



COVID-19 Commercial Update to Industry Stakeholders

April 3, 2020

KEY MESSAGE

Questions and concerns surrounding Customs Notice 20-11 Extension of Timeframes for Payment of Customs Duties and GST (COVID-19) are being addressed.

Key Issues

- Duties applied under the *Special Import Measures Act* (SIMA) will remain in force and continue to be assessed, but with payment due on June 30, the new timeframe. Importers are expected to continue accurately self-assessing the amounts owing on imported goods, including SIMA duties. Imports continue to be monitored by the CBSA for compliance.
- The CBSA is making progress towards the expanded use of email and fax, in lieu of paper submissions of commercial documentation. The first wave of ports to offer email service will be Vancouver, Toronto, Windsor, Montreal and Halifax. Additional offices will come online shortly. Commercial clients are encouraged to communicate with their local CBSA office to determine their state of readiness and the best method currently available. Please see Annex A for details.

E-appeal pilot project:

- In light of the current situation, the Recourse Directorate would like to inform you that it is still possible to join the e-appeal pilot project. As of March 31 2020, mail is no longer being monitored and therefore we encourage you to submit requests to the Recourse Directorate via email. Please follow the instructions provided within Annex B to submit your request via the e-appeal pilot. If you are already part of the pilot project, please use the provided procedures going forward.
- For requests that have been submitted and for which an Agreement to Communicate Electronically was not already provided to the Recourse Directorate, please send it to the email address below and identify to which submission the agreement relates to, i.e. RCMS case number or Importer name and submission date.
- Should you require assistance or have questions on how to submit your e-appeal, please send your questions and contact information to CBSA.TTU_Recourse-UTEC_Recours.ASFC@cbsa-asfc.gc.ca.

Other Sources of Information

- Official updates on COVID-19 are available on the [Government of Canada website](#).

Bulletins will not be issued over the weekend. If there are any emergencies, stakeholders are asked to reach a contact listed below.

Contacts

If you have any follow-up questions, please send to the BCCC at BCCC-CCACF@CBSA-ASFC.GC.CA.

Fred.Gaspar@cbsa-asfc.gc.ca

Director General, Commercial
Office # 613-957-3511
Cell # 343-542-9240

Doug.Band@cbsa-asfc.gc.ca

Director General Trade and Anti-Dumping
Office # 613-954-7338
Cell # 613-295-5992

Border Information Service (BIS) line: Within Canada (Toll-free) - 1-800-461-9999 / Outside Canada (Long distance charges apply) - 1-204-983-3500

Annex A – Alternatives to Paper Processing

List of documents approved by Headquarters for electronic submission

<i>May be sent by email/fax</i>	<i>May <u>not</u> be sent by email/fax</i>
<ul style="list-style-type: none"> • A48 RMD Correctors • BSF673 • Re-manifest requests • De-consolidation requests • A10 Abstracts • Paper RMD/PARS/B3 release requests • Entered to Arrive (ETA) • Value Included (VI) • Aero-paper • K32 – Drawback Claims 	<ul style="list-style-type: none"> • Release requests that must be sent in by EDI, as per D17-1-4 • Regulated shipments requiring original paper permits or certificates, including: <ul style="list-style-type: none"> ○ Kimberley Certificates ○ CITES Permits • C-Type B3s where payment is required prior to release

Key points:

- Existing legislation continues to apply. Note, the *Customs Brokers Licensing Regulations* require release related documentation be submitted only by brokers with an office at the port;
- Existing policies and D-memos (i.e. D3 series, D17-1-4) continue to apply;
- All documents are still required, in the correct order;
- For release requests, an EDI exception lead sheet must be provided, per D17-1-4;
- In lieu of coloured wrappers, write the wrapper colour specified in the D-memo on the first page, to enable the triage of requests;
- Additional information and procedures may be provided by the port;
- Non-compliant requests will be rejected.

Key points for email:

- Separate email addresses will be provided by the port for cargo and release requests;
- The subject line must be: REQUEST TYPE - TRANSACTION NUMBER, i.e. RMD – 12345-1900123459; A48 - 12345-1900123459; BSF673 - 014-28442347324;
- The paper request must be transmitted by way of an attached PDF document;
- Only PDF attachments are permitted;
- The PDF file name must be TRANSACTION NUMBER.pdf i.e. 12345-1900123459.pdf. Note, the request type is not indicated in the file name, only in the subject.

Key points for fax:

- This is an interim process only, for the duration of the pandemic;
- Two copies are required for fax submissions, one for CBSA retention, and one to be stamped and returned to client;
- Indicate contact name, phone number and email address.

Electronic CBSA stamps

Some CBSA offices will return electronically stamped documentation to clients by email. As the electronic versions of the stamps appear differently from the physical stamps, they are being shared here for awareness.



Current participants accepting e-longroom emails addresses:

Montreal	CBSA.Manifest-395-Manifeste.ASFC@cbsa-asfc.gc.ca CBSA.Commercial-395.ASFC@cbsa-asfc.gc.ca
Toronto	CBSA.Manifest-495-Manifeste.ASFC@cbsa-asfc.gc.ca CBSA.Manifest-497-Manifeste.ASFC@cbsa-asfc.gc.ca
Vancouver	CBSA.Commercial-809.ASFC@cbsa-asfc.gc.ca PACVANREMAN@cbsa-asfc.gc.ca 809VCOWMANIFESTCONTROL@cbsa-asfc.gc.ca PACVANSHIPS@cbsa-asfc.gc.ca
Halifax	CBSA.Manifest-009-Manifeste.ASFC@cbsa-asfc.gc.ca CBSA.Commercial-009.ASFC@cbsa-asfc.gc.ca
Windsor	CBSA.Commercial-453.ASFC@cbsa-asfc.gc.ca

Annex B – E-appeal Pilot Procedures

Submitting a request by email for a re-determination, a further re-determination or a review by the President of the Canada Border Services Agency (CBSA) pursuant to section 60 of the Customs Act

This pilot, which was put in place in October 2017, will be available until such time as CARM allows requests to be submitted via its portal.

Please note that there are Information Technology (I.T.) restrictions regarding any emails received by the CBSA. Certain file extensions and emails that are over 10MB in size will not be received. The submission of such requests will be possible if the procedures are followed.

For security reasons and due to the risks related to electronic communication, it is prohibited to publish the email inbox address on any open websites. The address shall not be distributed further without prior consent from the Recourse Triage Unit.

Please contact the Triage Unit using the inbox email address CBSA.TTU_Recourse-UTEC_Recours.ASFC@cbsa-asfc.gc.ca for advice or questions.

Procedures for submitting e-appeal requests:

- Provide the following basic tombstone data in the body of your email in order for the request to be identified and authenticated by the Triage Unit. If that information is not provided, attachments will not be opened.
 - Importer Name:
 - Importer BN#:
 - Importer contact name and email:
 - Importer contact phone #:
 - Brokerage Representative Company Name:
 - Representative Contact: (Name and email of person working on file (contact):
 - Representative Contact phone #:
 - Either:
 - i. the Sub-Section 59(2) decision notice details (oldest DAS transaction # from your list, verification #, etc.):
 - ii. Or Section 43.1 Advance Ruling details (such as the TRS #):
 - Date of decision (oldest one being requested above - DAS):
 - Rationale (reason for dispute):

- Ensure attachments can be received by the CBSA.
 - Examples of acceptable attachments: Word, Excel, PowerPoint, PDF, JPG, etc. with a size limit up to 10mb per email (total).
 - If you exceed the limit, clearly indicate in the subject line the sequence number and total number of emails to be received (for example part 1 of 5, part 2 of 5, last of 5, etc.).
 - Attachments that will not be accepted include .zip or .exe files or other such executable files. These are automatically intercepted by CBSA I.T. security and are deleted. It is important to note that the Triage Unit will never be notified of this action. However, you should receive an automatic message stating the error.
- It may not always be practical to send multiple emails and some documents may also be difficult to digitize. Should it be the case, we recommend that you inform us so that a solution may be found.
- Do not combine more than one request in a submission. However, one request or submission may contain more than one section 59 DAS transaction number (a list of transaction numbers must be submitted) and should be on the same goods or issue using the format (with column headings) identified in the Mandatory (minimum) Columns to be provided for each type of request under subsection 60(1) of the Customs Act list of this document.
- Representative DAS & Documentation are required to simplify the process and reduce the amount of documents provided.
 - A copy of at least one DAS (s59 decision) with associated supporting material (product literature, invoices, etc.) is required in order to be considered as the representative of the goods or issue (please identify at time the request is made). Only one representative item is required **if** it represents all the goods at issue **and** is of the same exact goods/issue as all others on the list. If it is not representative of all the goods or issues involved, a representative DAS & Documentation package of each different (type of good or model) good or issue in dispute will be required.

For example:

If there are 100 transactions in which 25 of are item A, 25 of item B and 50 of item C, then three representative packages (one for each A, B and C) will be required. All the goods are to be identified on the same list.

- Any supplemental submission must follow the same rules as above.
- Include the written authorization for representation when applicable.
- Always provide a signed “Agreement to Communicate Electronically with CBSA” with your request (**see agreement at the end of this document**).
- Send your request to CBSA.TTU_Recourse-UTEC_Recours.ASFC@cbsa-asfc.gc.ca

We thank you for your cooperation and for following these procedures.

Mandatory (minimum) Columns to be provided for each type of request under subsection 60(1) of the Customs Act

Origin

B3 #	B3 Accounting date	B3 Line #	B3 Tariff Treatment	Invoice Line	Tariff Classification	Description (per invoice)	Representative	Model # on Invoice	s59 DAS #	S59 Decision Date	S59 TT (as determined)	TT (as requested)
12345123456789	2018-01-22	1	10	1	1234010101	widgets	11111	22222	12345123456789	2018-10-30	2	10

Tariff Classification

B3 #	B3 Accounting date	B3 Line #	B3 TC (as declared)	Invoice Line	Description (per invoice)	Item/Model #	s59 DAS #	S59 Decision Date	S59 TC (as determined)	TC (as requested)
12345123456789	2018-01-22	1	1234010101	1	widgets	12345	12345123456789	2018-10-30	1234020202	1234030303

Valuation

B3 #	B3 Accounting date	B3 Line #	B3 VFD (as declared)	B3 VCC (as declared)	s59 DAS #	S59 Decision Date	S59 VFD (as determined)	VFD (as requested)	+/- Duties	+/- GST
12345123456789	2018-01-22	1	\$\$\$\$	\$\$\$\$	12345123456789	2018-10-30	\$\$\$\$	\$\$\$\$	\$\$\$	\$\$\$

The data provided below each column heading is meant as an example of what type of information is to be provided. Please ensure to provide product descriptions and data elements that support your request. Feel free to add additional columns that will help support your request or to help describe any additional qualifiers for your goods or issue.

Note: you may be asked to provide additional data by an officer in order to provide clarity and to facilitate your request. The officer may use your spreadsheet and develop it further and ask you to fill in new columns as required depending on the situation.



Agreement to Receive and Submit Information to the Recourse Directorate of the Canada Border Services Agency (CBSA) by E-mail

Due to the unprotected nature of the Internet, all documents from the Recourse Directorate will be encrypted and password protected. You must have WinZip version 9 or above to decrypt and view all documents that will be sent to you electronically by Recourse. You are responsible to inform Recourse if your phone number and/or email address changes.

A password to decrypt and view documents from Recourse will be communicated to you via telephone. Upon receipt of any encrypted document, you must, within 3 business days of receipt of the document, confirm receipt of your document and that there are no technical issues to open the document.

Due to system restrictions, Recourse cannot receive 'Zipped' files from clients. If you wish, you can password protect documents you submit to Recourse, however this is at your discretion and is not a CBSA requirement. Recourse can only receive attachments in formats such as Word, Excel, PowerPoint, Access, PDF and JPEG up to 10mb per email.

The information provided is collected under the authority of the *Customs Act*, for the purpose of providing redress to clients who disagree with the decisions of the CBSA regarding tariff classification, value for duty, origin and the marking of imported goods. The information may be disclosed to CBSA officials for program evaluation, trend analysis, and statistical data collection or to CBSA stakeholders, the Department of Justice, or the Canada Revenue Agency.

Individuals have the right of access to and/or can make corrections of their personal information under the *Privacy Act*. The information collected is described within Info Source under the CBSA ADM 103, Trade Appeals, Personal Information Bank CBSA PPU 005 which is detailed at:

<https://www.cbsa-asfc.gc.ca/agency-agence/reports-rapports/pia-efvp/atip-airpr/infosource-eng.html>

Please note that one agreement needs to be completed for each representative and each client, for each case.

Disclaimer:

I have read and agree to the terms and conditions and elect to receive and submit electronic communication. By providing an email address, I am registering for email communication and any correspondence sent by email will be presumed to have been received on the date that email was sent. This does not preclude my ability to submit or receive paper documents if I so choose.

Case Number (Inserted by Recourse):	
Your Name:	
Are you a Claimant or Representative:	<input type="checkbox"/> Claimant or <input type="checkbox"/> Representative
Your position/title (if applicable):	
Company Name (if applicable):	
Phone#:	
Email:	
Signature:	
Date:	