



Ottawa, May 20, 2005

CUSTOMS NOTICE 615

Implementation of the *Reporting of Exported Goods Regulations*

1. This notice summarizes information pertaining to the *Reporting of Exported Goods Regulations* (Regulations) and related matters.

2. The Regulations were revised and became law on February 1, 2005. They were published on February 23, 2005, in the *Canada Gazette*, Part II, Volume 139, No. 4 and are found on the *Canada Gazette* Web site at: <http://canadagazette.gc.ca>. They are also located on the Canada Border Services Agency (CBSA) Web site at: www.cbsa.gc.ca.

3. The CBSA implemented the Regulations on May 16, 2005. There is no further grace period. Administrative Monetary Penalties that currently exist will be enforced. Persons or processes affected by penalties that have not yet been added or amended will be granted a grace period until the penalty list is updated. The new penalties include the following:

- (a) Carrier failed to present required documents prior to export;
- (b) Customs service provider failed to abide by an officer's request to report goods prior to export; and
- (c) Person permanently exporting a conveyance failed to indicate the conveyance identification number on the export declaration.

A Customs Notice will be used to advise clients of the implementation of these new penalties.

4. The main highlights of the new Regulations include the following:

- (a) Section 1 – definition of exporter
- (b) Section 3 – where and when exports must be reported – **there are new time frames for exporter reporting**
- (c) Section 5 – how to report restricted goods, i.e., goods which are controlled, regulated or prohibited
- (d) Section 9 – responsibility of the carrier to report the conveyance
- (e) Section 10 – reporting the cargo of a carrier who has not signed an MOU with the CBSA

(f) Section 11 – responsibility of the carrier to report in-transit goods

(g) Section 13 – reporting the cargo of a carrier who has signed an MOU with the CBSA

(h) Section 14 – reporting by Customs Service Providers

(i) Section 19 – exporter's responsibility to report the export of conveyances.

5. As a result of the Regulations, the Form B13A, *Export Declaration*, and completion instructions, Canadian Automated Export Declaration (CAED) www.statcan.ca/english/exports, and the G7 Electronic Data Interchange (EDI) Export Reporting were revised. As of May 16, 2005, the only acceptable version of these documents is as follows:

- (a) B13A – 04 version;
- (b) CAED – version 5; and
- (c) G7 EDI – version with updated data elements.

6. Exporters are reminded to have 3 copies of their B13A stamped at the CBSA office.

7. Additionally, Memoranda of Understanding (MOU) for Carriers and/or Customs Service Providers are being signed with the CBSA and implemented beginning on May 16, 2005. This MOU is found on the CBSA Web site at: www.cbsa.gc.ca/export/proposed-e.html.

Reminder: The implementation date for marine carriers who have signed an MOU was May 18. This is because exporters are submitting their export documentation 48 hours in advance of export and they started doing so on May 16.

8. Carriers and service providers who sign the MOU are permitted different reporting time frames from those who do not sign. Reporting time frames for carriers are not to be confused with reporting time frames for exporters.

9. Carriers are reminded that Advance Commercial Information is not mandatory for exports but is currently available in marine mode.

10. Memorandum D20-1-1, *Export Reporting*, has been revised to explain the new Regulations.

11. As well, the brochure entitled *Exporting Goods From Canada* (RC4116), is being revised and will be available at CBSA offices and on the CBSA Web site soon.

12. A letter issued by the CBSA on October 29, 2004, to the exporting community outlines the reporting requirements under the changes to the Regulations. This letter is found at: www.cbsa.gc.ca/export/letter-e.html.

13. The revised D3 series, which applies to export carrier policy, will be available in the near future.

14. Information relating to the revised Regulations has previously been published in the following Customs Notices:

(a) CN-610, *Revised Implementation Date for the "New" Reporting of Exported Goods Regulations*

(b) CN-608, *"New" Reporting of Exported Goods Regulations*

(c) CN-598, *Memorandum of Understanding Between the Canada Border Services Agency and Carriers and Customs Service Providers for Export Reporting*

(d) CN-595, *Modifications to Form B13A, Export Declaration*

(e) CN-587, *Reporting of Exported Goods Regulations*.

15. All of the publications mentioned in this customs notice can be found on the CBSA Web site at www.cbsa.gc.ca/formspubs.

16. For additional information, contact the local CBSA office or call the Automated Customs Information Service (ACIS) at 1-800-461-9999 (toll-free number if calling within Canada). If calling from outside Canada, ACIS can be contacted by calling (204) 983-3500 or (506) 636-5064.