

# **Canadian International Trade Tribunal**

**2007-2008**

**Report on Plans and Priorities**

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Minister of Finance



## TABLE OF CONTENTS

SECTION I—OVERVIEW .....	1
Chairperson’s Message .....	1
Management Representation Statement.....	2
Legislative Context.....	3
Tribunal’s Mission.....	3
Benefits to Canadians.....	4
Challenges and Risks.....	4
Stakeholder Expectations .....	6
Departmental Plans and Priorities .....	7
Tribunal’s Priorities.....	7
Summary Information on the Tribunal’s Priorities.....	8
Link to the Government of Canada Outcome Areas .....	12
SECTION II—ANALYSIS OF PROGRAM ACTIVITIES BY STRATEGIC OUTCOME .....	13
Overall Logic Model and Performance Indicators .....	13
Summary Logic Model of the Tribunal .....	13
Activity #1—Adjudication of Trade Cases (quasi-judicial role).....	14
Result: Tribunal decisions are fair and impartial and published in a timely way. ....	14
Activity #2—General Economic Inquiries and References (advisory role).....	15
Result: Recommendations are fair and impartial and published in a timely way.....	15
SECTION III—SUPPLEMENTARY INFORMATION.....	16
Organizational Information.....	16
Organizational Structure .....	16
Departmental Links to the Government of Canada Outcome Areas .....	17
Financial Tables.....	18
Table 1: Departmental Planned Spending and Full Time Equivalents (\$ thousands) .....	18
Table 2: Voted and Statutory Items Listed in Main Estimates (\$ thousands) .....	19
Table 3: Services Received Without Charge (\$ thousands) .....	19
Table 4: Resource Requirement by Branch (\$ thousands) .....	19
Table 5: Internal Audits and Evaluations (\$ thousands) .....	20
SECTION IV—OTHER ITEMS OF INTEREST .....	21
Contact for Further Information and Web Site.....	21
Legislation Governing the Work of the Canadian International Trade Tribunal .....	21
List of Statutory and Tribunal Reports.....	21



## SECTION I—OVERVIEW

### Chairperson's Message

I am pleased to present the Report on Plans and Priorities (RPP) for the Canadian International Trade Tribunal (the Tribunal) for 2007-2008.

The Tribunal's mandate is to provide fair, timely and effective disposition of international trade cases and government-mandated inquiries in various areas of the Tribunal's jurisdiction. The Tribunal conducts inquiries into complaints relating to unfair trade (i.e. dumping and subsidizing), requests for protection from import competition (safeguards) and complaints regarding federal government procurement. The Tribunal hears appeals from decisions of the Canada Revenue Agency (CRA) and the Canada Border Services Agency (CBSA). In its advisory role, the Tribunal undertakes general economic inquiries and tariff references for the Minister of Finance or the Governor in Council. In so doing, the Tribunal contributes to Canada's competitiveness.

Today, Canadian businesses operate in a global economy that is becoming increasingly complex and competitive. Global supply chains and new ways of doing business have blurred the traditional distinctions among and the interests of producers, importers and purchasers. This blurring of distinctions and interests has made the trade remedies work of the Tribunal more challenging. Within Canada, the *Federal Accountability Act* has placed a focus on the core values of openness, transparency and fairness, highlighting the importance of the work of administrative agencies like the Tribunal that provide redress mechanisms. This year, the Tribunal expects to allocate more of its resources to the review of procurement complaints. These reviews should also be under more scrutiny, given the Government's commitment to openness, transparency and fairness in procurement practices.

The main priority of the Tribunal is to ensure the fair, timely and effective disposition of the cases and inquiries before it. In 2007-2008, the theme of the supporting priorities is "continuous improvement"—as the Tribunal targets initiatives under three broad categories: improved service delivery, sound management practices and investing in our people.

The Tribunal remains committed to advancing government-wide priorities to improve the accountability and transparency of government operations. To this end, the Tribunal will strive to more fully integrate the principal elements of its key management frameworks, including the Management Accountability Framework (MAF), HR Modernization and Service Improvement, in the coming year. The Tribunal has been working with the Treasury Board Secretariat (TBS) to establish options and sources for peak funding. In 2007-2008, the Tribunal expects to establish a mechanism to address peak pressures.

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Pierre Gosselin

## Management Representation Statement

I submit, for tabling in Parliament, the 2007-2008 RPP for the Tribunal.

This document has been prepared based on the reporting principles contained in the *Guide for the Preparation of Part III of the 2007-2008 Estimates: Reports on Plans and Priorities and Departmental Performance Reports*.

- It adheres to the specific reporting requirements outlined in the TBS guidance;
- It is based on the Tribunal's Strategic Outcome and Program Activity Architecture structure that were approved by the TBS;
- It presents consistent, comprehensive, balanced and reliable information;
- It provides a basis of accountability for the results achieved with the resources and authorities entrusted to it; and
- It reports finances based on approved planned spending numbers from the TBS in the RPP.

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Julia Ginley  
Director  
Management Services

## Legislative Context

The Tribunal acts as an independent, quasi-judicial, decision-making body that is accountable to Parliament, through the Minister of Finance. Tribunal members are appointed by Order in Council for a fixed term. At present, the Tribunal is composed of seven members, including a chairperson and two vice-chairpersons. The Tribunal is supported by a permanent staff of 87 people, responsible for court registry functions, the research and investigation of cases, legal services to the Members and staff, and corporate services. The Tribunal derives its authority from the *Canadian International Trade Tribunal Act (CITT Act)*—which received Royal Assent on September 13, 1988—, the *Special Import Measures Act (SIMA)*, the *Customs Act*, and the *Excise Tax Act*.

Under the *CITT Act*, the Tribunal is empowered, on complaint by an interested party or as directed by the government, to carry out import safeguard inquiries into rapid increases in foreign imports (including through special procedures for imports specifically from the People's Republic of China [China]) and to formulate recommendations to the government for dealing with such imports. Under *SIMA*, the Tribunal conducts inquiries into whether dumped and/or subsidized imports have injured Canadian manufacturers. Pursuant to the *Customs Act*, the *Excise Tax Act* and *SIMA*, the Tribunal is empowered to deal with appeals from decisions of the CRA and the CBSA on various customs and excise matters. With the implementation of the *North American Free Trade Agreement (NAFTA)*, the Tribunal's mandate was expanded to include reviewing bid challenges on federal government procurement matters. The Tribunal has also been designated as the bid challenge authority under the *Agreement on Internal Trade (AIT)* and the World Trade Organization (WTO) *Agreement on Government Procurement (AGP)*.

## Tribunal's Mission

The Tribunal's mission is to provide a fair, accessible and efficient trade remedies system to Canadians and to offer the government, through the Tribunal's fact-finding inquiries and standing reference, its best advice so that it can formulate strategies for making the Canadian business sector better able to provide jobs and growth in today's globalized commercial environment.

In its quasi-judicial role, its caseload is comprised of:

- Unfair trade cases—inquiries under *SIMA* into whether dumped or subsidized imports have caused or are threatening to cause injury to a Canadian industry
- Safeguard cases—inquiries into whether the rapid build-up of imports from China, or from around the world, is causing injury to a Canadian industry
- Appeals of decisions of the CBSA made under the *Customs Act* and *SIMA* and appeals of decisions of the CRA under the *Excise Tax Act*
- Bid challenges—inquiries into complaints by potential suppliers concerning federal government procurement under *NAFTA*, the *AIT* and the *AGP*

The Tribunal also plays an advisory role for the government by conducting general economic inquiries and references, in particular:

- Tariff and general economic inquiries referred by the government, i.e. inquiries and advice on such economic, trade and tariff issues as are referred to the Tribunal by the Governor in Council or the Minister of Finance
- Standing tariff references from the Minister of Finance, i.e. investigations into requests from Canadian producers for tariff relief on imported textile inputs that they use in their production

More detailed information on the Tribunal is available on its Web site at [www.citt-tcce.gc.ca](http://www.citt-tcce.gc.ca).

### **Benefits to Canadians**

Canadians benefit from the Tribunal through:

- Access to fair and efficient processes for investigating complaints of injury from unfairly traded imports;
- Inquiries into complaints of injurious competition from rapidly increasing imports;
- Access to a fair and efficient process for investigating complaints on any aspect the federal government procurement process relating to designated contracts;
- Reliable economic and trade analysis and advice for the government's policy-making function; and
- Ultimately, a fair and open trading system for individual Canadians and the Canadian business sector.

### **Challenges and Risks**

Overall, the Tribunal delivers an indispensable trade adjudication service in the face of an increasingly complex environment. Specific challenges and risks include:

- **Ensuring Information Technology (IT) Availability and Reliability**

Access to reliable IT is crucial for the Tribunal to maintain the quality of findings, determinations and recommendations within prescribed deadlines. The integrity of the network environment, including the security environment, must be regularly assessed to ensure that it continues to conform to government-wide policies and standards. Service improvements must also be made to ensure that technology keeps pace with operational demands, such as demands for greater electronic access. The Tribunal completed an IT architecture review in 2006-2007 to identify issues relating to the existing architecture and its ability to support the overall business vision. Based on the results of this review, an IT strategy aligned with the future vision will be developed, and implementation will commence in 2007-2008. Furthermore, access to ongoing resources (i.e. staff time, funding), required to maintain the IT architecture and to provide service improvements, poses a challenge and potential risk to ensuring IT availability and reliability.



- **Maintaining Quality of Service and Meeting Legislative Timelines During Periods of Intense Workload**

Most cases before the Tribunal are governed by tight legislative or government-mandated timelines. In 2007-2008, the Tribunal will request funding to ensure continuity during peaks in caseload. In the current environment where cases are becoming increasingly litigious, a growing challenge for the Tribunal is to ensure that statutory deadlines are met and that the quality of its findings, determinations and recommendations are not compromised, particularly during peaks in caseload. The Tribunal requires a more flexible resource model to effectively respond to peaks in caseload.

- **Knowledge Transfer**

The planned departures of several key senior employees will pose human resource management challenges in the coming year. The Tribunal's work requires special skills and knowledge, which are acquired over a number of years. Trainees and junior staff require timely access to orientation and training programs to expedite the knowledge transfer process.

Maintaining continuity in the Tribunal's corporate knowledge requires a sustained focus on training, recruitment and succession planning. HR Modernization places a greater responsibility on organizations to ensure that employees receive the training necessary for them to meet the current and future demands of the organization. Integrated business and HR planning will be used to help identify optimal strategies and activities for recruitment, retention, learning and succession.

- **Maintaining Adequate Protection of Information in an Electronic Environment**

The Tribunal exercises extreme caution in the use and distribution of confidential information given the serious and significant financial injury that could be caused by inappropriate dissemination and use of such information.

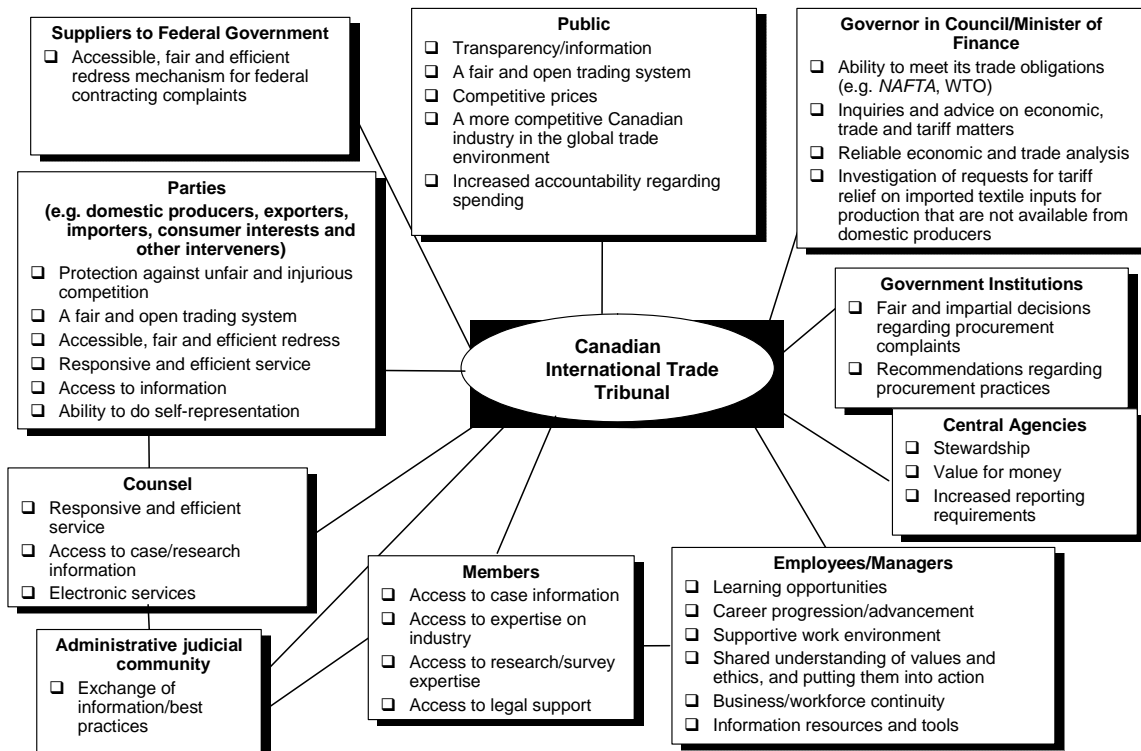
A move towards increased electronic exchange of information, including e-filing, places greater emphasis on the need for secure file transfer. Similarly, increased use of electronic tools in Tribunal proceedings also raises concerns as to how to adequately protect electronic information to be made available to counsel.

Increased demand for telework arrangements requires that steps be taken to ensure that the network is secure for remote access. The Tribunal continues to take the necessary steps to ensure the security of electronic systems before developing and implementing them.

## Stakeholder Expectations

The Tribunal must strive to meet the expectations of a wide range of stakeholders, including:

- **Parties**—Litigants include domestic producers, exporters, importers and consumer groups. They typically want responsive service, timely processing of cases, information about cases and access to Tribunal files.
- **Counsel**—Lawyers and trade consultants who represent parties want responsive service and access to case files, decisions and staff reports. They also expect the information to be provided to them by the Tribunal in hard copy and electronic format.
- **Governor in Council/Minister of Finance**—As noted above, the government looks to the Tribunal for reliable economic and trade analysis and advice, usually within compressed time frames and relies on the Tribunal for the purpose of meeting Canada's trade obligations.
- **Public**—At the highest level, Canada's business sector and its trading partners throughout the world expect a fair and open trading system, and Canadians expect a more competitive Canadian industry in the global trade environment, as well as competitive prices.
- **Suppliers to Federal Government and Government Institutions**—Suppliers expect fair and impartial decisions relating to procurement complaints and recommendations to improve procurement practices.

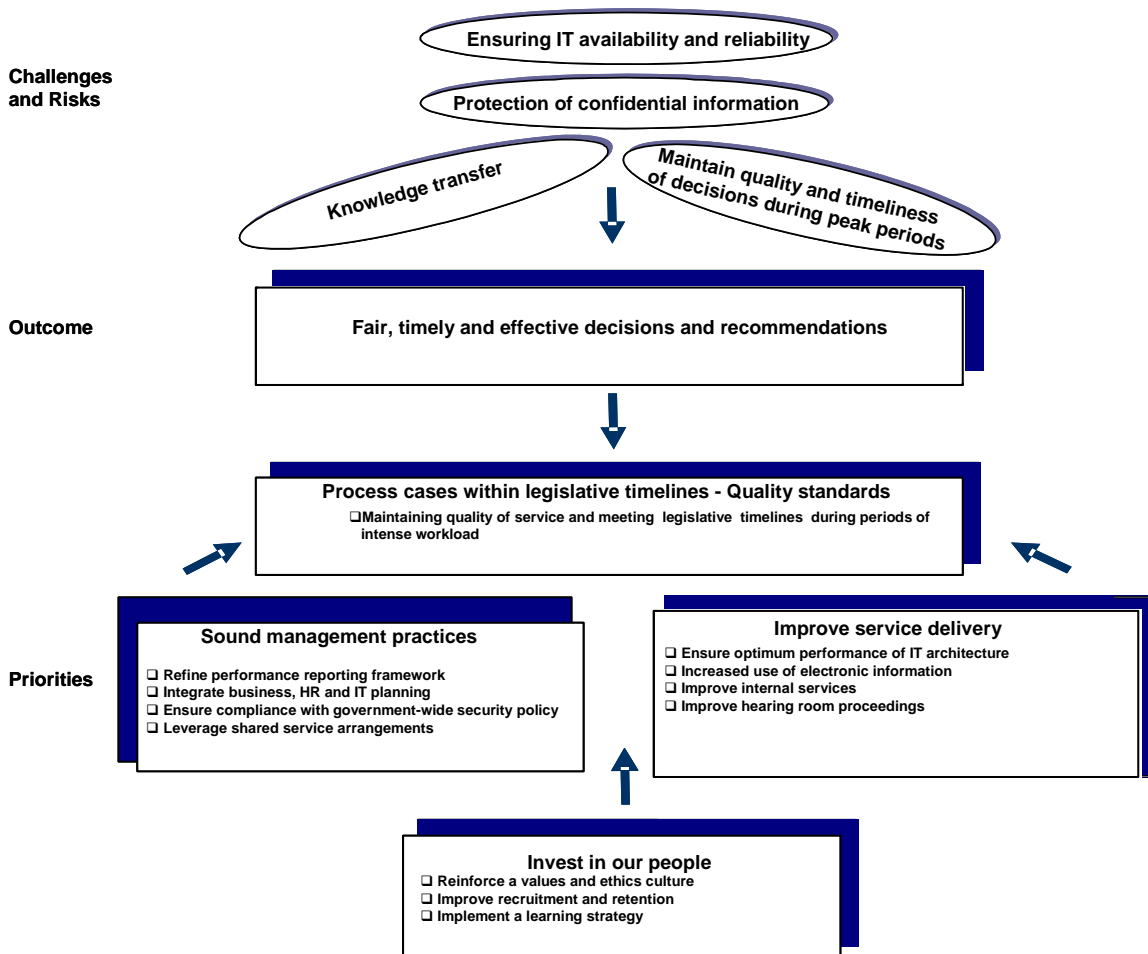


### Departmental Plans and Priorities

As in previous years, the Tribunal’s overarching objective is to carefully consider and fairly decide cases within the tight deadlines imposed by legislation. In 2007-2008, the supporting priorities reflect many of the overall government-wide priorities. The specific initiatives include both program and management priorities captured under three categories: improved service delivery, sound management practices and investing in our people.

These priorities are summarized in the chart below and discussed in further detail in the text that follows. The associated resources are also summarized below.

#### Tribunal’s Priorities



Summary Information on the Tribunal's Priorities**Strategic Outcome**

Fair, timely and effective disposition of international trade cases and government-mandated inquiries in various areas of the Tribunal's jurisdiction

**Financial Resources (\$ thousands)**

2007-2008	2008-2009	2009-2010
10,682	10,062	10,062

**Human Resources (FTE)**

2007-2008	2008-2009	2009-2010
94	94	94

**Departmental Priorities**

	Type	Planned Spending (\$ thousands)		
		2007-2008	2008-2009	2009-2010
Process Cases Within Legislative Deadlines—Quality Standards	Ongoing	9,422	9,427	9,427
Sound Management Practices	Ongoing	80	60	60
Improve Service Delivery	Ongoing	1,120	500	500
Invest in Our People	Ongoing	60	75	75

- Process Cases Within Legislative Deadlines—Quality Standards

The Tribunal's overriding priority continues to be to hear cases and make sound decisions expeditiously on matters that fall within its jurisdiction within prescribed deadlines. In doing so, the Tribunal will strive to maintain the quality of its findings, determinations and recommendations.

Stakeholders' level of satisfaction with the Tribunal's procedures and guidelines entails a number of considerations such as the response time with regard to requests for information, the effectiveness of the Tribunal's procedures, and the overall efficiency of the adjudication process. Some years ago, at the request of the Commodity Tax Committee of the Canadian Bar Association (CBA), the Tribunal established a Bench and Bar Committee (the Committee). The Committee serves as a forum to discuss procedural issues of common interest. It is composed of lawyers nominated by the CBA, Department of Justice lawyers and trade consultants invited by the Tribunal. Meetings of the Committee provide an opportunity for participants to present their views and concerns about the Tribunal's processes and procedures and proposed changes. The Committee typically holds one meeting during the fiscal year.

The Tribunal also seeks the views of stakeholders on new procedures prior to their implementation by distributing draft guidelines and practice notices. The process is typically to issue the guideline in draft form, to solicit and receive comments from interested parties, and then to discuss

the matter with the Committee. These consultative mechanisms allow the Tribunal to remain accessible to various groups of litigants and to take advantage of their points of view on procedures and processes.

In 2007-2008, the Tribunal will request funding to ensure continuity during periods of intense workload. In the current environment where cases are becoming increasingly litigious, a growing challenge for the Tribunal is to ensure that statutory deadlines are met and that the quality of its findings, determinations and recommendations are not compromised, particularly during peaks in caseload. The Tribunal requires a more flexible resource model to effectively respond to peak pressures. The Tribunal has been working with the TBS to establish options and sources for peak funding. In 2007-2008, the Tribunal expects to establish a mechanism to address periods of intense workload.

- Sound Management Practices

Support to overall government-wide management accountability priorities, including the commitments recently introduced under the new *Federal Accountability Act*, will continue to be a priority for the Tribunal in 2007-2008. The Tribunal will continue to support Public Service Modernization and, this year, will strive to more fully integrate the principal elements of its key management frameworks, including the MAF, HR Modernization and Service Improvement. Specific priorities for the upcoming fiscal year include:

- **Refine Performance Reporting Framework**

In 2006-2007, the Tribunal made significant progress in establishing a framework for accountability and improving its ability to align resources, program activities and results. This progress was reflected in the results of the most recent MAF assessment. In 2007-2008, the Tribunal will continue to refine its performance framework to strengthen the link between results and program spending. The results of the financial audit conducted in 2006-2007 will also be implemented this year to strengthen comptrollership and oversight.

- **Integrate Business, HR and IT Planning**

The integration of business and HR planning provides the context this year for assessing and understanding the current and future needs of the Tribunal. The objective for 2007-2008 is to more fully integrate HR and business planning with IT planning to ensure that both human and technology resources are well aligned to business goals and objectives. The Tribunal completed an IT architecture review in 2006-2007 to identify issues relating to the existing architecture and its ability to support the overall business vision. Based on the results of this review, an IT strategy aligned with the future vision will be developed, and implementation will commence in 2007-2008.

- **Ensure Compliance with Government-wide Security Policy**

The Tribunal will develop the programs and build the systems necessary to ensure that it fully complies with the government-wide security policy, including information, technology, physical and personnel security. Compliance with the Management of Information Technology Security (MITS) policy will be measured to ensure that the Tribunal has the appropriate safeguards in place to preserve the confidentiality, integrity, availability, intended use and value of electronically stored, processed or transmitted information. This includes the assets used to gather, process, receive, display, transmit,

reconfigure, scan, store or destroy information electronically. The Tribunal will also focus on increasing the level of awareness of employees of their security responsibilities in the protection of sensitive information and assets.

Business continuity planning will also be a priority. The Tribunal will ensure that the appropriate procedures are in place, including the establishment of planned, backup and recovery procedures, to reduce the frequency and duration of business interruptions. A governance framework for business continuity planning will be established to undertake a business impact assessment, develop recovery options and plans, and conduct ongoing testing and validation to ensure readiness.

- **Leverage Shared Service Arrangements**

The Tribunal is committed to supporting government-wide objectives to transform administrative services to reduce costs and improve service delivery. The Tribunal is currently very engaged in and working with the Small Agencies Administrators' Network (SAAN) to develop shared arrangements suitable for the small agency environment. In 2007-2008, the Tribunal will continue to work with the SAAN to identify opportunities to improve the quality of internal services for managers and employees and to better support them in achieving their program goals.

- Improve Service Delivery

Continuous improvement in service delivery remains a priority for the Tribunal. In 2007-2008, the focus of improved service delivery will be on enhanced use of information technology to provide better, faster and more efficient service delivery—both internally and to parties and their counsel. The focus over the next fiscal year will be on a few key strategic projects:

- **Ensure Optimum Performance of IT Architecture**

In 2007-2008, the Tribunal will undertake a number of projects, based on results of the assessment conducted in 2006-2007, to ensure that its existing IT architecture is operating at optimum performance and in accordance with government-wide policies and standards. Web components and architecture will be improved, including a restructuring of the Internet and intranet sites, to ensure a stable and reliable Web environment. In addition, improvements will be made to ensure that the network environment continues to be secure and reliable for both in-house and remote users.

- **Increased Use of Electronic Information**

There is an increased expectation across administrative tribunals for electronic exchange of information and e-filing with parties, other departments and agencies, counsel and other courts, such as the Federal Court of Canada. The Tribunal continues to look for opportunities to increase the use of electronic information to improve service delivery. In 2007-2008, the Tribunal will focus on identifying options to provide e-filing and electronic sharing of information with parties. For example, the Tribunal will explore options to enable parties to submit completed questionnaires online. This could substantially reduce the amount of paper to be distributed to parties and interested parties. It would also allow the Tribunal to process responses to questionnaires more efficiently and effectively.

Opportunities will also be explored to improve the use of the Web site to communicate and distribute information and documentation. For example, the Tribunal intends to provide secure access to the administrative record, for *SIMA* cases, to counsel and Tribunal staff through its Web site.

The Tribunal will continue to improve the efficiency and effectiveness of the case management process. Full e-filing of case-related information remains a priority of the Tribunal once confidentiality and legal issues have been resolved.

- **Improve Internal Services**

Information management is key to delivering effective, efficient and reliable internal services. The Tribunal will continue its work in implementing the requirements of the Policy on the Management of Government Information. In 2006-2007, the Tribunal completed a new classification model for internal services. In 2007-2008, the Tribunal will initiate a project to implement a new records management system for corporate information. This initiative will include the management of corporate documents in both paper and electronic formats (excluding case files).

In 2006-2007, the Tribunal obtained funding to replace the outdated audio system in the hearing rooms. More up-to-date technology will be implemented in 2007-2008, thus increasing the reliability of the audio system and minimizing the risk of disruption to hearings.

- Invest in our People

HR Modernization is changing the way in which government hires, manages and supports its public service employees. In 2006-2007, the Tribunal focused its HR activities on the implementation of the mandatory requirements of the new *Public Service Modernization Act*. This year, the priority will be to integrate the vision and intent of HR Modernization into day-to-day HR services. Specific priorities for the upcoming fiscal year include:

- **Reinforce a Values and Ethics Culture**

The Tribunal recognizes values and ethics as one of the pillars of management accountability and is committed to raising employee awareness of values and ethics in the Public Service. In 2007-2008, the Tribunal will develop and implement a values and ethics program to guide staff in their professional activities.

- **Improve Recruitment and Retention**

The Tribunal will continue to assess its recruitment and retention approaches and strategies, including implementing an approach for transferring Tribunal values and corporate knowledge to new staff. A key priority this year will be to obtain a better understanding of the concerns raised by employees in the recent Public Service Employee Survey and to develop an effective strategy to address these concerns. Improvements in well-being in the workplace are expected to improve retention, as well as attract other public servants once the Tribunal is recognized as an employer of choice.

- **Implement a Learning Strategy**

Initiatives aimed at ensuring employees have the skills required to meet the current and future requirements of the Tribunal continue to be a priority. In 2006-2007, the first step was taken to develop and implement a comprehensive learning and development framework for the Tribunal. The Tribunal undertook a review of the learning policies and practices of other agencies, as well as an assessment of organization-wide learning needs, to develop a learning strategy for the organization. In 2007-2008, the focus will be on the implementation of the learning strategy, in particular the development of individual learning plans and the integration of these plans with the overall HR planning exercise. The Tribunal will also continue to develop and deliver in-house training seminars and programs and will establish a virtual library of in-house training seminars and other training materials to transfer institutional knowledge and values to new staff. The in-house orientation program will be completed and made available on the intranet as a way for new staff to increase their knowledge of the Tribunal and gain a sense of belonging during their initial days at the Tribunal.

Link to the Government of Canada Outcome Areas

The table below illustrates how the Tribunal's program activities linked to the Government of Canada Outcome Areas, as defined by the "whole of government framework".

<b>Strategic Outcome</b>	<b>Program Activity</b>	<b>Link to Government of Canada Outcome Area</b>
Fair, timely and effective disposition of international trade cases and government mandated inquiries in various areas of the Tribunal's jurisdiction	Adjudication of trade cases (quasi-judicial role)	<ul style="list-style-type: none"> <li>• Strong economic growth</li> <li>• Fair and secure marketplace</li> <li>• A strong and mutually beneficial North American partnership</li> <li>• A prosperous Canada through global commerce</li> </ul>
	General economic inquiries and references (advisory role)	<ul style="list-style-type: none"> <li>• Strong economic growth</li> <li>• Fair and secure marketplace</li> <li>• A strong and mutually beneficial North American partnership</li> <li>• A prosperous Canada through global commerce</li> </ul>



## SECTION II—ANALYSIS OF PROGRAM ACTIVITIES BY STRATEGIC OUTCOME

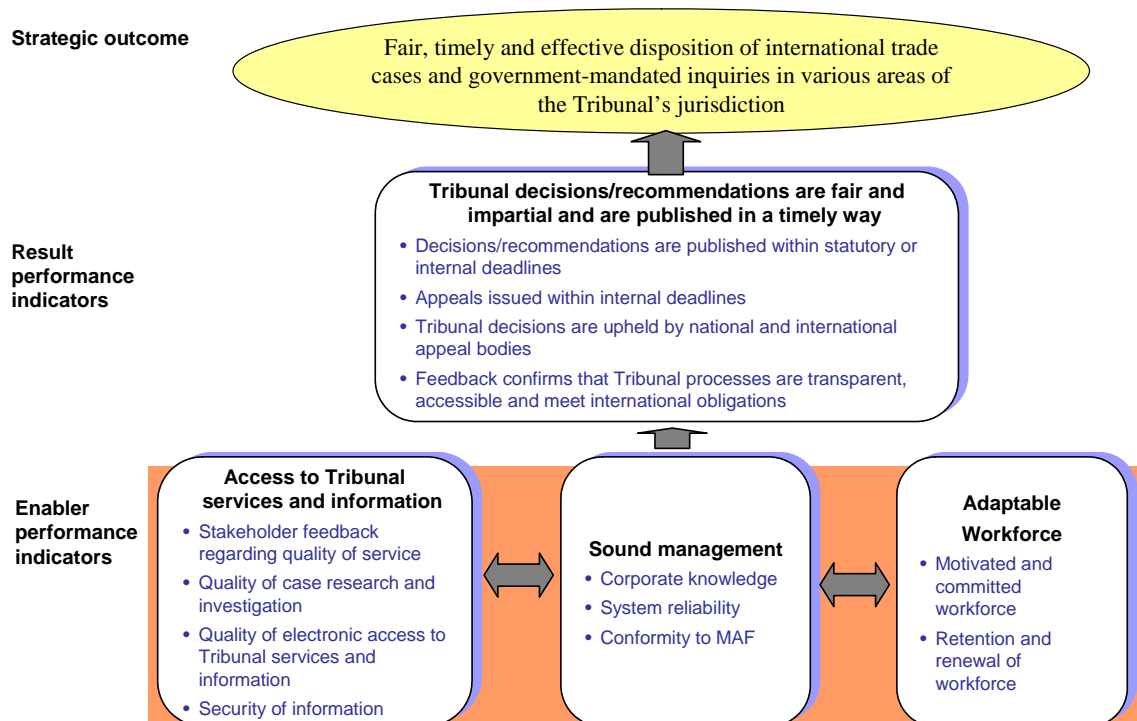
### Overall Logic Model and Performance Indicators

The Tribunal has a single strategic outcome:

*Fair, timely and effective disposition of international trade cases and government-mandated inquiries in various areas of the Tribunal’s jurisdiction.*

The result to be achieved in support of this strategic outcome is that the Tribunal’s processes, decisions and recommendations are fair, transparent and impartial (and are viewed so by stakeholders) and are made available to interested parties and to the public, in both official languages, to meet legislative deadlines through the most efficient means at our disposal. The Tribunal has two activities that contribute to the above result: the adjudication of trade cases (quasi-judicial role) and general economic inquiries and references (advisory role). The relationship between the activities, result and strategic outcome, as well as the performance indicators associated with this result, is summarized in the chart below.

#### Summary Logic Model of the Tribunal



Described below, for both program activities, are the performance objectives that the Tribunal is striving to achieve and the manner in which the Tribunal’s plans and priorities discussed earlier support these performance objectives. The performance objectives vary somewhat in application depending on the nature of the activity, i.e. the adjudication of trade cases or general economic inquiries and references.

**Activity #1—Adjudication of Trade Cases (quasi-judicial role)**

The adjudication of trade cases is a quasi-judicial activity that includes unfair trade cases, appeals from decisions of the CBSA and the CRA, safeguard inquiries, and bid challenges relating to federal government procurement.

**Financial Resources: (\$ thousands)**

2007-2008	2008-2009	2009-2010
10,058	9,438	9,438

**Human Resources: (FTE)**

2007-2008	2008-2009	2009-2010
88	88	88

Result: Tribunal decisions are fair and impartial and published in a timely way.

This result is the ongoing primary concern of the Tribunal. Key performance objectives include:

- **Decisions/determinations are published within statutory deadlines.** The Tribunal's decisions regarding dumping and/or subsidizing, safeguard inquiries and procurement complaints are subject to statutory deadlines. The Tribunal's first priority is therefore to ensure that these decisions are fair and impartial and issued within these deadlines. The Tribunal has implemented strong case management controls to ensure that it is able to meet these deadlines and does extensive tracking of the status of cases to ensure close adherence to prescribed deadlines. Detailed reports exist on the status of cases.
- **Appeals issued within internal deadlines.** There is no statutory deadline imposed for the decisions on appeals of the CBSA and the CRA decisions. However, the Tribunal has adopted an informal, voluntary standard of publishing such decisions within 120 days of the hearing of an appeal. Tribunal management closely monitors these files to ensure that, to the greatest extent possible, the Tribunal adheres to this standard.
- **Tribunal decisions are upheld by national and international appeal bodies.** An indicator of the soundness of Tribunal decisions is the number of decisions that are upheld. The Tribunal's decisions on dumping and subsidizing matters may be reviewed by the Federal Court of Appeal or a bi-national panel under *NAFTA* in the case of a decision affecting U.S. and/or Mexican goods. WTO member states whose goods are affected by a Tribunal decision may also initiate dispute settlement proceedings under the *WTO Understanding on Rules and Procedures Governing the Settlement of Disputes*, if they believe that the Tribunal's procedures violated the *WTO Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994*. The Tribunal's decisions on appeals may be appealed to the Federal Court of Appeal or, in the case of the *Excise Tax Act*, the Federal Court. The Tribunal monitors whether its decisions have been the subject of applications for judicial review or appeals before these bodies. It determines, based on the issues raised in these applications, whether it will seek intervenor status before the

Federal Court of Appeal. It is automatically a party in any bi-national panel review under *NAFTA*.

- **Feedback on whether the Tribunal's processes are transparent, accessible and meet international obligations.** The WTO publishes comments every two years, through its Trade Policy Review Mechanism, on whether Canada and the Tribunal have fostered a fair and open trading system that is transparent and accessible and meets international obligations.

#### Activity #2—General Economic Inquiries and References (advisory role)

General economic inquiries and references are advisory activities of the Tribunal. These include general economic inquiries referred by the government and tariff references referred by the Minister of Finance.

##### Financial Resources: (\$ thousands)

2007-2008	2008-2009	2009-2010
624	624	624

##### Human Resources: (FTE)

2007-2008	2008-2009	2009-2010
6	6	6

Result: Recommendations are fair and impartial and published in a timely way.

Key performance objectives are similar to those outlined above and include:

- **Reports, determinations and recommendations are published within government-mandated deadlines.** The Tribunal's decisions regarding tariff references and economic inquiries are subject to government-mandated deadlines. The Tribunal has implemented strong case management controls to ensure that it is able to meet these deadlines and does extensive tracking of the status of cases.
- **Tribunal determinations are upheld by national and international appeal bodies.** An indicator of the soundness of Tribunal determinations is the number of determinations that were appealed and upheld, i.e. whether applications are dismissed or discontinued by appeal bodies.

## SECTION III—SUPPLEMENTARY INFORMATION

### Organizational Information

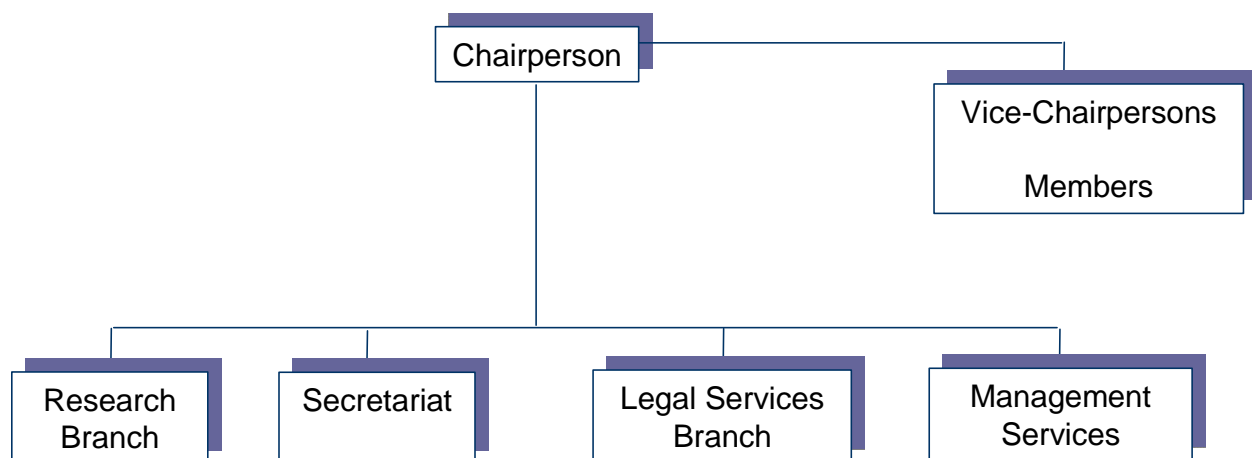
The Tribunal is an independent, investigative and quasi-judicial decision-making body that reports to Parliament through the Minister of Finance.

Under the *CITT Act*, 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. The Chairperson is the Chief Executive Officer responsible for the assignment of cases to the Members and for the management of the Tribunal's workload and resources.

The Members of the Tribunal are supported by a permanent staff of 87 people. Its principal officers are:

- the **Secretary**, responsible for relations with the public, the court registry functions of the Tribunal and relations with other government departments and other governments;
- the **Director General, 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;
- the **General Counsel**, responsible for the provision of legal services to the Members and staff of the Tribunal; and
- the **Director, Management Services**, responsible for corporate services, such as HR management, financial management, information technology, materiel management, accommodation and administrative services, and for relationships with the central agencies on all matters relating to administrative policy and procedure.

### Organizational Structure



Departmental Links to the Government of Canada Outcome Areas

<b>2007-2008</b>		
Strategic Outcome	Total Planned Spending	Link to Government of Canada Outcome Areas
<i>Fair, timely and effective disposition of international trade cases and government-mandated inquiries in various areas of the Tribunal's jurisdiction</i>		
Adjudication of Trade Cases (quasi-judicial role)	10,058	<ul style="list-style-type: none"> <li>• Strong economic growth</li> <li>• Fair and secure marketplace</li> <li>• A strong and mutually beneficial North American partnership</li> <li>• A prosperous Canada through global commerce</li> </ul>
General Economic Inquiries and References (advisory role)	624	<ul style="list-style-type: none"> <li>• Strong economic growth</li> <li>• Fair and secure marketplace</li> <li>• A strong and mutually beneficial North American partnership</li> <li>• A prosperous Canada through global commerce</li> </ul>
<b>Total</b>	<b>10,682</b>	

Note: The Tribunal obtains its operating budget through the Main Estimates process. It does not receive funds through grants and contributions or through cost recovery of its operational expenditures.

## Financial Tables

Table 1: Departmental Planned Spending and Full Time Equivalents (\$ thousands)

	Forecast Spending 2006-2007	<b>Planned Spending 2007-2008</b>	Planned Spending 2008-2009	Planned Spending 2009-2010
Adjudication of Trade Cases (quasi-judicial role)	9,922	<b>10,058</b>	9,438	9,438
General Economic Inquiries and References (advisory role)	83	<b>624</b>	624	624
<b>Total Main Estimates</b>	10,005	<b>10,682</b>	10,062	10,062
<i>Adjustments:</i>				
<i>Supplementary Estimates:</i>				
Operating Budget Carry Forward	381	.....	.....	.....
Procurement Savings	-20	.....	.....	.....
<i>Other:</i>				
TB Vote 15	19	.....	.....	.....
Employee Benefit Plan (EBP)	.....	.....	.....	.....
<i>Total Adjustments</i>	380	.....	.....	.....
<b>Total Planned Spending</b>	10,385	<b>10,682</b>	10,062	10,062
Total Planned Spending	10,385	<b>10,682</b>	10,062	10,062
Plus: Cost of Services Received Without Charge	2,398	<b>2,415</b>	2,421	2,431
<b>Net Cost of Program</b>	12,783	<b>13,097</b>	12,483	12,493
<b>Full Time Equivalents</b>	85	<b>94</b>	94	94

Table 2: Voted and Statutory Items Listed in Main Estimates (\$ thousands)

<b>2007-2008</b>			
Vote or Statutory Item	Truncated Vote or Statutory Wording	<b>Current Main Estimates</b>	Previous Main Estimates
20	Program Expenditures	<b>9,306</b>	8,609
(S)	Contributions to Employee Benefit Plans	<b>1,376</b>	1,396
	<b>Total Department</b>	<b>10,682</b>	<b>10,005</b>

Table 3: Services Received Without Charge (\$ thousands)

<b>2007-2008</b>	
Accommodation provided by Public Works and Government Services Canada (PWGSC)	<b>1,894</b>
Contributions covering employers' share of employees' insurance premiums and expenditures paid by the TBS (excluding revolving funds)	<b>521</b>
<b>2007-2008 Services Received Without Charge</b>	<b>2,415</b>

Table 4: Resource Requirement by Branch (\$ thousands)

<b>2007-2008</b>			
	Adjudication of Trade Cases (quasi-judicial role)	General Economic Inquiries and References (advisory role)	<b>Total Planned Spending</b>
Chairman's Office	1,665	44	<b>1,709</b>
Secretariat	2,247	68	<b>2,315</b>
Research	3,045	434	<b>3,479</b>
Legal	855	6	<b>861</b>
Management Services	2,246	72	<b>2,318</b>
<b>Total</b>	<b>10,058</b>	<b>624</b>	<b>10,682</b>

Table 5: Internal Audits and Evaluations (\$ thousands)

<b>Internal Audits or Evaluations</b>	<b>2007-2008</b>	<b>2008-2009</b>	<b>2009-2010</b>
Human Resources Management— Classification Audit	50	.....	.....
Review of Information Management	.....	40	.....
Review of the Management Framework Surrounding Confidentiality of Information	.....	.....	40



## SECTION IV—OTHER ITEMS OF INTEREST

### Contact for Further Information and Web Site

The Secretary  
 Canadian International Trade Tribunal  
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 Tribunal's Web Site: [www.citt-tcce.gc.ca](http://www.citt-tcce.gc.ca)

### Legislation Governing the Work of the Canadian International Trade Tribunal

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

### List of Statutory and Tribunal Reports

#### Annual Report

- 1989-90 to 2005-2006
- Textile Reference—Annual Status Report 1994-95 to 2000-2001 (incorporated into the Tribunal's Annual Report as of 2002-2003.)

#### Guides

- Procurement Review Process—A Descriptive Guide
- Safeguard Inquiry—Market Disruption—Imports from China—Guide for Complainant
- Safeguard Inquiry—Trade Diversion—Imports from China—Guide for Complainant
- Textile Reference Guide

#### Pamphlets

- Introductory Guide on the Canadian International Trade Tribunal
- 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