;
  - (b) the economic impact of the suspension or the cancellation; and
  - (c) the security and safety of Canadians.
- 58. Once a decision has been made to suspend a CSA authorization, the carrier will be given written notice of the decision and the reasons for decision. The suspension is not effective until the earlier of either, the day on which the notice is received or the 15<sup>th</sup> day after the date on which the notice was sent by mail or courier.
- 59. Suspension of a CSA authorization will result in an interruption of all program-related benefits including the use of CSA clearance and access to FAST dedicated lanes.
- 60. The carrier will be given an opportunity to correct the matter that gave rise to the suspension within 30 days after the suspension has taken effect. If it is not possible for the carrier to make the required correction within the 30 day period, the carrier may make a written request within those 30 days for an extension of time, providing a justification for the extension request. In these instances, the CBSA officer may administer an action plan to formally document the matter giving rise to the suspension, recommend a resolution and follow-up until such situations are corrected. For additional information regarding action plans, please refer to paragraph 249.
- 61. After the correction has been made, the carrier's CSA authorization may be reinstated.

#### **CANCELLATION**

- 62. The CBSA may cancel the CSA authorization of a CSA carrier if:
  - the authorization has been obtained on the basis of false or misleading information;
  - the carrier no longer resides in Canada or the United States;
  - the carrier is a partnership and none of the partners reside in Canada or the United States;
  - the carrier is a corporation, the carrier no longer has its head office in Canada or the United States or no longer operates a branch office in Canada or the United States;
  - the carrier is no longer of good character;
  - the carrier so requests; and/or
  - in the case of a CSA authorization that has been suspended, the carrier has not corrected the matter that gave rise to the suspension within the established timeframes.
- 63. In deciding whether to cancel a CSA authorization, the following factors will be considered:
  - the severity of the breach and whether or not it was rectified soon after it was discovered
  - the economic impact of the suspension or the cancellation; and
  - the security and safety of Canadians.
- 64. Once a decision has been made to cancel a CSA authorization, the carrier will be given written notice of the decision and the reasons for decision. The cancellation is not effective until the earlier of either, the day on which the notice is received or the 15<sup>th</sup> day after the date on which the notice was sent by mail or courier.
- 65. Cancellation of a CSA authorization will result in a cessation of all CSA program-related benefits including the use of CSA clearance and access to FAST dedicated lanes. If the carrier's name appears on the CSA approved carriers list on the CBSA's website, it will be removed.

#### **APPEALS**

66. If the CBSA has made a decision to refuse to issue, suspend or cancel a CSA authorization, the carrier will be provided an opportunity to make written submissions concerning the decision. Written requests are to be submitted within 30 calendar days of the date on which the decision is effective. The written submission should be sent to the following address:

Director
Program and Policy Management Division
Commercial Program Directorate
Programs Branch
171 Slater Street, 8th Floor
Ottawa ON K1A 0L8
Canada

- 67. In order to be considered, the written submissions must:
  - (a) be submitted within 30 calendar days from the effective date of the decision being appealed;
  - (b) clearly state the carrier's business name, mailing address and the reason(s) for appeal; and
  - (c) include any supporting documentation.
- 68. The carrier's 'refused', 'suspended', or 'cancelled' status will remain in effect throughout the duration of the appeal period. No further application processing or administration of the carrier's file will occur until a decision has been rendered.
- 69. If a decision is made to overturn the decision to refuse a CSA authorization, then the application process will resume from the point at which it was interrupted. Conversely, if a decision is made to uphold the decision to refuse to issue an authorization, the CSA authorization will not be issued.
- 70. If a decision is made to overturn the decision to suspend a CSA authorization, the suspension will end immediately and the CSA authorization will be reinstated. Conversely, if a decision is made to uphold the original decision to suspend the CSA authorization, then the suspension will remain in effect until such time the matter that gave rise to the suspension is corrected. Please refer to paragraphs 56 through 61 (effect of suspension and suspension with action plan).
- 71. If a decision is made to overturn the decision to cancel a CSA authorization, then either the authorization will be reinstated, or the carrier will be placed under suspension for a specified duration pending corrective action. Conversely, if a decision is made to uphold the decision to cancel a CSA authorization, then the cancellation of the CSA authorization will remain in effect. For information relating to the effect of a cancellation of a CSA authorization, please refer to paragraph 65.
- 72. The CBSA will render a decision and a letter of notification will be sent to the business within 30 calendar days of receipt of the appeal, not including any period of time in which the application is held in abeyance pending the receipt of requested additional information or response from the business. The letter will state the CBSA's decision and specify an effective date. All appeal decisions rendered by the CBSA are final.

### **Reapplication following Denial or Cancellation**

73. A moratorium on reapplication following a denial or cancellation decision may be imposed at the discretion of the CSA program depending on the reason(s) for denial or cancellation.

74. The CSA program reserves the right to specify reapplication timeframes on a case-by-case basis, and to disallow reapplication indefinitely for serious cases.

#### SECTION 3 – REPORTING AND CLEARANCE

#### GENERAL OVERVIEW OF CSA CLEARANCE

- 75. The process used for CSA clearance is similar to an in-bond movement, except that the goods may be delivered directly to the importer, owner or consignee. While the obligation to report goods under section 12(1) of the Act is not altered under the CSA program, the related specific reporting requirements are changed to support the streamlined CSA clearance process. Under CSA clearance, commercial goods are reported to the CBSA at the first point of arrival, where they may be "authorized for delivery" by the CBSA. The CSA carrier who reports goods to the CBSA for authorization to deliver is liable for payment of duties and taxes, until the goods are delivered to the place of business of the importer, owner or consignee. Intermediary locations, as designated by the CSA importer, constitute a consignee. Release will occur at these locations and the release date will be the date the goods were received at the intermediary location. To remove liability, the reporting carrier must ensure that proof of delivery is obtained and kept on hand for CBSA verification.
- 76. A distinctive feature of the CSA program is that cargo documents are not required to clear CSA shipments. However, when requested by a border services officer, the reporting CSA carrier must provide satisfactory evidence concerning the discharge of goods imported into Canada. The CSA carrier is required to have the records, systems, audit trails and linkages in place to support the CSA process.
- 77. Where commercial goods are reported to the CBSA for authorization to deliver under the CSA clearance process the following conditions apply:
  - (a) The goods must be eligible for CSA clearance;
  - (b) The importer is authorized under CSA;
  - (c) The carrier is authorized under CSA;
  - (d) Where the goods are transported into Canada in highway mode, the driver is authorized under the CDRP or FAST driver registration programs.
- 78. Carriers and importers who are authorized under the CSA program have demonstrated that they are low-risk clients. The CSA carrier provides the following data elements at the border in order to validate all elements. These data elements are electronically verified by the CBSA at the Primary Inspection Line (PIL) to obtain CSA clearance:
  - (a) the 15-digit BN/RM of the CSA importer in bar code format;
  - (b) the carrier code of the CSA carrier in bar code format; and
  - (c) the driver's CDRP card or FAST card (for highway mode).

**Note:** Where this information is valid, the carrier may be authorized to deliver the CSA shipment. A transaction number is not required.

- 79. The intent of CSA clearance is to facilitate the direct delivery of eligible goods to the importer, owner or consignee. The focus is on expedited border reporting and processing at PIL.
- 80. Given that interim accounting is not required as a condition for release in the CSA environment, a release package is not required for goods reported under CSA clearance. Nevertheless, the CSA carrier is required to have supporting transportation documents on hand at the time of report. These documents are not required for presentation, unless requested by a border services officer to confirm information such as:

- (a) a general description of the goods;
- (b) the place of loading;
- (c) the number of pieces and their weight; or
- (d) the name and address of the consignee.
- 81. Given that some goods may not be eligible for CSA clearance (e.g. subject to Other Government Department (OGD) requirements or shipped to Canada from outside the United States or Mexico), the importer is advised to have a process in place to inform the CSA carrier in writing or electronically which goods will be reported under CSA. The option used to report goods to the CBSA affects the related reporting requirements and the liability of the carrier.
- 82. Goods that are not eligible for CSA clearance must be reported to the CBSA via eManifest and released via PARS, RMD, etc. or move inland in bond. See <u>Memorandum</u>, <u>D3-1-1</u>, <u>Policy respecting the Importation and Transportation of Goods</u>. The requirements for these reporting options are not changed as a result of the importer being authorized under the CSA program, as indicated in <u>Memorandum D17-1-4</u>, <u>Release of Commercial Goods</u>.
- 83. The carrier must provide CSA importers, or their designated broker(s), with documentation containing sufficient information to facilitate the importers' accounting obligations to the CBSA. The carrier, at the final destination, must obtain proof of delivery to close the contract to deliver the shipment. Once the carrier has proof of delivery, transfer of liability for duties and taxes is with the importer and/or consignee.

### **Place of Shipment**

- 84. To be eligible for CSA clearance, goods must be shipped directly to Canada from within the U.S. or Mexico as noted on the carrier's through bill of lading. For purposes of determining the eligibility of goods for CSA clearance, the "United States" means the 50 states of the United States, the District of Columbia and Puerto Rico.
- 85. Goods that are shipped to Canada from the US or Mexico are eligible for CSA clearance, including goods that enter a US Foreign Trade Zone (FTZ) and are shipped to Canada in the same condition that they were imported into the US. However, goods that are shipped from offshore to Canada and travel in-transit through the US and/or Mexico are not CSA-eligible goods.

#### **Authorized to Deliver**

- 86. Under CSA clearance, commercial goods are reported to the CBSA at the first point of arrival, where they may be "authorized for delivery" by the CBSA. A CSA clearance is not considered a true release but is instead used to request the "authority to deliver" eligible commercial goods that are imported by an importer who is authorized under the CSA program. It is derived from the release prior to accounting provision under paragraph 32(2)(b) of the *Customs Act*:
  - (2) In prescribed circumstances and under prescribed conditions, goods may be released prior to the accounting required under subsection (1) if
    - (b) the goods have been authorized by an officer or by any prescribed means for delivery to, and have been received at, the place of business of the importer, owner or consignee of the goods.
- 87. Intermediary locations, as designated by the CBSA importer, constitute a consignee. Release will occur at these locations and the release date will be the date the goods were received at the intermediary location.

### Meaning of CSA "Release"

- 88. In the context of a CSA clearance, under section 2 of the Act "release" means;
  - "(b) in respect of goods to which paragraph 32(2)(b) applies, to receive the goods at the place of business of the importer, owner or consignee;"
- 89. This applies to eligible goods that are authorized for delivery to, and have been received at, the place of business of the importer, owner or consignee. Thus, release occurs on the date of delivery.

### **Carrier Liability**

90. Where goods are reported under CSA clearance for authority to deliver, the carrier is liable for duties and taxes until the goods are delivered to the place of business of the importer, owner or consignee, or otherwise discharged under the provisions of subsection 20(2.1) of the Act. To remove liability, the reporting carrier must ensure that proof of delivery is obtained and kept on hand for CBSA verification.

#### **Authorized Carrier**

- 91. To obtain authorization under the CSA program, the carrier must apply to the CBSA, as described in Section 1 of this memorandum. Only authorized carriers may transport eligible goods into Canada and report those goods under a CSA clearance option for **authority to deliver** before release. In highway mode, the driver must have authorization under a driver registration program such as CDRP or FAST.
- 92. There are two situations in which the authorized CSA carrier may use a contracted carrier to transport CSA goods into Canada. These are:
  - (a) where the authorized CSA carrier uses an owner-operator under the circumstances described below; or
  - (b) where the authorized CSA carrier (referred to as the primary carrier) uses a second authorized CSA carrier (referred to as the secondary carrier) under the circumstances described below.

#### **Owner-Operators (Highway)**

- 93. The authorized CSA carrier may use an owner-operator to report goods using CSA clearance. **The owner-operator does not need to be an authorized CSA carrier to transport a CSA eligible shipment.** As indicated in Memorandum D3-4-2, *Highway Pre-Arrival and Reporting Requirements*, there is no longer a need for an authorization letter however when requested the onus will be on the driver to prove that they are under exclusive contract with the carrier whose carrier code is presented. Where the authorized CSA carrier uses an owner-operator to transport goods into Canada under CSA clearance, the carrier code of the authorized CSA carrier must be presented to the Border Security Officer (BSO) in bar code format.
- 94. Under the CSA program, the definition of owner-operator specifically corresponds to the following description:
  - Owner-operator A person who owns and operates transportation equipment, and has a written contract to provide equipment exclusively to a CSA carrier.
- 95. Owner-operators meeting this definition are considered to be an extension of the authorized CSA carrier as shown in the following examples:
  - (a) the contracted equipment may exhibit the logo of the CSA carrier;
  - (b) the contracted equipment is part of the equipment list of the CSA carrier;

- (c) drivers are trained on and subject to the policies and procedures of the CSA primary carrier; and
- (d) the CSA primary carrier dispatches, keeps all records and has control over the drivers and dedicated equipment for the duration of the contract.
- 96. The authorized CSA highway carrier may use an owner-operator to report goods using CSA clearance when:
  - (a) the owner-operator is operating under a dedicated equipment contract with the authorized carrier;
  - (b) the authorized CSA carrier identifies the owner-operator to the CBSA as part of the carrier's Trade Chain Partner (TCP) profile; and
  - (c) the driver is a registered CDRP or FAST driver.
- 97. Upon request of the BSO, the owner-operator must be able to provide proof of the relationship. Owner-Operators should consult Memorandum D3-4-2, *Highway Pre-Arrival and Reporting Requirements*, in order to determine the requirements for proof of this relationship. The BSO is to scan **only** the carrier code of the authorized CSA carrier into the CBSA's system.

### **Secondary CSA Carrier**

98. To report goods under CSA clearance, CSA carriers may authorize only another CSA-authorized carrier to use their carrier code. There is no longer a need for a letter of authorization however the BSO may request proof of the relationship with the primary carrier upon arrival at First Point of Arrival (FPOA). For additional information regarding the existence of a contractual agreement please see <a href="Memorandum D3-4-2">Memorandum D3-4-2</a>, <a href="Highway Pre-Arrival and Reporting Requirements">Highway Pre-Arrival and Reporting Requirements</a>.

The following guideline applies to the use of secondary carriers:

The carrier code of the CSA carrier who assumes liability for the goods, the primary CSA carrier, is presented in bar code format as the primary carrier code. Regardless of who transports the goods into Canada, the primary carrier maintains liability for duties and taxes until the goods are delivered to the place of business of the importer, owner or consignee. The carrier code of the subcontracted CSA carrier, the secondary CSA carrier, who transports the goods into Canada on behalf of the primary CSA carrier, must also be presented in bar code format as the secondary carrier code.

- 99. The primary and secondary carriers must both be CSA-approved for the secondary carrier to report CSA goods on behalf of the primary CSA carrier. If the goods are reported as CSA eligible and the secondary carrier is not an authorized CSA carrier, the primary carrier will be required to use another clearance process.
- 100. The BSO should scan both CSA approved carrier bar codes into the CBSA's system. The Secondary Carrier's bar code should be scanned into the CBSA's system in the designated Secondary Carrier field.
- 101. Within Canada, the CSA shipment may be transferred to a domestic carrier that is not CSA approved for furtherance to the place of business of the importer, owner or consignee. Given that the inland movement is like an in-bond movement, the primary carrier is responsible for maintaining the books and records for each shipment and remains responsible for the duties and taxes, regardless of the inland transfer to other carriers. Therefore, although the CSA goods are transferred, the reporting CSA carrier is still required to provide ultimate proof of delivery to the importer, owner or consignee when requested by the CBSA.

#### **Eligible Goods**

102. CSA-eligible goods are defined under section 2 of the AIGPDR as:

- "...commercial goods that have been shipped directly from the United States or Mexico and for which there is no requirement under any Act of Parliament or of the legislature of a province or any regulation made under such an Act that a permit, license or other similar document be provided to the Agency before the goods are released."
- 103. CSA importers are responsible for identifying to their shippers and vendors which products are eligible for CSA clearance. CSA importers must also confirm with their CSA carrier which shipments qualify for CSA clearance.
- 104. CSA-eligible goods exclude goods that are a prohibited, controlled or regulated import into Canada, in accordance with the provisions of an Act of Parliament or of the legislature of a province, as well as the regulations made in accordance with any Act, that prohibits, controls or regulates their importation, i.e. subject to regulation by OGDs.
- 105. While most OGD requirements must generally be met before the release of goods, a CSA importer may enter into an agreement with an OGD that allows the importer to provide OGD requirements after importation. Where the CSA importer has made such an agreement, the related goods may qualify for CSA clearance. In exceptional cases, the CSA importer may enter into an agreement with an OGD to waive normal release requirements until after the goods have entered Canada. Such agreements will be flagged in the CBSA's systems and the carrier should have written instructions regarding the eligibility of the goods from the importer.
- 106. The goods must also be shipped directly to Canada from within the United States or Mexico as noted on the carrier's bill of lading. Goods that are shipped to Canada through the United States from a third country other than Mexico are not eligible for CSA clearance (i.e. in-transit shipments).
- 107. Where the CSA carrier reports ineligible goods for clearance under a CSA clearance option, the carrier may be assessed a penalty. In cases where written evidence is found to substantiate that the importer instructed the carrier to report the ineligible goods under a CSA clearance option, the penalty may be assessed against the importer. Separate penalties may apply where a secondary carrier is not an authorized CSA carrier or the driver does not hold CDRP or FAST authorization.

### **FAST Eligibility**

- 108. Vehicles carrying qualifying goods can use dedicated FAST lanes and booths when entering Canada at certain highway ports of entry.
- 109. Goods that are eligible for the CSA clearance option qualify for access to FAST.
- 110. Goods that do not qualify for CSA clearance option, may still access the FAST lanes on the conditions that the importer and carrier are both members of CSA and/or PIP, the driver is authorized under the CDRP or FAST driver registration programs, and the cargo and conveyance information has been transmitted to the CBSA in advance of arrival.
- 111. Goods in the FAST lane not using the CSA clearance option are subject to all standard commercial processing and regulations.
- 112. CSA or PIP importers are responsible for identifying to their carriers which shipments qualify for FAST lane access.

### **Border Verification**

- 113. The CBSA reserves the right to examine shipments and conveyances that enter Canada. Occasionally, the CBSA may refer a CSA shipment for verification activities such as:
  - (a) documentation review;
  - (b) contraband examination;

- (c) cab check; or
- (d) random examinations.

#### **Documentation Review**

- 114. Documentation reviews may be performed by the CBSA before CSA goods receive authority to deliver to verify the eligibility of the goods reported under a CSA clearance option. The CBSA may put the request to the CSA carrier or the CSA importer. The documentation review is intended to verify whether the goods reported under the CSA program are prohibited, controlled or regulated, and whether the goods were shipped to Canada from the United States or from Mexico, are imported by an approved importer and are destined for an approved consignee location. Examples of the types of documents that might be requested for review are the bill of lading, the carrier pro-bill or shipping manifests.
- 115. To assess risk for admissibility or eligibility for CSA clearance, the following types of information might be requested:
  - (a) a description of the goods;
  - (b) the quantity (number, volume, or weight as circumstances dictate);
  - (c) the place where goods were loaded onto the conveyance;
  - (d) the name and address of the consignee; and/or
  - (e) the name and address of the shipper/vendor.
- 116. When the carrier fails to provide the information requested by a border services officer to make a determination for admissibility or CSA eligibility, another means of report and release such as eManifest, PARS, RMD, etc. must be completed. The goods will not be permitted to move past FPOA until these requirements have been met.
- 117. The following subsections of this memorandum describe the requirements of the CSA clearance options used to report goods for "authority to deliver" before release.

#### **eManifest Requirements**

118. Shipments that are eligible for CSA clearance are exempt from transmitting the requirements for advance commercial information of cargo and conveyance data. Dependent on mode of transport, authorized CSA carriers may present the required bar codes in paper format at FPOA. However, the conditions as outlined in the Chapter 4: Advance Commercial Information (ACI/eManifest) Electronic Commercial Client Requirements Document (ECCRD) applies to all cargo and conveyance data transmitted electronically. Where there is a mixed load of both exempt and non-exempt cargo, clients will be required to send conveyance data as well as data for non-exempt cargo. The ECCRD is available by contacting the CBSA TTCU at 1-888-957-7224.

#### **CSA Reporting Requirements**

- 119. Goods that enter Canada are reported to the CBSA for authority to deliver. The report may be provided by Electronic Data Interchange (EDI) or paper format. When the report is provided in paper format, the CSA reporting requirements are minimal. Presentation of a cargo control document is not required when goods are reported under CSA clearance.
- 120. Under CSA clearance, presentation of the CSA-approved carrier's bar code together with the CSA-approved importer's bar code, either individually or on a lead sheet, represents a written report of CSA goods. Failure to report goods under CSA clearance using the required bar codes may result in a penalty. Appendix B of this memorandum provides information on the non-EDI bar code CSA specifications and testing requirements. Bar code

testing is mandatory in Part II of the application process. The bar code specifications for EDI carriers are in Appendix C.

#### PAPER REPORTING

### **Highway**

121. Goods entering Canada by highway must be reported to the CBSA for authority to deliver at the FPOA. Goods travelling on an air transport document and travelling to Canada by truck ("flying trucks"), must meet the same requirements for CSA clearance (CSA importer, CSA carrier, FAST/CDRP driver) at the first point of arrival – CSA clearance cannot be requested inland. A cargo control document is not required however the carrier must always have supporting documentation on board.

# **Data Requirements**

122. Bar codes must be scanned in the formats indicated. For information regarding electronic arrival for highway carriers, please refer to paragraph 161.

### Single CSA Importer – Single CSA Shipment

123. The following mandatory information is required for the Authority to deliver eligible goods under CSA Highway Paper:

Reporting requirements:

- (a) CSA carrier code bar code
- (b) CSA importer BN bar code
- (c) Driver registration card

# Single CSA Importer – Multiple CSA Shipments

124. Where a carrier has more than one shipment aboard a conveyance for the same approved importer, only one bar code is required for that importer's BN. The reporting requirements for goods going to a single importer are the same, whether there is one or multiple CSA shipments in the conveyance for that importer.

Reporting requirements:

- (a) CSA carrier code bar code
- (b) CSA importer BN bar code
- (c) Driver registration card

# **Multiple CSA Importers – Multiple CSA Shipments**

125. Where a CSA carrier has CSA shipments for multiple importers in the same conveyance, a separate BN bar code is required for each CSA importer at the time of report. The carrier bar code and the driver registration card need be presented once only. For example:

Reporting requirements:

(a) CSA carrier code bar code

- (b) CSA importer #1 BN bar code
- (c) CSA importer #2 BN bar code
- (d) CSA importer #3 BN bar code
- (e) Driver registration card

**Note**: Each importer will be processed as a separate passage.

### Mixed Loads (CSA with Non-CSA)

126. A conveyance that contains goods for CSA clearance may also include goods that are not eligible for CSA clearance. In this case, the fundamental requirements for goods that are reported under CSA clearance – CSA carrier, CSA importer, registered driver – are not waived.

127. Goods aboard a conveyance that are ineligible for CSA clearance require advanced electronic cargo and conveyance data transmission regardless of the release option (i.e. PARS, RMD) being used to clear the goods. Goods being reported in the regular commercial lanes in the case of a mixed load (CSA and non-CSA) have the choice of including the CSA cargo in the advance electronic cargo and conveyance data transmission or only transmitting the advance data for the non-CSA cargo in addition to presenting the three (3) CSA bar codes for the CSA goods. For information regarding the electronic transmission of cargo and conveyance information consult Memorandum D3-4-2, *Highway Pre-arrival and Reporting Requirements*.

# Use of a Secondary CSA Carrier

128. Where an authorized CSA carrier subcontracts another authorized CSA carrier to report goods under CSA clearance, the carrier code of the secondary CSA carrier is also required in bar code format, in addition to the carrier code of the primary CSA carrier. For additional information regarding secondary carriers, see paragraph 98.

### Reporting requirements:

- (a) CSA primary carrier code bar code
- (b) CSA importer BN bar code
- (c) Driver registration card
- (d) CSA secondary carrier code bar code

#### **Tracking Shipments**

129. Carriers who have Release Notification System (RNS) or eManifest notices capability may trace their shipments transported into Canada, through RNS or eManifest by providing a cargo control number (CCN), which is also referred to as a transport document number (TDN), as a shipment identifier. Where provided, the shipment identifier must be in bar code format and a separate bar code number is required for each shipment for which the carrier requires an RNS or eManifest message. When CSA carriers present a bar code shipment identifier at the time of report, the CSA carrier will receive an **authority to deliver** message for each shipment reported under CSA clearance.

130. The number used as a shipment identifier is to be unique for three years, plus the current year, and consist of no more than 25 characters with the first four characters being the carrier code of the authorized CSA carrier. Given that the carrier code of the CSA carrier is included as the first four characters of the bar code of the CCN/TDN, a separate carrier bar code is not required. To receive the RNS or eManifest message **authorizing to deliver** for individual shipments, the following must be provided in the format noted below:

### Reporting requirements:

- (a) CCN/TDN including CSA carrier code
- (b) CSA importer BN bar code
- (c) Driver registration card
- 131. Where shipments for more than one CSA importer are reported under CSA clearance, the presentation of CCN/TDN identification numbers should be grouped by CSA importer numbers. The CADEX system produces a Notification of Release Report, using the transaction number as a key field clients need to remember. Therefore the CSA importer will not receive notification of release for CSA shipments, as the key field for identification of the release is the CCN/TDN. The systems that report the CSA shipment status are RNS and eManifest.
- 132. Where the CSA carrier chooses to include the CCN/TDN information, a CSA reference may be included in the bar code as a means of distinguishing CSA and non-CSA reports. Where the bars for CSA are included in the bar code, they constitute part of the 25 allowable characters, and the word CSA may also be printed on the bar code. For example:

XXXXCSA890123456789012345

Carrier Code assigned CSA Remaining carrier Reference CNN/TDN characters

133. It should be noted that the CSA carrier **must not** use a PARS bar code for CSA shipments.

#### FACILITATED CLEARANCE AT PIL

### Service Option (SO) Code

134. To facilitate clearance of the CSA shipment in highway mode, the CSA reporting carrier has the option of presenting the CSA service option code, **00497** (five digits with leading zeros required), in bar code format on the lead sheet, as part of the information to be scanned into the CBSA's system at the time of report. Where the CSA carrier does not provide the service option code, a border services officer will input the code at PIL. Where the carrier provides the service option, it should be the first bar code presented:

Reporting requirements with SO:

- (a) Service option bar code (00497)
- (b) CSA carrier code bar code
- (c) CSA importer BN bar code
- (d) Driver registration card

### **Means of Presenting Bar Codes**

135. While not a requirement, it is suggested that the use of a lead sheet with the appropriate bar codes attached will facilitate processing at the PIL. Other means of presenting the bar code information could be by having laminated bar codes or having the bar code information printed on commercial documents carried by the driver. The CSA lead sheet is used to report goods for authority to deliver. Regardless of which option is used, a CSA identifier is to be used.

### **Passage History**

- 136. The CSA clearance process is based on pre-approval of the importer, carrier and driver. The status of each of these participants is captured in the CBSA's system for validation. When a carrier arrives at the border and reports goods for **authority to deliver**, the CSA clearance process requires that the status of each participant be validated. Upon validation that all three participants are authorized, the goods are **authorized for delivery**.
- 137. In the CSA paper-highway clearance, cargo information is not required or captured. Instead, a passage history is captured for each cross-border report of goods under CSA clearance. This report consists of the carrier code, importer BN, driver registration number, date, time, and CBSA port of entry into Canada.
- 138. Given that real-time automated support is required to validate the status of the importer, carrier and driver before goods are authorized for delivery, and to capture the passage history, CSA clearance is not available at CBSA non-terminal offices (NTOs) or inland.
- 139. Bar codes must be scanned in the formats indicated under each service option. For information regarding EDI arrival for highway carriers, please see paragraph 161.

### Air, Rail, Marine

140. CSA clearance is available for eligible goods when entering Canada by authorized CSA air, rail or marine carriers. The reporting process and requirements for these modes are similar to highway mode. The carrier can obtain "authority to deliver" the goods upon presentation of the required bar codes. A cargo control document is not required; however, the carrier must always have supporting documentation on board.

#### **Data Requirements**

141. Bar codes must be scanned in the formats indicated. For information regarding electronic arrival for air, rail and marine carriers, please refer to paragraph 180.

# Single CSA Importer – Single CSA Shipment

142. The following mandatory information is required for the **authority to deliver** for CSA-eligible goods under Service Option (SO) 521, CSA Air, Rail, Marine paper:

### Reporting requirements:

- (a) TDN or CCN including CSA carrier code bar code
- (b) CSA importer BN bar code

### Single CSA Importer – Multiple CSA Shipments

143. Where a CSA importer has more than one shipment aboard a conveyance for CSA clearance, only one bar code for that importer's BN is required. The reporting requirements for goods going to a single importer are the same, whether there is one or multiple CSA shipments in the conveyance for that importer.

#### Reporting requirements:

- (a) TDN or CCN including CSA carrier code bar code
- (b) CSA importer BN bar code

### **Multiple CSA Importers – Multiple CSA Shipments**

144. Where a CSA carrier has CSA shipments for multiple importers in the same conveyance, a separate BN bar code is required for each CSA importer at the time of report. The carrier bar code need be presented once only. For example:

Reporting requirements:

- (a) TDN or CCN including CSA carrier code bar code
- (b) CSA importer #1 bar code
- (c) CSA importer #2 bar code
- (d) CSA importer #3 Bar code

Each importer will be processed as a separate passage.

### Mixed Loads (CSA with Non-CSA – Less than Truckload)

- 145. A conveyance that contains goods for CSA clearance may also include goods that are not eligible for CSA clearance. In this case, the fundamental requirements for goods that are reported under CSA clearance CSA carrier, CSA importer are not waived.
- 146. Goods aboard a conveyance that are not eligible for CSA clearance require advanced reporting as per eManifest guidelines and must use an existing means of report and release such as eManifest, PARS, RMD. The goods will not be permitted to move past FPOA until these requirements have been met.

### **Use of a Secondary Carrier**

147. Should the authorized CSA carrier use another CSA carrier to transport goods into Canada using CSA clearance, the bar code carrier code of the secondary carrier is mandatory. In this case, the mandatory bar codes are:

Minimum reporting requirements:

- (a) TDN or CCN including carrier code of the primary CSA carrier
- (b) CSA importer BN bar code
- (c) Carrier code of secondary CSA carrier

148. Crew members are subject to the normal reporting requirements of the mode by which they enter Canada. However, crews do not have to be authorized under the FAST driver program or the CDRP as a condition for reporting goods under CSA clearance for **authority to deliver** unless operating in Highway mode.

## **Tracking Shipments**

- 149. Carriers who have RNS or eManifest notice capability may trace their shipments transported into Canada by providing a CCN, also referred to as a TDN, as a shipment identifier. Where provided, the shipment identifier must be in bar code format and a separate bar code number is required for each shipment for which the carrier requires an RNS or eManifest message. When CSA carriers present a bar code shipment identifier at the time of report, they will receive an **authority to deliver** message for each shipment reported under CSA clearance.
- 150. The number used as a shipment identifier is to be unique for three years, plus the current year, and consist of no more than 25 characters with the first four characters being the carrier code of the authorized CSA carrier.

Given that the carrier code of the CSA carrier is included as the first four characters of the bar code of the CCN/TDN, a separate carrier bar code is not required. To receive the RNS or eManifest notice with the **authority to deliver** for individual shipments, the following must be provided in the format noted below:

Reporting requirements:

- (a) CCN/TDN including CSA carrier code
- (b) CSA importer BN bar code
- 151. Where shipments for more than one CSA importer are reported under CSA clearance, the presentation of CCN/TDN identification numbers should be grouped by CSA importer numbers. Given that a transaction number is not captured, the RNS or eManifest notice is not transmitted to CADEX participants. Therefore the CSA importer will not receive notification of release for CSA shipments, as the key field for identification of the release is the CCN/TDN.

#### FACILITATED CLEARANCE AT PIL

### **Means of Presenting Bar Codes**

152. To facilitate processing by the CBSA, it is advisable, but not mandatory, to submit the bar code information on a CSA lead sheet. Where the carrier has prepared cargo control documents (CCDs) for CSA shipments aboard the conveyance, the CCDs may also be attached to the bar code information and/or lead sheet. An optional bar code to identify the service option (00521 – five digits with leading zeros) may be provided by the carrier to expedite the CSA clearance process.

Reporting requirements with service option:

- (a) Service option bar code (00521)
- (b) TDN or CCN including CSA carrier code
- (c) CSA importer BN bar code
- 153. When the bar code information is presented to the CBSA, it is input into the CBSA's system and the border services officer will render a decision either to **authorize delivery** of the goods or to refer the shipment. Where a TDN or CCN is presented and the goods are authorized for delivery, an RNS message will be generated to the carrier. Given that a transaction number is not presented at time of report, the importer will not receive the message via the CADEX Notification of Release Report.
- 154. The CSA bar code report, including the three mandatory data elements, is presented to the CBSA at the following places, according to mode:
  - (a) CSA air courier At destination airport
  - (b) CSA air At first point of arrival (first airport of landing)
  - (c) CSA rail At the first CBSA office where rail service is provided, otherwise at first point of arrival
  - (d) CSA marine, for lake and coastal marine traffic First point of arrival

### **Examination of Freight**

155. Examination may occur at the border, or inland at the carrier's sufferance warehouse in the case of mixed loads. In all cases, the CBSA determines when an examination is necessary and where it will be conducted.

#### **Passage History**

156. The CSA clearance process in non-highway modes is based on pre-approval of the importer and carrier. The status of each of these participants is captured in CBSA's system for validation. When a carrier arrives and reports goods for **authority to deliver**, the CSA clearance process requires the status of each participant to be validated. Upon validation that all participants are authorized, the goods are **authorized for delivery**.

157. Given that real-time automated support is required to validate the status of the importer and carrier before goods are **authorized for delivery**, and to capture passage history, CSA clearance is not available at CBSA NTOs or inland.

#### **ELECTRONIC TRANSMISSION**

158. All carriers must transmit in advance electronically cargo and conveyance reports as required in the *Transportation of Imported Goods Regulations* according to the time frames established by the mode of transport. CSA carriers are exempt from transmitting electronically when all conditions for CSA clearance are fulfilled. Authorized CSA carriers may present the required bar codes dependent on mode of transport in paper format at FPOA.

159. As with all CSA clearance options, where the conveyance contains goods that are reported to the CBSA for authority to deliver, the carrier and the importer must be authorized CSA clients and the goods must be eligible. However, CSA-approved carriers may also transmit their CSA report electronically to the CBSA for authorization to deliver CSA eligible goods if they choose. Refer to the CSA Participants Requirements Document (PRD) for Carriers found under chapter 18 of the ECCRD for information about the required data elements, message maps and code tables.

160. The conditions as outlined in the ECCRD apply to all cargo and conveyance data transmitted electronically. Where there is a mixed load of both exempt and non-exempt cargo, clients will be required to send conveyance data as well as data for non-exempt cargo. The ECCRD is available by contacting the CBSA TCCU at 1-888-957-7224.

### **Highway**

161. Transmission of electronic highway cargo and conveyance reports must be received and processed by the CBSA at least **one hour** before reaching the FPOA. Electronic highway cargo and conveyance reports may be presented up to 30 days before arrival. However, if the cargo is not used after 30 days, the cargo data must either be resubmitted, or cancelled by the carrier. For additional information please see Memorandum D3-4-2, *Highway Prearrival and Reporting Requirements*.

162. Highway carriers using EDI to submit reporting information to the CBSA must transmit two interrelated reports:

- (a) the Highway Cargo Report A8A,
- (b) the Highway Conveyance Report A9

### Cargo Report (Pre-arrival)

163. The EDI highway cargo report A8A provides details for each shipment on the conveyance, and consists of information similar to the hard copy Form A8A, Cargo Control Document, with the addition of CSA specific elements such as the BN of the authorized CSA importer. A complete list of data elements required to be transmitted to the CBSA as part of the EDI cargo report can be found chapter 18 of the ECCRD, CSA PRD for Carriers message maps.

### **Conveyance Report (Pre-arrival)**

164. The conveyance report not only provides details about the conveyance itself, but is also used to list all related cargo. See Appendix E for a table demonstrating how the A8A *Cargo Reports* link to the A9 *Highway Conveyance Report*.

165. In the EDI environment, at least one cargo report number must be listed on the related conveyance report. A maximum of 2000 cargo report numbers can be listed on a single conveyance report. If even one cargo report related to the conveyance report contains a discrepancy, the entire conveyance report will be rejected.

### **Border Report**

166. When the corresponding cargo and conveyance reports have been transmitted using EDI and accepted by the CBSA, it is mandatory that the driver provide the following information in bar code format at the PIL when the conveyance arrives at the border:

### Reporting requirements:

- (a) Service option 00547
- (b) Conveyance report number including the carrier code
- (c) Driver registration card when CSA eligible goods are being reported
- 167. The conveyance report number is to be the same as the conveyance number used to identify the EDI conveyance report with the carrier code as the first four characters.

### Mixed Loads (Less than Truckload)

- 168. An authorized EDI CSA carrier may report all goods aboard a conveyance electronically. Non-CSA goods that are not released at the FPOA may proceed to a licensed special operating (SO) warehouse or another sufferance warehouse pending release. The carrier is not required to have CSA goods aboard the conveyance to benefit from the inland movement to the SO warehouse.
- 169. Where a conveyance arrives at the PIL and contains a shipment for which a PARS report is in an invalid status (commonly referred to as "failed PARS"), that shipment may, at the carrier's request, be allowed to proceed to the carrier's SO warehouse. Although no further documentation is required, the CBSA must make a manual port code change at the frontier for the conveyance to proceed.
- 170. Non-CSA goods not released at the FPOA must be electronically arrived at the SO warehouse. Upon receipt of an RNS message, the goods may be delivered. Should a shipment be referred for examination, the goods must be backhauled to the highway sufferance warehouse or other designated facility. Goods that are authorized for delivery at the frontier CBSA office may be delivered en route to the CSA carrier's SO warehouse.

### **Use of a Secondary Carrier**

- 171. When primary CSA carriers use a secondary carrier to transport goods on their behalf, the carrier code of the secondary carrier is also required in bar code format. All other rules pertaining to secondary carriers apply. For additional information regarding secondary carriers, see paragraph 98.
- 172. For an overview of EDI scenarios, refer to Appendix A.

### **Tracking Shipments**

173. Carriers who have RNS or eManifest notice capability may trace their shipments transported into Canada, by providing a CCN, which is also referred to as a TDN, as a shipment identifier. Where provided, the shipment identifier must be in bar code format. A separate bar code number is required for each shipment for which the carrier requires an RNS or eManifest message. When CSA carriers present a bar code shipment identifier at the time of report, they will receive an **authorized for delivery** message for each shipment reported under CSA clearance.

174. The number used as a shipment identifier is to be unique for three years, plus the current year, and consist of no more than 25 characters with the first four characters being the carrier code of the authorized CSA carrier. Given that the carrier code of the CSA carrier is included as the first four characters of the bar code of the CCN/TDN, a separate carrier bar code is not required. To receive the RNS message **authority to deliver** for individual shipments, the following must be provided in the format noted below:

# Reporting requirements:

- (a) CCN including CSA carrier code
- (b) CSA importer BN bar code
- (c) Driver registration card

175. Where shipments for more than one CSA importer are reported under CSA clearance, the presentation of CCN/TDN identification numbers should be grouped by CSA importer numbers. Given that a transaction number is not captured, the RNS message is not transmitted to CADEX participants.

#### FACILITATED CLEARANCE AT PIL

### **Means of Presenting Bar Codes**

176. It is mandatory to submit the bar code information on a CSA lead sheet. The CSA lead sheet must be approved by a CBSA officer before CSA approval.

### **Examination of Freight**

177. Examination may occur at the border, or inland at the carrier's sufferance warehouse in the case of mixed loads. In all cases, the CBSA determines when an examination is necessary and where it will be conducted. Carriers may be required to backhaul cargo to a central examination facility.

#### **Passage History**

178. The CSA clearance process is based on pre-approval of the importer, carrier and driver. The status of each of these participants is captured in CBSA's system for validation. When a carrier arrives at the border and reports goods for **authority to deliver**, the CSA clearance process requires the status of each participant to be validated. Upon validation that all three participants are authorized, the goods are **authorized for delivery**.

179. Given that real-time automated support is required to validate the status of the importer, carrier and driver before goods are authorized for delivery, and to capture passage history, CSA clearance is not available at CBSA NTOs or inland.

#### Air and Marine

180. CSA-authorized carriers in air and marine modes may use the RNS arrival message both to affect CSA clearance and to "arrive" the shipment electronically. In air mode, the transmission of cargo and conveyance

reports must be received and processed by the CBSA once the plane is "wheels up." In marine mode, the transmission of cargo and conveyance reports must be received and processed by the CBSA a minimum of 24 hours before reaching the first point of arrival. Cargo and conveyance reports may be presented up to 30 days before arrival. However, if the cargo is not used after 30 days, the cargo data must either be resubmitted or cancelled by the carrier.

- 181. The RNS arrival message includes:
  - (a) CSA importer BN;
  - (b) CCN (including a CSA carrier code);
  - (c) Release office; and
  - (d) Warehouse office.
- 182. Periodically, these requests for CSA clearance will be subject to a random documentation review whereby the carrier will be required to provide a copy of the commercial documentation (bill of lading/manifest) to affect clearance. Otherwise, an **authority to deliver** message will be returned. For example, once an aircraft is "wheels up," the carrier transmits the CSA arrival message. The system processes the request and returns a reject, refer or "**authority to deliver**" message to the participant.
- 183. As a transaction number is not transmitted with the request, CADEX participants will not receive electronic notification of goods authorized for delivery. For additional information about the CSA RNS arrival message, refer to the CSA PRD for Carriers, chapter 18 of the ECCRD. The CSA PRD for Carriers is available by contacting the CBSA's TCCU at **1-888-957-7224**.
- 184. Details of the EDI 931 arrival message can be found in section 2.8 of the CSA PRD for Carriers, a chapter of the ECCRD.

#### Rail

- 185. Where a rail carrier transports goods reported under CSA clearance into Canada, the goods may be reported using the CSA non-highway paper option. Alternatively, rail carriers may report the goods for automated authority to deliver for CSA clearance by transmitting electronically via eManifest as described in <a href="Memorandum D3-6-6">Memorandum D3-6-6</a>, <a href="Rail">Rail</a> <a href="Pre-arrival and Reporting Requirements">Pre-arrival and Reporting Requirements</a>. For information about the CSA EDI requirements and message maps, refer to the CSA PRD for Carriers, chapter 18 of the ECCRD including Appendix C, EDI Message Maps and Code Tables. Transmission of the cargo information for CSA goods is the same as for non-CSA goods with the exception of the following two record formats:
  - (a) the addition of code M5 as a qualifier specific to CSA goods that are imported by a CSA-authorized importer; and
  - (b) the addition of the CSA importer's BN where CSA goods are reported.
- 186. Where rail shipments of CSA goods have arrived, the transmitted RNS message is linked to the CCN or TDN of the CSA shipment and will read **authority to deliver**, when the goods are not referred for examination.

# **Tracking Shipments**

187. Carriers having RNS capability may trace their shipments transported into Canada, through RNS by providing a CCN, which is also referred to as a TDN, as a shipment identifier. Where provided, the shipment identifier must be in bar code format. A separate bar code number is required for each shipment for which the carrier requires an RNS message. When CSA carriers present a bar code shipment identifier at the time of report, they will receive an **authority to deliver** message for each shipment reported under CSA clearance.

188. The number used as a shipment identifier is to be unique for three years, and consist of no more than 25 characters with the first four characters being the carrier code of the authorized CSA carrier. Given that the carrier code of the CSA carrier is included as the first four characters of the bar code of the CCN/TDN, a separate carrier bar code is not required. To receive the RNS message **authority to deliver** for individual shipments, the following must be provided in the format noted below:

### Reporting requirements:

- (a) CCN/TDN including CSA carrier code
- (b) CSA importer BN bar code
- 189. Where shipments for more than one CSA importer are reported under CSA clearance, the presentation of CCN/TDN identification numbers should be grouped by CSA importer numbers.

#### FACILITATED CLEARANCE AT PIL

#### **Examination of Freight**

190. Examination may occur at the border, or inland at the carrier's sufferance warehouse in the case of mixed loads. In all cases, the CBSA determines when an examination is necessary and where it will be conducted.

# **Passage History**

- 191. The CSA clearance process in non-highway modes is based on pre-approval of the importer and carrier. The status of each of these participants is captured in CBSA's system for validation. When a CSA carrier arrives and reports goods for **authority to deliver**, the CSA clearance process requires the status of each participant to be validated. Upon validation that all participants are authorized, the goods are **authorized for delivery**.
- 192. Given that real-time automated support is required to validate the status of the importer and carrier before goods are **authorized to deliver**, and to capture passage history, CSA clearance is not available at CBSA NTOs.

#### COMBINED ELECTRONIC AND PAPER REPORTING

193. Carriers may, on occasion, be required to report goods via both paper and electronically. This situation occurs most frequently in highway mode.

### Highway

- 194. The driver must present a paper manifest to the CBSA to report cargo in the event that the cargo is not electronically linked to a conveyance.
- 195. For all paper processes, the driver will make the initial declaration at the PIL, then report inside to the CBSA office and present the lead sheet and the paper release requests. The CBSA will first process the conveyance bar code, then the paper release requests (e.g. E29B, OIC, Value Included Entries, and ETA).
- 196. This manner of reporting must be at the primary office, not at the PIL booth.
- 197. A mix of non-CSA shipments reported electronically may use the process above in addition to presenting paper lead sheets for CSA. It is at the officer's discretion to process both the electronic shipments and the paper report of CSA shipments at the PIL. Should the border services officer determine that the processing of both types of clearances at the PIL would take too long; the driver will be referred to the front counter at the frontier office.

#### **SYSTEMS OUTAGES**

### **CBSA Unplanned Outage**

198. The CBSA <u>System Outage Contingency Plan</u> sets out the procedures for importing commercial goods in the event of a full CBSA system outage in all modes. This contingency plan as well as Summary Outage Sheets (SOS) for each mode can be found on the <u>CBSA website</u>. Clients may contact the TCCU at 1-888-957-7224 for additional clarification.

#### SECTION 4 – TRANSPORTATION OF GOODS

199. To transport goods into Canada that are reported to the CBSA under CSA clearance, the carrier must hold an authorization issued by the CBSA. Details on how to apply for authorization as a CSA carrier are provided in Section 1 of this memorandum.

200. Under the CSA program, the requirement to report goods to the CBSA in accordance with section 12 of the Act does not change. A fundamental feature of the CSA program, however, is that once CSA eligible goods are reported, they are authorized for delivery by the CBSA, and may be delivered directly to the place of business of the importer, owner or consignee **before** release occurs. Release of goods authorized for delivery, as described under subsection 2(1) of the Act means, "to **receive the goods at the place of business of the importer, owner or consignee**." Intermediary locations, as designated by the CSA importer, constitute a consignee. Release will occur at these locations and the release date will be the date the goods were received at the intermediary location. The consignee is required to provide Proof of Delivery to the carrier.

# CONDITIONS FOR AUTHORIZATION TO DELIVER

- 201. The following conditions must be met for authority to deliver:
  - (a) the driver in the conveyance transporting the goods into Canada is registered to CDRP, or, in the case of a FAST driver, all persons in the vehicle must be registered when using a FAST lane;
  - (b) the carrier transporting the goods into Canada is an authorized CSA carrier;
  - (c) the importer of the goods is an authorized CSA importer;
  - (d) the goods are reported to the CBSA under section 12 of the Act;
  - (e) the goods are eligible for CSA clearance; and
  - (f) the goods must be destined for delivery to a valid CSA consignee, approved by the CSA importer.
- 202. Where a condition for CSA clearance cannot be met, for example, the importer, carrier or driver is not authorized, or the goods are not eligible, the goods must be reported and released using an existing alternate option such as RMD or the PARS.

### **Authority to Deliver**

203. The legislative keystone of the CSA program is subsection 32(2)(b) of the Act, which allows for the release of goods before accounting, when those goods have been authorized for delivery to, and have been received at, the place of business of the importer, owner or consignee.

204. The influence of subsections 32(2)(b) and 2(1) of the Act is that the CSA importer **is not** required to provide accounting or interim accounting for the release of imported goods authorized for delivery. Instead, goods are reported by the carrier using minimal requirements, and release is affected by the receipt of the goods at the place of business of the importer, owner or consignee.

205. Under the CSA program, given that the release of goods does not occur until those goods are received, the carrier is notified at the time of report that the goods are authorized for delivery to the importer, owner or consignee. Subsection 19(1.1) of the Act provides authority for the carrier to deliver goods or cause them to be delivered before release, provided that the goods are authorized for delivery to a place of business of the importer, owner or consignee.

206. The status of a shipment authorized for delivery is like an in-bond movement and the carrier who reports goods, which have not been released, is liable for the payment of duties and taxes. In accordance with subsection 20(2.1) of the Act, the carrier's liability for duties is not removed unless the goods authorized for delivery are:

- (a) destroyed while being transported;
- (b) received in a CBSA office, bonded warehouse or duty free shop;
- (c) designated as ships' stores by regulations made under paragraph 99(g) of the *Customs Tariff*, received on board a conveyance of a class prescribed under that paragraph for use on the conveyance in accordance with regulations made under that paragraph;
- (d) exported; or
- (e) received (released) at the place of business of the importer, owner or consignee.

207. In accordance with section 28(1) of the Act, the liability of the CSA carrier for duties on goods transported into Canada under CSA clearance for authority to deliver is not removed by entering the goods into a sufferance warehouse. However, liability for duties and taxes transfers to the sufferance warehouse operator on receipt of the goods:

- (a) where goods transported by the CSA carrier are not reported under CSA clearance; or
- (b) where the CSA importer refuses delivery of CSA goods, the carrier may remanifest the goods to qualify under section 20(2) (e.g. non-CSA).

208. Information about sufferance warehouses is provided in <u>Memorandum D4-1-4</u>, *Customs Sufferance Warehouses*.

209. Further clarification on goods not delivered can be obtained under paragraph 224 of this memorandum.

#### **Proof of Delivery**

- 210. Given that the receipt of goods authorized for delivery represents the release of those goods, the liability for duties and taxes transfers to the importer when the goods are delivered. The reporting CSA carrier, therefore, is required to obtain and keep proof of delivery to the place of business of the importer, owner or consignee for each shipment for which the carrier has prepared a separate waybill or pro-bill. This requirement applies, regardless of the use of secondary carriers to transport goods internationally or domestically within Canada. Reporting CSA carriers need to ensure that they have a process in place, with applicable audit trails, to prove ultimate delivery.
- 211. Among the requirements for the carrier reporting goods authorized for delivery is the requirement to keep records relating to proof of delivery to the importer, owner or consignee. The following examples may provide proof of delivery, and can be in hard copy or electronic format:
  - (a) a signed delivery receipt for goods delivered, including an electronic signature;
  - (b) the carrier's receipt of payment for the transportation and delivery of the goods; or

- (c) third party payments provided there is an audit trail for each specific shipment, showing that the goods were delivered and their transportation paid.
- 212. In addition to proof of delivery, the carrier who transports goods into Canada is required to keep all records relating to the transportation of the goods, such as bills, accounts and statements, and the description of the goods. The format of the records may be electronic, but must relate back to source documents and be provided, when requested by a CBSA officer, in an accessible and readable copy.
- 213. The records of a carrier who transports goods into Canada, including goods authorized for delivery, must be kept for three years, plus the current year, beginning on January 1 of the year following the calendar year in which the goods were transported into Canada. For example, if goods are transported into Canada in 2011, then the carrier is to keep the related records until December 31, 2014. For additional information on CSA record-keeping requirements, refer to paragraph 7(2) of the *Transportation of Goods Regulations*.
- 214. Carriers may be subject to administrative monetary penalties for failure to retain and/or provide records related to CSA and non-CSA goods.
- 215. Once commercial goods reported for authority to deliver are delivered to the place of business of the importer, owner or consignee, the CSA-approved importer is required to keep records that relate to the receipt of those goods.

## **Sealing Requirements**

- 216. As indicated in Memorandum D3-1-1, *Policy Respecting the Importation and Transportation of Goods*, with regards to conveyances and containers that have been authorized to move inland to a sufferance warehouse, the sealing of conveyances and containers are only required for the following specific CBSA circumstances:
  - (a) Carriers who must meet sealing requirements as participants of the CBSA's trusted trader programs;

**Note:** Member companies of the PIP program have agreed to use high security seals in their international supply chains. The responsibility for the use of high security seals rests with the PIP approved importer and the PIP approved carrier. More specific information on PIP can be found in <a href="Memorandum D23-1-1">Memorandum D23-1-1</a>, <a href="Partners in Protection Program">Protection Program</a>.

- (b) Cargo that is prohibited, controlled or regulated by any Act of Parliament;
- (c) In-transit movements to point of final export;
- (d) Movement of conveyances and containers from the FPOA to a CBSA examination location.
- 217. Bonded carriers and freight forwarders will be allowed to move unsealed cargo between inland sufferance warehouses.
- 218. This does not negate the industry's obligation to fulfill any legislative or regulatory program requirements of other government departments that pertain to the sealing of conveyances and containers.
- 219. The CBSA reserves the right to seal any conveyance, container, or compartment at any time. **The seal must** remain intact until it is removed or authorized for removal by a CBSA officer.
- 220. It is important to remember that if the carrier is both CSA and PIP approved, the PIP sealing requirements supersede the CSA requirement.

## **Breaking Bulk**

221. The carrier's terminal may be used for break-bulk (only when a CBSA seal has not been affixed), to allow direct delivery of CSA shipments, as well as released shipments in situations where other goods aboard the conveyance require reporting to the highway sufferance warehouse for CBSA purposes. The goods transported by the authorized carrier do not have to be eligible for CSA clearance.

#### **Trade Chain Partner Lists**

- 222. Carriers who apply to and hold authorization under the CSA program are required to maintain and provide, upon request, profile information on specific TCPs to the CBSA for verification purposes, namely:
  - (a) Terminals and warehouses in the United States and Canada that are owned or operated by the carrier and are used for the transfer of international freight; and
  - (b) Owner-operators, under written contract to provide their equipment exclusively to the CSA carrier, who transport CSA shipments into Canada for the CSA carrier.
- 223. Where the CSA carrier fails to keep or provide the CBSA with a list of terminals, warehouses that they own or operate, and authorized owner-operators, a penalty may be assessed.

#### **Goods Not Delivered**

- 224. When goods authorized for delivery or taken in bond are not delivered to the place of business of the importer, owner or consignee within 40 days of the date of report, the CSA carrier is required to provide the CBSA with a report of the goods not delivered. To establish the 40-day time period, the date of report refers to the first date that the goods are reported to the CBSA. For example, the date of report for CSA clearance is the date that the carrier is notified by the CBSA of the authority to deliver.
- 225. Goods authorized for delivery or taken in bond but not delivered within 40 days must be reported in writing to the attention of the carrier's assigned CBSA officer as soon as the 40 days has elapsed. The information may be submitted by paper, disk or email, as agreed by the carrier's assigned CBSA officer. Failure to provide the CBSA with the report of goods not delivered may result in a penalty. For an example of the information required for the goods not delivered within 40 days, see Appendix F.
- 226. A carrier who reports goods under CSA clearance for authority to deliver is required to keep records relating to goods delivered and goods not delivered to the place of business of the importer, owner or consignee. These record-keeping requirements are, therefore, relevant to information about goods not delivered within 40 days. In addition, carriers need to ensure that their internal systems will identify all goods not delivered within 40 days of the initial report.

## **Goods Refused by Importer**

- 227. In those instances where the CSA importer refuses delivery of a shipment, the condition for CSA release at the time of receipt at the place of business of the importer, owner or consignee is not met. It is the CSA carrier's responsibility to maintain audit trails, including refused shipments. The CSA carrier maintains liability until the goods are lawfully disposed of, in accordance with section 20(2.1) of the Act.
- 228. Additional information on the delivery of goods not released can be found in <u>Memorandum D3-1-1</u>, <u>Policy Respecting the Importation and Transportation of Goods</u>.

## **Registered CDRP or FAST Drivers**

229. Information about the CDRP and the FAST Commercial Driver Program can be found on the CBSA website.

- 230. In the case of CDRP, while an authorized driver does not have to operate the vehicle at the time of report, an authorized driver must be in the vehicle and it is his or her registration number that will be captured in CBSA's system to complete passage history information.
- 231. Any non-registered drivers or passengers onboard will be subject to normal admissibility questioning. This may result in delays and affect the expedited processing time you would usually expect with CSA clearance. The CBSA strongly discourages non-registered individuals from accompanying a registered driver, as this will increase the likelihood of the CSA shipment being referred for examination, thereby slowing down the processing time.
- 232. In order to use the FAST lane, all occupants in the vehicle must have a valid CDRP or FAST driver registration card.

#### Lost or stolen CDRP or FAST Cards

- 233. Where the driver has forgotten his or her card, the BSO may verify the driver's status in the CBSA's systems. However, the driver will be delayed until the status of his or her authorization is verified. Drivers must report any lost or stolen cards to the CBSA.
- 234. CDRP and FAST drivers must notify the CBSA immediately if their CDRP or FAST registration card has been lost or stolen by calling 1-800-842-7647.

## **Non-registered Driver**

- 235. CSA highway carriers requesting CSA clearance for CSA-eligible goods are required to use a registered CDRP or FAST driver.
- 236. Situations may arise where a CSA-approved carrier transports CSA-eligible goods across the border, using a driver that is not authorized under the CDRP or FAST programs. CSA clearance should not be used if not all the conditions are met. If one of the requirements is not met, the BSO will advise the driver that the current means of report and release such as eManifest, PARS, RMD, etc. must be completed and will be referred to Primary. The goods will not be permitted to move past FPOA until these requirements have been met.

## **Empty Conveyances**

- 237. Authorized CSA carriers are exempt from transmitting pre-arrival empty conveyance data provided that they produce the following documentation to the PIL BSO in Highway mode:
  - (a) A valid FAST or CDRP card for the driver of the commercial vehicle; and
  - (b) A CSA carrier code in bar coded format.
- 238. Since CSA carriers do not require pre-arrival data for empty conveyances; the CBSA will not require a transmission of such in cases where Instruments of International Trade (IIT) is the only cargo on board. To report the IIT on board the conveyance the driver must provide:
  - (a) A verbal declaration stating that an IIT is on board; and
  - (b) A bill of lading that confirms the IIT (upon request)
- 239. Carriers that are authorized for either the CSA and/or PIP programs may use the FAST lane when a CDRP or FAST driver is hauling an empty conveyance. Should any passengers be on board, they must also be CDRP or FAST approved.

For additional information regarding empty conveyances and IIT's please see <u>Memorandum D3-1-5, *International Commercial Transportation*</u>.

#### **SECTION 5 - COMPLIANCE**

#### CARRIER OBLIGATIONS

240. CSA participation requires ongoing communication and updates of data between the approved carrier and the assigned CBSA officer. Using the parameters agreed upon by the client and the CBSA officer during Part II of the CSA application process, updates of these lists, or nil reports will be supplied to the assigned CBSA officer in the applicable format. The CSA carrier is required to inform the CBSA officer of changes to information provided in the application 30 days before they occur. See Appendix D for a table of exceptions to the 30-day time frame. The CBSA officer may request that the CSA carrier provide the CBSA officer with an updated version of the Part II CSA Carrier Application (listings, flag and screen prints). Should the carrier fail to inform the CBSA officer of any of these changes or fail to provide the information requested by the CBSA officer an action plan may be initiated, the carrier may receive a penalty, or the carrier may be suspended or removed from the program.

241. Approved carriers are required to submit information as described in the section called "Goods Not Delivered" of this document, for any shipment not delivered within 40 days of receiving authority to deliver or being in bond. The assigned CBSA officer should be notified in writing immediately. This obligation applies whether the CSA program or any other reporting process was used.

#### **Penalties**

242. Carriers who do not comply with the requirements of the CSA program may be subject to penalties under the Administrative Monetary Penalty System (AMPS). CSA carriers are not exempt from other non-CSA penalties that may also apply. More information on AMPS is available in <a href="Memorandum D22-1-1">Memorandum D22-1-1</a>, <a href="Administrative Monetary">Administrative Monetary</a> <a href="Penalty System">Penalty System</a>.

## **Post-Incident Analysis**

243. The CBSA may conduct a Post-Incident Analysis (PIA) following an incident or breach of supply chain security. A letter of notification will be sent to the program member when a PIA has been initiated. The letter will state the reason for the PIA and request the member's participation.

244. The sole purpose of a PIA is to assess compliance with program requirements following a security-related incident. A PIA will not be conducted at the request of another program or agency without grounds directly rooted in CSA program policy.

#### The PIA will seek to:

- (a) identify the source of the incident;
- (b) assess the member's response and cooperation with customs regulations and law enforcement (including self-reporting); and
- (c) ensure the implementation of proactive measures to prevent future incidents.
- 245. Incidents that require a PIA may be brought to the attention of the CBSA by means of:
  - (a) voluntary disclosure by the business or its authorized representative;

- (b) communications with CBSA operations, including border services officers;
- (c) exchange of information with the U.S. Customs-Trade Partnership Against Terrorism (C-TPAT) program, or any other AEO program under an established MRA; or
- (d) court decisions or legal publications.
- 246. At the discretion of the CBSA, membership benefits, including access to FAST lanes entering Canada, may be maintained or suspended throughout the duration of a PIA depending on the severity of the incident.
- 247. The outcome of a PIA may consist of:
  - (a) an action plan to outline corrective measures in response to the incident; and/or
  - (b) suspension or cancellation of program membership.

If the program member gives an unsatisfactory explanation as to the possible cause(s) of the incident, fails to respond effectively to the incident, and/or is unwilling or unable to participate in a PIA, then program membership may be suspended or cancelled at the discretion of the CBSA.

248. A letter of notification will be sent to the program member when a PIA has been concluded. The letter will state the outcome of the PIA and will provide an effective date for the CBSA's decision. A CBSA decision affecting CSA program membership as a result of a PIA is subject to appeal.

### **Action Plans**

- 249. Action Plans are administered to resolve specific incidents of non-compliance and do not necessarily result in an automatic suspension or cancellation of a CSA authorization. Action plans are created to formally document identified compliance issue(s), provide a means by which to resolve the issue(s) as well as providing follow-up and support until such situations are corrected.
- 250. Action Plans may be created for issues of non-compliance which fall under either section 10.6(1) (suspension from the program) or 10.6(2) (cancellation/removal from the program) of the AIGPDR. Alternatively, a CBSA officer may create an action plan to assist the carrier applicant in meeting the requirements necessary for the issuance of a CSA authorization.
- 251. An Action Plan may be instituted for a period of up to 6 months, however should the carrier feel they require additional time within which to address or correct the issue(s) they may make a written request for an extension of time, providing a justification to:

Manager Customs Self-Assessment Attention: Manager CSA Carrier Program Canada Border Services Agency 55 Bay Street North, 6th Floor Hamilton ON L8R 3P7 Canada

252. Should a carrier feel that an Action Plan is not warranted, the carrier should contact the Manager of the CSA Carrier Program, however, it is important to note that an action plan cannot be appealed as it is an interim measure to aid a client with compliance issues. If a client does not follow through with the required corrective actions their CSA authorization may be suspended or cancelled.

#### Revalidation

- 253. For a participant to maintain good standing in the CSA carrier program, the assigned CBSA officer must validate that participant regularly. This process will validate that the CSA-approved carrier is fulfilling all CSA obligations (see paragraph 240 for detailed information regarding obligations) and determine if an action plan is required.
- 254. The purpose of the validation process is to determine:
  - that all CSA obligations continue to be met;
  - that the approved CSA client is knowledgeable about the operational requirements of the program;
  - that an action plan will be implemented, if required;
  - that any existing action plans are evaluated;
  - if any Administrative Monetary Penalties (AMP) are required for non-compliance are issued;
  - continued participation or removal from the program can be determined; and
  - that the client remains low risk.

## ADDITIONAL INFORMATION

255. 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**.

## **APPENDIX A - SCENARIOS**

# The table below provides an overview of possible situations and the related processes. In all cases, the carrier is authorized under CSA.

Clearance Method	Driver Status	At PIL	Inland
CSA	Driver is to be registered.	<ul><li>Cargo automatically arrived</li><li>Goods authorized for delivery or referred for examination</li></ul>	- Goods authorized to deliver may be delivered to place of business of the importer, owner or consignee
PARS in good standing with CSA goods on the conveyance (Cargo report to and from a frontier office)	Driver is to be registered.	- Goods in recommend release status are adjusted to released status - Conveyance is authorized to move	<ul> <li>Carrier arrives the goods at an SO or Sufferance</li> <li>Warehouse</li> <li>Goods in released or authorized to deliver status may be delivered</li> </ul>
PARS in good standing with no CSA goods on the conveyance (Cargo report to and from a frontier office)	Driver is not required to be registered.	<ul><li>Goods in recommend release status are adjusted to released status</li><li>Conveyance is authorized to move</li></ul>	<ul> <li>Carrier arrives the goods at an SO or Sufferance</li> <li>Warehouse</li> <li>Goods in released status may be delivered</li> </ul>
Failed PARS, INPARS or in bond with CSA goods on the conveyance (Cargo report from frontier to an inland office)	Driver is to be registered.	- Goods in recommend release status are not automatically arrived or adjusted to released status - Conveyance with no frontier examination message attached is authorized to move - Destination port will require change from frontier to inland.	- Conveyance may move to SO (or sufferance warehouse) - Carrier may arrive the goods at SO - Goods in released status may be delivered - Goods not in released status remain at SO pending CBSA release
Failed PARS, INPARS or in bond with <b>no</b> CSA goods on the conveyance (Cargo report to and from a frontier office)	Driver is not required to be registered to proceed to an SO warehouse.	- Goods are not adjusted to released status - Conveyance with no frontier examination message attached is authorized to move - Destination port will require change from frontier to inland.	- Conveyance may move to SO (or sufferance warehouse) - Carrier may arrive the goods at SO - Goods in released status may be delivered - Goods not in released status remain at SO pending CBSA release

#### APPENDIX B - BAR CODE SPECIFICATIONS FOR NON-EDI HIGHWAY CARRIERS

## Customs Self-Assessment Program Bar Code Specifications for Non-EDI Highway Carriers

The following instructions and guidelines are for **highway carriers who do not use Electronic Data Interchange** (EDI) to meet the CBSA's clearance requirements. If you are a carrier that uses EDI to meet the CBSA's clearance requirements, please refer to Appendix C – Bar Code Specifications for EDI Carriers.

#### CUSTOMS SELF-ASSESSMENT CLEARANCE

The Customs Self-Assessment (CSA) clearance process is available to CSA-approved importers, CSA-approved carriers and drivers registered with the Commercial Driver Registration Program (CDRP) or the Free and Secure Trade (FAST) Commercial Driver Program.

### DATA ELEMENTS FOR CSA CLEARANCE

## **Mandatory Data Elements**

In order to clear CSA eligible goods using the CSA clearance process, the approved CSA carrier **must** provide the following three mandatory bar code data elements when the goods arrive:

CSA-approved carrier's carrier code;

CSA-approved importer's business number; and,

The registered driver's CDRP or FAST photo-identification card provided by the CBSA.

In addition to the three mandatory data elements outlined above, if a CSA-approved carrier has sub-contracted the transportation of CSA eligible goods to another CSA-approved carrier, the carrier code, in the bar code format of the secondary carrier, **must** also be provided when the goods arrive.

## **Optional Data Elements**

In addition to the mandatory data elements for CSA clearance, the following bar code data elements **may** be provided when the goods arrive:

CSA service option number; and/or

Transportation document number.

## DATA ELEMENT DEFINITIONS AND USE

## **Mandatory Data Elements**

**CSA-approved Carrier's Carrier Code**: This is the unique four-character bond number issued by the CBSA to a carrier. The four-character carrier code may contain both alpha and numeric characters (e.g. 9999 or 99AA). It is used to identify a specific carrier as a CSA-approved participant. This is a **mandatory** data element for CSA clearance. (N.B. If a carrier chooses to use the optional Transport Document Number (TDN), a separate carrier code bar code is not needed because the TDN includes the CSA-approved carrier's carrier code.)



## 9999

**CSA-approved Importer's Business Number**: This is a 15-character number issued by the Canada Revenue Agency to an importer. The 15-character number comprises nine numeric characters, the letters RM, and four numeric characters. There are no spaces between the characters (e.g. 123456789RM0001). This number is used to identify a specific importer as a CSA-approved participant. This is a **mandatory** data element for CSA clearance. (N.B. Carriers should contact their CSA-approved importer clients or the logistics company working on behalf of the importer to obtain importer bar codes or obtain the importer's business number so that the carrier can produce the bar codes.)



**Secondary Carrier Code**: This is the unique four-character bond number issued by the CBSA to a carrier. The four-character carrier code may contain both alpha and numeric characters (e.g. 9999 or 99AA). It is used to identify a specific carrier as a CSA-approved participant. This is a **mandatory** data element when primary CSA-approved carriers hire another CSA-approved carrier to transport CSA-eligible goods on their behalf using a letter of authority.



## **Optional Data Elements**

**CSA Service Option**: This is the five-digit code used by the CBSA to identify the service option being used to clear shipments. With most service options (e.g. PARS), the border services officer keys in the service option code upon the arrival of goods. This will continue with the CSA clearance process. However, if a carrier chooses to prepare and present the service option in bar code format for CSA clearance, it may facilitate the clearance of goods. This is an **optional** data element.

For non-EDI carriers using CSA clearance in the highway mode, the CSA service option number is 00497.



**Transport Document Number**: This is a unique reference number generated by CSA-approved carriers who want to track CSA shipments by distinctly numbering the shipments. This is an option, which is necessary to receive release notification system (RNS) messages for individual shipments. The total number of characters that can be included in the transportation document number is 25 and the first four characters **must** be the four-character carrier code. No transportation document number can be duplicated for a three-year period. The transportation document number is an **optional** data element. (N.B. If a CSA-approved carrier chooses to prepare and present a transport document number, a separate carrier code bar code is not required.)



## PRESENTATION OF THE BAR CODE DATA ELEMENTS

It is the approved CSA carriers' responsibility to present the mandatory bar codes to the CBSA in a valid format when reporting the shipment.

**The CBSA strongly recommends** that carriers produce and use a lead sheet, or control document to present the bar code data elements. Using this lead sheet will make it easier for border services officers to scan the bar code data elements and facilitate the clearance of goods.

There is no size specification for the lead sheet. However, the mandatory bar codes being presented must include headings or titles as in the attached samples, and the size specifications of the bar code itself must be followed.

The border services officer does not retain the lead sheet. In most cases, it is scanned and returned to the driver.

This lead sheet **may** be laminated. It is recommended that a lead sheet, which is intended for re-use and multiple crossings, be laminated to increase its durability and readability.

The optimum presentation format is a lead sheet of document, which contains, in the order described, all the mandatory bar codes, either printed or on labels. If it is not possible for a carrier to use a lead sheet, the data elements may be presented on a shipping document or as a combination of labels in the order described below.

Any other method of presenting the bar code data elements must be approved by the CBSA officer before using the CSA clearance process.

Regardless of the method used to provide the bar code data elements, the mandatory data elements must be presented, in the following order:

CSA-approved carrier's carrier code

CSA-approved importer's business number

If applicable, the CSA-approved secondary carrier's carrier code

If a carrier chooses to provide any or all of the optional data elements, in addition to the mandatory data elements, the information must be presented in the following order:

CSA service option number

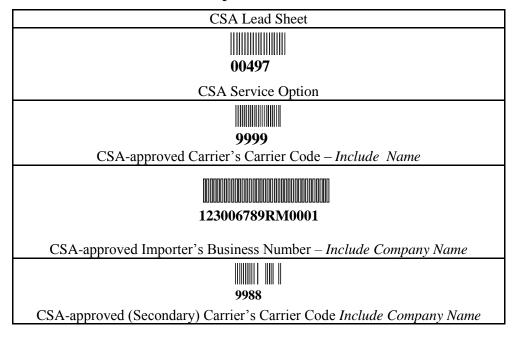
CSA-approved carrier's carrier code (N.B. This is not required if a transport document number is provided, as the transportation document number includes the mandatory CSA approved carrier's carrier code) or Transport Document Number

CSA-approved importer's business number

If applicable, the CSA-approved secondary carrier's carrier code

Please refer to the following example:

## Recommended Lead Sheet - Example 1

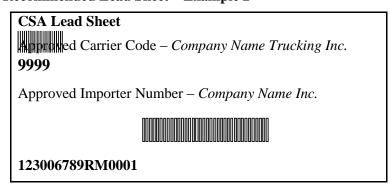


**Example #1** outlines all the mandatory and optional bar codes available, except the approved driver registration number, in the correct order, with an example of acceptable headings and descriptions provided next to each bar code.

These headings or descriptions may appear above or below the bar code, providing that they do not interfere with the bar code spacing specifications, or the human readable format.

The driver registration number is printed on the approved driver's CDRP or FAST membership card.

## Recommended Lead Sheet - Example 2



**Example # 2** is an abbreviated lead sheet, containing only two of the mandatory data elements, and the acceptable headings for the document and bar codes.

The third mandatory data element, the driver registration number, is printed on the approved driver's CSA or FAST membership card.

#### **TESTING OF BAR CODES**

# Sample bar codes must be tested and approved by the CBSA to ensure they meet CBSA readability standards before using the CSA clearance process.

It is the responsibility of all CSA participants to submit sample bar codes for each of the data elements, using the proposed method of presentation, whenever possible (e.g. lead sheet, laminated lead sheet, shipping document, labels) to the CBSA for testing and approval.

Reprints of bar codes previously tested and approved by the CBSA do not need to be resubmitted for approval, unless the process or materials used to produce the bar codes have changed significantly.

To obtain CBSA approval, please forward original bar code document samples or bar code labels to your CBSA officer.

#### BAR CODE INSTRUCTIONS

## **Bar Code Symbologies**

Either of the following bar code symbologies may be selected:

Standard Code 3 of 9, as defined in the AIM (Automatic Identification Manufactures Inc.) document USS-39 (USD-3). Use of the optional Code 3 of 9 modulo 43 checksum is not acceptable. Code 3 of 9 bar code symbols may be printed with either a 2:1 or 3:1 wide to narrow bar width ratio, subject to meeting the requirements outlined in Part II.

Code 128 is defined in AIM document USS-128 (USD-6). A modulo 103 checksum digit is a mandatory part of Code 128.

**Note**: For transport document numbers longer than 18 characters, it may not be possible to use Code 3 of 9. The maximum length of 4.5"/11.43 cm will be strictly enforced.

## Width of Narrow Bar

The minimum width of a narrow bar must be 0.023 cm (0.009 inches).

The maximum width of a narrow bar is dependent on the bar code symbology selected, as follows:

Code 3 of 9 (2:1 ratio) = 0.04 cm (0.016 inches)

Code 3 of 9 (3:1 ratio) = 0.03 cm (0.012 inches)

Code 128 = 0.04 cm (0.016 inches)

Code 128 (double density) = 0.06 cm (0.024 inches)

### Width of Wide Bar

For Code 3 of 9, a wide bar must be no less than two and no more than three times that of a narrow bar, according to the narrow bar specifications required.

For Code 128, there are four different bar widths. These must be one, two, three and four times that of a narrow bar, where the maximum width of the narrow bar is as specified above in Width of Narrow Bar.

## **Length of Quiet Zones**

Both the leading and the trailing quiet zones must be a minimum of either 10 times the narrow bar width, or 0.3 cm (0.125 inches), whichever is greater. Longer quiet zones will increase the readability of the code.

## **Bar Code Symbol Height**

The bar code symbol must be between 0.95 cm (0.375 inches) and 1.60 cm (0.625 inches) in height.

## **Bar Code Symbol Length**

The bar code symbol, including the leading and trailing quiet zones, as well as the human readability component, must totally reside within an area no greater than 12.7 cm (5 inches) long by 3.8 cm (1.5 inches) high.

#### **Human Readable Format**

Human readable print numbers must always be below the bar code.

The height of the human readable print must be at least 0.25 cm (0.0984 inches).

The human readable number must begin on the left side of the bar code directly below the point where the bar code starts.

The spacing between the bar code and the human readable format and any subsequent lines must be at least 0.08 cm (0.03 inches).

The related carrier, importer and secondary carrier names must be printed for all bar codes being tested. The printing must meet the requirements of the quiet zones and not interfere with the human readable number or code.

#### **Print Contrast Ratio**

The print contrast ratio (PCR) is the ratio of the difference of reflectivity between the bars and spaces, as follows:

## PCR = Reflectance of Spaces - Reflectance of Bars

Reflectance of Spaces

Where reflectance is defined as a percentage figure, the print contrast ratio must be a minimum of 55 percent, with an optimum value of 75 percent.

## Readability

The average first read rate for bar code symbols produced must be 95 percent (i.e., Only five in 100 will require more than one scan.). All bar codes produced through carbons must meet the same readability rate as the original.

## Lifetime

The bar code symbol must be readable for a minimum of eight months with a 95 percent first-read rate.

## **Print Type**

The bar code symbol may be printed with either carbon or non-carbon ink.

#### Label Size

If labels are used, the label must be a self-adhesive, permanent label and must be smudge-proof.

#### APPENDIX C - BAR CODE SPECIFICATIONS FOR EDI CARRIERS

## Customs Self-Assessment Program Bar code Specifications for CSA-EDI Highway Carriers

The following instructions and guidelines are for highway carriers who transmit electronically to meet the CBSA's clearance requirements. CSA Carriers utilizing Service Options 00976 and 00984 of the eManifest Message Maps should contact the TCCU to obtain additional information regarding Bar Code specifications: http://www.cbsa-asfc.gc.ca/eservices/eccrd-eng.html. If you are a carrier that does not transmit electronically to meet the CBSA's clearance requirements, please refer to Appendix B – Bar Code Specifications for non-EDI Highway Carriers.

## CUSTOMS SELF-ASSESSMENT CLEARANCE

The Customs Self-Assessment (CSA) clearance process is available to CSA-approved importers, CSA-approved carriers and drivers registered with the Commercial Driver Registration Program (CDRP) or the Free and Secure Trade (FAST) Commercial Driver Program.

#### DATA ELEMENTS FOR ELECTRONIC TRANSMISSION AND CLEARANCE

## **Mandatory Data Elements**

In order to report EDI cargo, the following two mandatory bar code data elements **must** be provided on a lead sheet when the goods arrive:

Service option

Conveyance number

Should there be CSA cargo on board, the registered driver's photo-identification electronic device (CDRP or FAST card), provided by the CBSA, must also be presented at the time of report.

In addition to the two mandatory data elements outlined above, if an EDI carrier has sub-contracted the transportation, the other carrier **must** be a CSA-approved carrier and must present his or her carrier code in bar code format as the secondary carrier.

## **Optional Data Elements**

In addition to the mandatory data elements for EDI clearance, the following bar code data elements may be provided upon arrival of the goods:

#### DATA ELEMENT DEFINITIONS AND USE

### **Mandatory Data Elements**

**EDI Highway Service Option:** This is the five-digit code used by the CBSA to identify the service option being used to report shipments.



Conveyance Report Number: This is a unique reference-tracking number, which links either one (1) shipment (full truckload), or all the multiple shipments (less than truckload - LTL), on board one or multiple trailers per entry to Canada. It must begin with the four-digit carrier code of the primary CSA EDI-approved carrier. This number cannot be longer than 25 characters and cannot be duplicated for a three-year period. The CBSA will capture the conveyance number at the border. This number will be linked to all the shipments on board that conveyance in the CBSA's system.



**Secondary Carrier Code**: This is the unique four-character bond number issued by the CBSA to a carrier. The four-character carrier code may contain both alpha and numeric characters (e.g. 9999 or 99AA). It is used to identify a specific carrier as a CSA-approved participant. The CSA secondary carriers may already have a method for their drivers to report their carrier code. This is a **mandatory** data element when primary CSA-approved carriers hire another CSA-approved carrier to transport any type of cargo reported by EDI on their behalf using a letter of authority.



## PRESENTATION OF THE BAR CODE DATA ELEMENTS

A lead sheet must be used by the EDI carrier to present the bar code data elements. Border services officers will scan the bar codes at the first point of arrival to Canada.

The mandatory data elements must be presented, in the following order:

EDI highway service option number

Approved conveyance number

If applicable, the registered driver identification

If applicable, the CSA-approved secondary carrier's carrier code

If a carrier chooses to provide any or all of the optional data elements, in addition to the mandatory data elements, the information must be presented in the following order:

Owner-operator's carrier code (must be last bar code presented on the lead sheet)

## RECOMMENDED LEAD SHEET

A **FLAG**, such as a separate color sheet for the driver as a reminder to have the CDRP or FAST card ready for presentation when reporting to the CBSA is also recommended.

EDI Lead Sheet		
EDI Highway Service Option		
00547		
CBSA-approved Conveyance Number		
99995678910111213 CAR	RIER NAME	
IF APPLICABLE:		
9988		7999
	OR	
CARRIER NAME		
CSA-approved (Secondary) Carrier's	OR	Carrier Code

Your assigned CBSA officer **must** review and authorize the format of the EDI lead sheet and consist lists **before** they are used.

#### **CARRIER OUTAGES**

During carrier outages, some of the cargos or conveyances may not have been sent to the CBSA.

The carrier will have the option of either presenting a consist sheet or individual paper cargo control documents. Bar codes representing the cargoes must be the same as those that may have been transmitted to the CBSA and **must** clearly indicate **CARRIER OUTAGE** at the top of the paper manifest.

CSA, PARS and RMD releases are to appear in order, as shown below, or a separate CONSIST SHEET for CSA shipments may be used. Planned IN-BOND cargo is presented on A8A manifests.

## RECOMMENDED CONSIST SHEET

(Multiple pages are to be presented when required)

A **FLAG**, such as a separate color sheet for the driver as a reminder to bring the CDRP or FAST card when reporting to the CBSA is also recommended.

EDI – LTL CARRIER OUTAGE		
CONSIST SHEET		
Carrier Name:		
Date:	_	
Conveyance #: _ if applicable, bar code format provided on	lead sheet	
Bar Codes	CBSA	Service Option
9999123456789221		PARS
9999123456789222		PARS
9999123456789224		PARS
9999123456789225		PARS OGD
9999123456789226	123006789RM0001	CSA
EDI-LTL CARRIER OUTAGE		
CONSIST SHEET		
Carrier Name:	— <u>—</u>	
Date of Entry to Canada:		
Conveyance #: if applicable, bar code format provided on	lead sheet	

Carrier Bar Codes	Importer Bar Codes	Service Option
9999177758887727		CSA
9999177758889225	123001119RM000	CSA
9999177758889995	123006789RM0001	CSA

#### **TESTING OF BAR CODES**

Sample bar codes must be tested and approved by the CBSA to ensure they meet CBSA readability standards before using the EDI reporting process.

It is the responsibility of all EDI participants to submit sample bar codes for each of the data elements using the proposed method of presentation (e.g. lead sheet, shipping document, labels) to the CBSA for testing and approval. 9999177758887727 9999177758889225 9999177758889995 123006789RM0001

Reprints of bar codes previously tested and approved by the CBSA do not need to be resubmitted for approval, unless the process or materials used to produce the bar codes have changed.

For testing of bar codes, send a sample to the Technical Commercial Client Unit at:

Technical Commercial Client Unit Canada Border Services Agency 355 North River Road, 6th Floor, Tower B Ottawa ON K1A 0L8

For more information:

E-mail tccu-ustcc@cbsa-asfc.gc.ca

Telephone:

1-888-957-7224, Option 1 for EDI transactions / Option 2 for Technical Portal Assistance (calls within Canada and the United States)

613-946-0762 (overseas callers)

Fax: 343-291-5482

To obtain CBSA approval, please forward original bar code document samples or bar code labels to your CBSA officer.

#### BAR CODE INSTRUCTIONS

## **Bar code Symbologies**

Either of the following bar code symbologies may be selected:

Standard Code 3 of 9, as defined in the AIM (Automatic Identification Manufactures Inc.) document USS-39 (USD-3). Use of the optional Code 3 of 9 modulo 43 checksum is not acceptable. Code 3 of 9 bar code symbols may be printed with either a 2:1 or 3:1 wide to narrow bar width ratio, subject to meeting the requirements outlined in Part II.

Code 128 is defined in AIM document USS-128 (USD-6). A modulo 103 checksum digit is a mandatory part of Code 128.

**Note**: For transport document numbers longer than 18 characters, it may not be possible to use Code 3 of 9. The maximum length of 4.5"/11.43 cm will be strictly enforced.

#### Width of Narrow Bar

The minimum width of a narrow bar must be 0.023 cm (0.009 inches).

The maximum width of a narrow bar depends on the bar code symbology selected, as follows:

Code 3 of 9 (2:1 ratio) = 0.04 cm (0.016 inches)

Code 3 of 9 (3:1 ratio) = 0.03 cm (0.012 inches)

Code 128 = 0.04 cm (0.016 inches)

Code 128 (double density) = 0.06 cm (0.024 inches)

## Width of Wide Bar

For Code 3 of 9, a wide bar must be no less than two and no more than three times that of a narrow bar, according to the narrow bar specifications required

For Code 128, there are four different bar widths. These must be one, two, three and four times that of a narrow bar, where the maximum width of the narrow bar is as specified above in **Width of Narrow Bar**.

## **Length of Quiet Zones**

Both the leading and the trailing quiet zones must be a minimum of either 10 times the narrow bar width or 0.3 cm (0.125 inches), whichever is greater. Longer quiet zones will increase the readability of the code.

## **Bar code Symbol Height**

The bar code symbol must be between 0.95 cm (0.375 inches) and 1.60 cm (0.625 inches) in height.

## **Bar code Symbol Length**

The bar code symbol, including the leading and trailing quiet zones, as well as the human readability component, must totally reside within an area no greater than 12.7 cm (5 inches) long by 3.8 cm (1.5 inches) high.

## **Human Readable Format**

Human readable print numbers must always be below the bar code.

The height of the human readable print must be at least 0.25 cm (0.0984 inches).

The human readable number must begin on the left side of the bar code directly below the point where the bar code starts.

The spacing between the bar code and the human readable format and any subsequent lines must be at least 0.08 cm (0.03 inches).

Carriers must print their carrier name. EDI-approved participants may also print the acronym "EDI" or "EDI-LTL". The printing must meet the requirements of the quiet zones and not interfere with the human readable number or code.

The bar code symbol should read only the digits found in the human readable number and should not read the dash or space.

## **Print Contrast Ratio**

The print contrast ratio (PCR) is the difference of reflectivity between the bars and spaces, as follows:

PCR = Reflectance of Spaces - Reflectance of Bars

Reflectance of Spaces

Where reflectance is defined as a percentage figure, the print contrast ratio must be a minimum of 55 percent, with an optimum value of 75 percent.

#### Readability

The average first-read rate for bar code symbols produced must be 95 percent (i.e., only five in 100 will require more than one scan). All bar codes produced through carbons must meet the same readability rate as the original.

## Lifetime

The bar code symbol must be readable for a minimum of eight months with a 95 percent first-read rate.

## **Print Type**

The bar code symbol may be printed with either carbon or non-carbon ink.

## Labels

If labels are used, the label must be a self-adhesive, permanent label and must be smudge-proof.

# APPENDIX D - CHANGES TO THE PART II APPLICATION INFORMATION

Type of change	Time frame for notification		
Change in a current business flow	30 days before		
Change in carrier code	30 days before		
Change in audit trails	30 days before		
Change in service providers	30 days before		
Change in types of service provided	30 days before		
Change of address	30 days before		
Change of contact name, telephone, etc.	30 days before		
Changes in BN or RM	30 days before		
New business flows	30 days before		
Withdrawal from CSA program	30 days before		
Bankruptcy or receivership	as soon as change is public		
Change of name	as soon as change is public		
Change of ownership	as soon as change is public		
Corporate re-organization	as soon as change is public		
Mergers and acquisitions	as soon as change is public		
New division	as soon as change is public		
Sale of facilities, divisions or part of the business	as soon as change is public		
Trade chain partners, non-EDI clients	monthly or quarterly, as agreed upon with CBSA officer		
Trade chain partners, EDI clients	before use of owner operator or terminal/warehouse		
Errors, systems, problems, non-compliance etc.	upon discovery		

# APPENDIX E - LINK BETWEEN THE CARGO REPORT AND THE HIGHWAY CONVEYANCE REPORT

Individual Cargo Reports	(Highway Conveyance Report) Summarized on the Conveyance Report with the Conveyance Report Number
00539	00547
CCN/TDN	
□ CCN/TDN	☐ Conveyance Report
□ CCN/TDN	

## APPENDIX F - 40 DAY REPORT

Reporting carrier name:					
Contact name:	Contact name: (of who is providing the report)				
Phone number:	Phone number: (of who is providing the report)				
Date of report:					
Originating Date	Importer Name or Business Number	Cargo Control Number	Unit Number	Location of Goods	Shipper/Consignee
Date goods entered Canada		Not required if CSA	Trailer or container number in which cargo entered Canada	City/Prov /Yard where goods are located	

## APPENDIX G – LETTER OF AUTHORIZATION

Telephone Number:

# **Letter of Authorization** Sample Only **Business Letter Head** Date To: Canada Border Services Agency Subject: Letter of Authorization This is to advise you that: Name of representative: Address: City/Province/State: Postal/Zip-code: Is authorized by: Name of business: Address: City/Province/State: Postal/Zip-code: To provide information to the Canada Border Services Agency (CBSA) on behalf of the business as required in relation to the Customs Self-Assessment Program (CSA). (Business Name) acknowledges that by authorizing the above noted representative, it assumes full liability for all information provided to the CBSA by their representative. This authorization is valid until further notice. Authorized Signature: Title:

References		
Issuing Office	Trusted Trader Programs Unit Program Policy Management Division Commercial Program Directorate Canada Border Services Agency	
Headquarters File		
Legislative References	Customs Act, sections 32, 37(1), 164, and 166  Transportation of Goods Regulations Accounting for Imported Goods and Payment of Duties Regulations Privacy Act	
Other References	<u>D1-7-1</u> , <u>D3-1-1</u> , <u>D3-1-5</u> , <u>D3-4-2</u> , <u>D3-6-6</u> , <u>D4-1-4</u> , <u>D17-1-4</u> , <u>D17-1-5</u> , <u>D22-1-1</u> and <u>D23</u> series	
Superseded Memorandum D	D3-1-7 dated December 10, 2010	