



Memorandum D19-10-3

Ottawa, May 05, 2022

Administration of the *Export and Import Permits Act* (Exportations)

In Brief

This memorandum has been revised to reflect:

- (a) Changes to the Canada Border Services Agency's (CBSA) role in administering the provisions of the Export and Import Permits Act (EIPA);
- (b) Incorporation of references to the methods of permit application; online and paper;
- (c) Updates and new information on goods moving in transit - paragraph 10;
- (d) Updates and new information on export permit procedures, reporting requirements and detention of goods within paragraphs 11 to 17;
- (e) Addition of new information on Administrative Monetary Penalties (AMP) on failure to meet export permit requirements when exporting goods within paragraph 21;
- (f) New contact information within paragraphs 20 to 23; and
- (g) Updates and new information on the Export Permit form and export permit procedures within appendices A and B.

This memorandum outlines the requirements and permit procedures for the exportation of goods listed in the [Export Control List](#) and for the exportation of goods to the countries listed in the [Area Control List](#).

Legislation

[Customs Act](#)

[Export and Import Permits Act](#)

[Area Control List](#)

[Export Control List](#)

Guidelines and General Information

Definitions

1. For the purpose of the administration of the [Export and Import Permits Act](#), the following definitions apply:

Area Control List means a list of countries established under section 4 of the Act;

Act means the Export and Import Permits Act;

Broker means to arrange or negotiate a transaction that relates to the movement of goods or technology included in a Brokering Control List from a foreign country to another foreign country, including a transaction referred to in subsection (1.1);

Export Control List means a list of goods and technology established under section 3 of the Act;

Goods means

- (a) goods as described in the [Guide to Canada's Export Controls](#) that are intended for export to a destination specified in respect of those goods in section 2 of the *Export Control List*; or
- (b) goods that are intended for export to a country included in the [Area Control List](#).

Minister means such member of the Queen's Privy Council for Canada as is designated by the Governor in Council as the Minister for the purposes of the Act;

Permit means an export permit issued pursuant to subsection 7(1) of the Act;

Technology includes technical data, technical assistance and information necessary for the development, production or use of an article included in an Export Control List or a Brokering Control List;

Introduction

2. The Canada Border Services Agency (CBSA) assists Global Affairs Canada (GAC) with the administration of the [Export and Import Permits Act](#).
3. The [Export and Import Permits Act](#) gives the Governor in Council the authority to establish the [Export Control List](#) and the [Area Control List](#).

Export control

4. Export permits issued by GAC are required for the exportation of goods and technology listed in the [Export Control List](#) and for the exportation of any goods or technology to any country listed in the [Area Control List](#), except in cases where such goods and technology are permitted exportation under the authority of a General Export Permit (GEP).
5. An application for an export permit must be filed with GAC. Export permit applications for strategic and military goods and technology, as well as logs, are requested online using the [Export Controls Online](#) (EXCOL) system.
6. Export permit applications for the majority of non-strategic goods controlled under Group 5 of the [Export Control List](#) as well as import permit applications for certain strategic goods, are requested online using the [Export and Import Controls System](#) (EICS). The exception to this is certain forest products falling under Item 5101 of the [Export Control List](#), which are processed in EXCOL. Export permits are typically issued in electronic form and can be printed by the exporter.
7. Paper applications may also be requested using the forms that are available on the export controls website: https://www.international.gc.ca/controls-controles/about-a_propos/expor/before-avant.aspx?lang=eng. When a permit application has been approved, GAC issues an export permit that is signed by an official with the delegated authority of the Minister of Foreign Affairs.
8. The exporter shall present a copy of the export permit to the CBSA, within the time frames specified in the [Reporting of Exported Goods Regulations](#) by mode of transportation, at the place specified in the permit authorizing the exportation. If no place is specified in that permit, it must be presented at the export reporting office located closest to the place of exit of the goods and/or technology from Canada. An example of an EXCOL export permit may be found in Appendix A.
9. Certain goods and technology may be exported under the authority of a *General Export Permit*. In such cases, it is not necessary to apply for an individual export permit. The relevant *General Export Permit* number must be quoted in the corresponding field on the export declaration, if one is required under the [Customs Act](#). The CBSA must be satisfied that the proposed export falls within the terms of the *General Export Permit*.

Controlled goods moving in transit through Canada

10. In general, GAC does not require permits for goods and technology moving in transit. Please see Item 5401 (Goods and Technology in Transit) of the *Export Control List* for further information.

Export Permit Verification Procedure

11. Border services officers will verify the accuracy of the export permits (permit number, validity dates, exporter name, quantities, etc.), ensure that permits have been issued/authorized by GAC, and will return the permits to the exporters.
12. In addition to the above verification procedures, **for exports of logs listed under Item 5101 of the ECL:**
 - (a) At the CBSA offices **outside of British Columbia**, border service officers shall follow the process outlined in section 11.

- (b) **Only at CBSA offices located along the Canada/US Border of the province of British Columbia**, border services officers will:
- a. Initial and stamp export permits for logs listed under Item 5101 of the ECL; and
 - b. Hold the permit and its accompanying load slip as part of the export report, according to the procedure set out in Appendix B to this memorandum. The log export permit and the accompanying load slip will be picked up routinely by an officer of the BC Ministry of Forests, Lands, Natural Resource Operations and Rural Development (BC FLNRORD).
13. Appendix B to this memorandum further describes the permit procedure and relevant responsibilities. Additional information may be found in [D20-1-1, Export Reporting](#).

Amendments to individual permits

14. Necessary amendments to permits may be authorized by GAC. Types of amendments include: differences in permit and shipment quantities, extensions of validity and expiry dates, cancellations, etc. For further information on amendments to permits, contact [Global Affairs Canada](#).
15. The [Reporting of Exported Goods Regulations](#) require that an accurate permit be provided to the chief officer of customs, within the applicable time set out in section 3 of the Regulations, and the goods and technology made available for inspection, at the place specified in the permit authorizing the exportation, or if no place is specified in that permit, at the export reporting office located closest to the place of exit of the goods and technology from Canada.

Detentions

16. The CBSA will not allow the goods to be exported (depending on circumstances goods may be detained or refused export) when:
- (a) no permit is presented;
 - (b) the goods and technology are not as stated on the permit;
 - (c) the quantity to be exported is greater than the quantity authorized on the permit;
 - (d) the permit is not yet in effect or has expired;
 - (e) there is uncertainty about the validity of the permit.
17. Under the above circumstances, the exporter will be advised to contact GAC (refer to paragraphs 20 to 23); the goods will not be exported until a valid export permit is presented to the CBSA or the permit discrepancy has been resolved by GAC.

Penalties

18. Every person who contravenes any of the provisions of the Act or its regulations is guilty of an offence and is liable to:
- (a) on summary conviction, to a fine not exceeding \$250,000 or to imprisonment for a term not exceeding 12 months, or to both; or
 - (b) on conviction upon indictment, to a fine in an amount that is in the discretion of the court or to imprisonment for a term not exceeding ten years, or to both.

Administrative Monetary Penalty System (AMPS)

19. The [Administrative Monetary Penalty System](#) (AMPS) authorizes the CBSA to impose monetary penalties for non-compliance with the [Customs Act](#), the [Customs Tariff](#) and the regulations under these Acts, as well as contraventions of the terms and conditions of licensing agreements and undertakings. Please refer to the [Memorandum D22-1-1, Administrative Monetary Penalty System](#) for details.

Additional Information

20. Questions concerning the issuance of export permits for strategic and military goods and technology should be directed to:

Export Controls Division (TIE)
 Global Affairs Canada
 125 Sussex Drive
 Ottawa, Ontario K1A 0G2

Telephone: (343) 203-4331
 Facsimile: (613) 996-9933
 E-mail: tie.reception@international.gc.ca

21. Questions concerning the issuance of export permits for non-strategic goods controlled under Group 5 of the ECL (with the exception of Forest Products, and Milk Products and Infant Formula) should be directed to:

Non-Supply Managed Trade Controls Division
 Global Affairs Canada
 125 Sussex Drive
 Ottawa, Ontario
 K1A 0G2

Telephone: 343-203-6820
 Facsimile: 613-996-0612 / 613-995-5137
 Email Non-Supply Managed Trade Controls: tin@international.gc.ca

Website: www.exportcontrols.gc.ca

22. Questions concerning the issuance of export permits for Forest Products (Items 5101 to 5104 on the ECL) should be directed to:

Softwood Lumber and Log Export Controls
 Global Affairs Canada
 125 Sussex Drive
 Ottawa, Ontario, K1A 0G2

Telephone: 343-203-5386 (Hot Line)
 Facsimile: 613-944-1452
 Email for Logs: [Logs-Billes de bois@international.gc.ca](mailto:Logs-Billes_de_bois@international.gc.ca)
 Email for Softwood Lumber: softwood.boisdoeuvre@international.gc.ca
 Website: <https://www.international.gc.ca/controls-contrôles>

23. Questions concerning the issuance of export permits for Milk Products and Infant Formulas (item 5200 on the ECL) should be directed to:

Supply-Managed Trade Controls Division
 Global Affairs Canada
 125 Sussex Drive
 Ottawa, Ontario
 K1A 0G2

Email: Export_Thresholds-Seuils_Exportation@international.gc.ca

24. For more information regarding the CBSA's programs and services, please contact the Border Information Service (BIS) line. Within Canada, you can call BIS toll-free at **1-800-461-9999**. From outside Canada, please 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 at **1-866-335-3237**.

Appendix A - Form EXT 1042, Application for a Permit to Export Goods

Please see all appropriate forms/applications at https://www.international.gc.ca/controls-controles/about-a_propos/expor/before-avant.aspx?lang=eng.

Permit Number N° de licence:		Reference Identification N° de référence:		Permit Valid From Licence valide à partir de:		Permit Valid To Licence valide jusqu'à:		Page Number Nombre de pages: Page 1 of 2			
Exporter / Exportateur EICB No. / N° de DGCEI:				Applicant / Requirant EICB No. / N° de DGCEI:							
Name / Nom:				Name / Nom:							
Address / Adresse:				Address / Adresse:							
City / Ville:		Province / State / État:		Country / Pays:		City / Ville:		Province / State / État:		Country / Pays:	
Postal Code / Code postal:		Telephone No. / N° téléphone:		Facsimile / Télécopieur:		Postal Code / Code postal:		Telephone No. / N° téléphone:		Facsimile / Télécopieur:	
Contact / Responsable:				Contact / Responsable:							
Intermediary Consignee Name Nom du destinataire intermédiaire:				Street Address, City / Adresse de votre ville:				Country / Pays:			
Final Consignee Name Nom du destinataire final:				Street Address, City / Adresse de votre ville:				Country / Pays:			
ECL No. (X): N° de LMEC:											
Item No. N° d'article	Country of Manufacture Pays de fabrication	Description	Quantity Quantité	Unit Measure Unité de mesure	Unit Value (\$CAD) Valeur unitaire (\$CAD)	Total Value (\$CAD) Valeur totale (\$CAD)					
<p>The total value of all goods proposed for export against this permit is (\$CAD) : La valeur de toutes les marchandises autorisées à être exportées en vertu de cette licence s'élève à (\$CAD) :</p>											
Terms and Conditions / Conditions											

ITC 1042 (2005-07-18)

Canada

Appendix B – Export Permit Procedures

The following chart outlines the permit procedure and delineates the respective responsibilities of the exporter, Global Affairs Canada (GAC), and Canada Border Service Agency (CBSA).

Action	Responsibility
Step 1: Apply for a permit.	Exporter
Step 2: When a new permit application is received, assess the goods and technology against the <i>Export Control List</i> (ECL), and review the permit application.	GAC
Step 3: If the permit application is complete and, following an assessment of the application, it is determined that a permit should be issued, issue the permit to the exporter.	GAC
Step 4: Present a copy of the export permit to the CBSA, within the time frames specified in the Reporting of Exported Goods Regulations by mode of transportation, at the place specified in the permit authorizing the exportation. If no place is specified in that permit, it must be presented at the export reporting office located closest to the place of exit of the goods and/or technology from Canada.	Exporter
Step 5: Review the permit to ensure the information matches that of the attached export declaration, the cargo control document, and/or the goods or technology: (a) permit quantity, value shipped and description; (b) effective and expiry dates of permit; (c) issuance on behalf of the Minister of Foreign Affairs.	CBSA
Step 6: Validate the permit in terms to quantity, value, etc., for export.	CBSA
Step 7: Allow goods and technology to be exported.	CBSA
Step 8: With respect to export permits for logs controlled under Item 5101 of the ECL that are validated at CBSA offices located along the Canada/US Border of the province of British Columbia , CBSA officers shall retain the permit together with its accompanying load slip, at the export reporting office, of exit as part of the export report. The log export permit and the accompanying load slip will be picked up routinely by an officer of the BC Ministry of Forests, Lands, Natural Resource Operations and Rural Development (BC FLNRORD).	CBSA
Step 9: If necessary, take enforcement action.	GAC
Step 10. If necessary, take enforcement action.	CBSA

References	
Issuing Office	Other Government Department Programs Unit Program and Policy Management Division Commercial Program Directorate Commercial and Trade Branch
Headquarters File	
Legislative References	<i>Customs Act</i> <i>Customs Tariff</i> <i>Export and Import Permits Act</i> <i>Export Permits Regulations</i> <i>Export Permits Regulations (Non-strategic Products)</i> <i>Area Control List</i> <i>Export Control List</i>
Other References	<u>D20-1-1</u> , <u>D22-1-1</u>
Superseded Memorandum D	D19-10-3 dated January 15, 2010