

Canadian International Trade Tribunal

**2002-2003
Estimates**

Part III - Report on Plans and Priorities

Canadian International Trade Tribunal

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Priorities**

Approved

Minister of Finance

Table of Contents

Section I — Chairperson’s Message	1
Management Representation Statement	2
Section II — Raison d’être	3
Section III — Strategic Outcome	5
Section IV — Organization	7
Strategic Outcomes and Business Lines	7
Accountability	7
Departmental Planned Spending	9
Section V — Annexes	11
Annex I — Net Cost of Program for the Estimates Year	11
Annex II — Other Information	13

Section I — Chairperson’s Message

I am pleased to present the Report on Plans and Priorities of the Canadian International Trade Tribunal for fiscal year 2002-2003. The Tribunal is a key player in Canada’s trade remedies system given its jurisdiction under various trade agreements.

As reported in previous years, the Tribunal’s main challenge flows from the diversity of its mandate, i.e. dumping and subsidizing injury inquiries, procurement complaints, appeals from decisions of the Canada Customs and Revenue Agency, requests for tariff relief, and references from the government or the Minister of Finance on economic, trade and tariff matters. In the last few fiscal years, there have been increases in the Tribunal’s workload in some areas of its mandate. Faced with a most challenging workload and limited resources, the Tribunal must perform a delicate balancing act to ensure that statutory deadlines are met and that all areas of its jurisdiction are dealt with in a timely way so that Canadian producers remain competitive in the global trade environment.

Past Tribunal initiatives have been directed at ensuring that stakeholders have a clear understanding of the Tribunal’s jurisdiction through the publication of guides, guidelines and practice notices, and the improvement of the services offered on its Web site (www.citt-tcce.gc.ca). The Tribunal is continuously looking at ways by which information technology can be utilized to streamline operations and facilitate interaction with stakeholders. An electronic information package on the Tribunal’s jurisdiction in the area of procurement available on its Web site and the implementation of an application that allows for the production of an electronic administrative record in dumping and subsidizing injury inquiries are a few examples of the initiatives carried out in fiscal year 2001-2002.

However, the Tribunal’s main challenge continues to be to devise means by which it can meet statutory deadlines without compromising the quality of its findings, determinations and recommendations.

Pierre Gosselin

Management Representation Statement

I submit, for tabling in Parliament, the 2002-2003 Report on Plans and Priorities (RPP) for the Canadian International Trade Tribunal.

To the best of my knowledge the information in this document :

- Accurately portrays the Tribunal's plans and priorities.
- Is consistent with the reporting principles contained in the *Guide to the Preparation of the 2002-2003 Report on Plans and Priorities*.
- Is comprehensive and accurate.
- Is based on sound underlying departmental information and management systems.

I am satisfied as to the quality assurance processes and procedures used for the RFP production.

The Planning, Reporting and Accountability Structure (PRAS) on which this document is based has been approved by Treasury Board Ministers and is the basis for accountability for the results achieved with the resources and authorities provided.

Name: _____
Michel P. Granger
Secretary

Date: _____
February 13, 2002

Section II — Raison d'être

The objective of the Tribunal's business line is to provide a fair and efficient trade remedies system to the Canadian public, the private business sector and commercial interests, and to offer the government, through the Tribunal's fact-finding inquiries and standing reference, the best advice available so that it can formulate strategies aimed at making Canadian producers more competitive in the global trade environment.

Canada has obligations to honour under international trade agreements to which it is a signatory. Some of those obligations under the World Trade Organization (WTO) agreements (antidumping, subsidies and government procurement) and the *North American Free Trade Agreement* (NAFTA) (procurement, advance rulings, markings and rules of origin) have been assigned to the Tribunal by statute or regulation. Similarly, legislation has conferred obligations on the Tribunal in relation to the *Canada-Israel Free Trade Agreement*, the *Canada-Chile Free Trade Agreement* and the *Agreement on the Procurement of Telecommunications Equipment*.

At the domestic level, legislation has conferred on the Tribunal the responsibility to inquire into dumping and subsidizing complaints as they relate to injury and to hear appeals from decisions of the Canada Customs and Revenue Agency under various statutes. The Tribunal has also been designated the bid challenge authority under the *Agreement on Internal Trade*.

The *Canadian International Trade Tribunal Act* also assigns to the Tribunal an advisory role in assisting government, through its fact-finding inquiries, in the formulation of strategies aimed at making Canadian producers more competitive in the global trade environment. Through its standing reference on tariff relief on imported textile inputs for production, the Tribunal assists the government in determining the levels of tariffs that will ensure that economic gains for Canada are maximized in an industry that faces changing market demands.

Section III — Strategic Outcome

Through its various jurisdictions, the Tribunal's strategic outcome is to be a key player in Canada's trade remedies system by supporting a fair and open trading system.

This strategic outcome must be achieved under difficult conditions. The Tribunal does not have control over its workload as it is externally generated. Moreover, the economic climate has a direct impact on the Tribunal's work. Downturns in the domestic and global economies usually lead to a deterioration of markets and to increased competition for the remaining businesses. This can lead to a larger number of inquiries in response to dumping and subsidizing complaints and procurement complaints. Risk management, therefore, involves establishing the right balance in the allocation of the Tribunal's limited resources to allow statutory deadlines to be met and concurrent operational requirements associated with the various areas of its mandate to be considered in a timely way, thereby allowing Canadian producers to remain competitive in a global trade environment.

The Tribunal has established the following strategic priorities to guide its operations:

- To maintain the quality of its findings, determinations and recommendations;
- To hear cases and make decisions expeditiously on matters that fall within its jurisdiction pursuant to acts of Parliament and regulations; and
- To maintain its independence and accessibility as a quasi-judicial organization.

In line with these strategic priorities, the Tribunal has a communication strategy based on the timely publication of guides, guidelines and practice notices, and the strategic use of its Web site to ensure that stakeholders have a clear understanding of its jurisdiction. The Tribunal also recognizes that information technology can play a significant role in streamlining its operations and in facilitating interaction with stakeholders. Recent information technology initiatives include the development of an electronic information package available on the Tribunal's Web site to familiarize potential suppliers with the Tribunal's bid challenge authority in the area of federal procurement. Another initiative deals with the development of an application to automate the administrative record in Tribunal proceedings. This initiative will yield benefits to Tribunal members and staff, as well as to parties and their counsel. The forthcoming introduction of this application at the hearing stage of a proceeding should allow for a better management of the hearing process. In coming years, the Tribunal will pursue its efforts to identify other initiatives that will allow further streamlining of its processes and, in so doing, contain and even reduce costs associated with Tribunal proceedings.

Section IV — Organization

Strategic Outcomes and Business Lines

Because of its mandate and structure, the Tribunal has one business line — to act as an administrative court for dumping and subsidizing inquiries, appeals from CCRA decisions on customs and excise matters, and procurement complaints and as an advisor to the government or the Minister of Finance on a broad range of trade, economic or tariff-related matters.

The Tribunal's decisions may be reviewed by or appealed to, as appropriate, the Federal Court of Canada and, ultimately, the Supreme Court of Canada, or a binational panel under NAFTA, in the case of a decision affecting U.S. and/or Mexican interests. Governments that are members of the WTO may appeal the Tribunal's decisions to a dispute settlement panel under the WTO *Understanding on Rules and Procedures Governing the Settlement of Disputes*.

The objective of the Tribunal's business line is to ensure that Canada can rely on a fair and efficient trade remedies system and that the government, through the Tribunal's fact-finding inquiries and standing references, can formulate strategies aimed at making Canadian producers more competitive in the global trade environment.

Recognizing that the Tribunal's entire workload is externally generated and that its operations are of a quasi-judicial nature, the Tribunal is not in a position to identify planned results and related activities and resources, as is the case for a regular department.

However, the Tribunal has established the following key result commitments against which its performance can be assessed:

- Upholding of the Tribunal's decisions by national and international appeal bodies;
- Implementation of the Tribunal's recommendations by the government;
- Publication of the Tribunal's decisions in a timely way; and
- Tribunal's decisions viewed as fair and impartial by domestic and international stakeholders.

Accountability

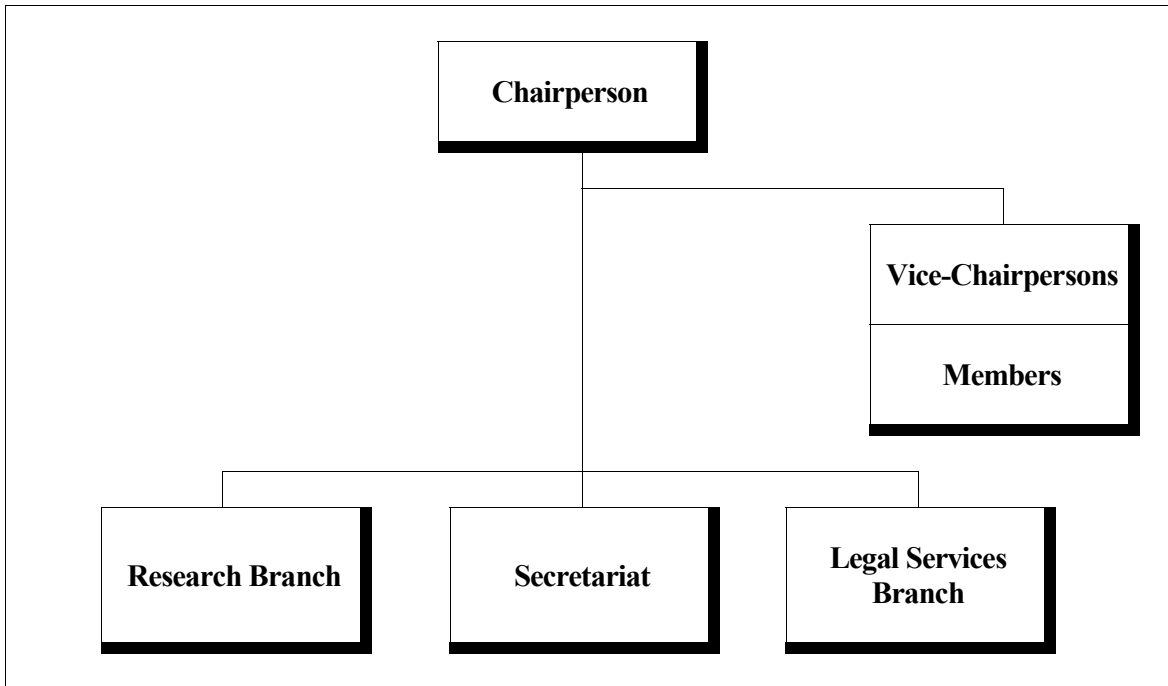
The Tribunal is an independent quasi-judicial body that carries out its statutory responsibilities in an autonomous and impartial manner and reports to Parliament through the Minister of Finance.

The Tribunal may be composed of up to nine full-time members, including a Chairperson and two Vice-Chairpersons, who are appointed by the Governor in Council for a term of up to five years. A maximum of five additional members may be temporarily appointed. The Chairperson is the Chief Executive Officer responsible for the assignment of members and for the management of the Tribunal's work.

Members of the Tribunal are supported by a permanent staff of 86 people. Its principal officers are the Secretary, responsible for corporate management, public relations, dealings with other

government departments and other governments, and the court registry functions of the Tribunal; the Executive Director, Research, responsible for the investigative portion of inquiries, the economic and financial analysis of firms and industries, the investigation of complaints by potential suppliers concerning any aspect of the procurement process and other fact finding required for Tribunal inquiries; and the General Counsel, responsible for the provision of legal services.

Organization Structure



Departmental Planned Spending

(\$ thousand)	Forecast Spending 2001-2002	Planned Spending 2002-2003	Planned Spending 2003-2004	Planned Spending 2004-2005
Budgetary Main Estimates (gross)	8,746	9,047	9,050	9,050
Less: Respendable revenue	-	-	-	-
Total Main Estimates	8,746	9,047	9,050	9,050
Adjustments **	372	-	-	-
Net Planned Spending	9,118*	9,047	9,050	9,050
Less: Non-respendable revenue	-	-	-	-
Plus: Cost of services received without charge	2,083	1,396	1,255	1,255
Net cost of program	11,201	10,443	10,305	10,305
Full-time equivalents	88	94	94	94

* Reflects the best forecast of total net planned spending to the end of the fiscal year.

** Adjustments are to accommodate approvals obtained since the Main Estimates and are to include Budget initiatives, Supplementary Estimates, etc.

Section V — Annexes**Annex I — Net Cost of Program for the Estimates Year**

(\$ thousand)	Total
Net Planned Spending (Total Main Estimates plus Adjustments as per the Planned Spending Table)	9,047
<i>Plus: Services Received without Charge:</i>	
Accommodation provided by Public Works and Government Services Canada (PWGSC)	921
Contributions covering employer's share of employees' insurance premiums and expenditures paid by Treasury Board Secretariat (excluding revolving funds)	475
2002-2003 Net cost of Program	10,443

Annex II — Other Information

- **Contact for Further Information and Web Site**

The Secretary
 Canadian International Trade Tribunal
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 333 Laurier Avenue West
 15th Floor
 Ottawa, Ontario
 K1A 0G7

Telephone: (613) 993-3595
 Fax: (613) 998-1322
 E-mail: secretary@citt-tcce.gc.ca
 Tribunal's Web Site: www.citt-tcce.gc.ca

- **Legislation Governing the Work of the Canadian International Trade Tribunal**

<i>Canadian International Trade Tribunal Act</i>	R.S.C. 1985 (4th Supp.), c. 47
<i>Customs Act</i>	R.S.C. 1985 (2d Supp.), c. 1
<i>Excise Tax Act</i>	R.S.C. 1985, c. E-15
<i>Special Import Measures Act</i>	R.S.C. 1985, c. S-15
<i>Softwood Lumber Products Export Charge Act</i>	R.S.C. 1985 (3d Supp.), c. 12
<i>Energy Administration Act</i>	R.S.C. 1985, c. E-6
<i>Canadian International Trade Tribunal Regulations</i>	S.O.R./89-35
<i>Canadian International Trade Tribunal Procurement Inquiry Regulations</i>	S.O.R./93-602
<i>Canadian International Trade Tribunal Rules</i>	S.O.R./91-499

- **List of Statutory and Tribunal Reports**

Annual Reports

- 1989-90 to 2000-2001

Bulletins

- 1995-96 to 2000-2001

Guides

- *Introductory Guide on the Canadian International Trade Tribunal*
- *Procurement Review Process - A Descriptive Guide*
- *Textile Reference Guide*

Pamphlets

- *Information on Appeals from Customs, Excise and SIMA Decisions*
- *Information on Dumping and Subsidizing Inquiries and Reviews*
- *Information on Economic, Trade and Tariff Inquiries*
- *Information on Import Safeguard Inquiries and Measures*
- *Information on Procurement Review*
- *Information on Textile Tariff Investigations*

Textile Reference: Annual Status Reports

- 1994-95 to 2000-2001

Index

<i>Agreement on Internal Trade (AIT)</i>	3
Bid Challenge	3, 5
Business Line.....	3, 7
Canada Customs and Revenue Agency.....	1, 3
<i>Canada-Chile Free Trade Agreement</i>	3
<i>Canada-Israel Free Trade Agreement</i>	3
<i>Canadian International Trade Tribunal Act (CITT Act)</i>	3, 13
Cost of Program (Net)	1, 9, 11
<i>Customs Act</i>	13
Dumping	1, 3, 5, 7, 14
<i>Excise Tax Act</i>	13
Information Technology.....	1, 5
<i>North American Free Trade Agreement (NAFTA)</i>	3, 7
Organization Structure.....	8
Plans.....	1, 2
Priorities	1, 2, 5
Procurement.....	1, 3, 5, 7, 8, 13, 14
Reviews.....	14
Rules and Procedures.....	7
<i>Special Import Measures Act (SIMA)</i>	13, 14
Statutes	3
Strategies	3, 7
Subsidizing.....	1, 3, 5, 7, 14
Trade Remedies System.....	1, 3, 5, 7
Web site.....	1, 5
World Trade Organization (WTO)	3, 7