

30-day Non-Escalation of Penalty Levels

In Phase I of AMPS Review Implementation, a new business requirement will be introduced in the escalation of penalty levels from the first to the second for some low and medium risk contraventions to allow importers and exporters enough time to correct their non-compliance with the many trade laws and regulations, which the CBSA enforces on its own behalf and on that of other government departments.

Should a second Penalty Assessment (PA) with the same contravention be issued against the same client, the system will not escalate the penalty level to level two unless 30 days have transpired from when the first PA was issued or the infraction occurred. The 30-day non-escalation requirement will apply from the first to second level only; it will not apply from the second to third level.

This new business requirement will be automated in the system on April 14th, 2010.

Following is the list of contraventions to which the 30-day non-escalation requirement will apply.

Contravention Code	30-Day Non-Escalation Requirement from Level 1 to Level 2
C004	Person failed to provide the correct SIMA code.
C005	Person failed to provide true, accurate and complete information.
C010	Broker failed to provide records within specified time limit.
C011	Person acted as broker without a license.
C044	Transporter failed to keep records or to answer questions about records.
C058	Sufferance warehouse licensee failed to acknowledge receipt of goods.
C071	Person failed to provide permit/certificate or information before goods released.
From C084 to C151 (68 Contraventions)	Importer failed to mark the goods.
C192	Person failed to report goods not exported.
C207	Master of ship failed to secure alcohol and tobacco under seal (marine).
C208	Carrier failed to seal bar-boxes while on the ground (air).
C342	Person failed to transmit release information to the correct customs office.