Resolving disputes

Many issues can become controversial in international trade transactions. For example:

- disputes with agents;
- collection of payments due;
- breach of contract or warranty;
- intellectual property rights;
- secured creditors' rights, e.g. seizure of assets; and
- enforcing foreign judgments.

Resolving disputes formally through the legal system can be costly. If possible, settle out of court. .

> **TIP**
>
> *The Corruption of Foreign Public Officials Act*, adopted by Parliament in 1999 makes it a criminal offence to bribe a foreign public official in the course of business. For more information visit the Department of Justice website at **http://canada.justice.gc.ca/en/dept/pub/cfpoa/guide5.html**

Meeting international standards

There are standards for almost everything, from the ingredients in food to the certification of electrical equipment. If you're an exporter, you need to ensure that the standards you use in your export product or service are in compliance with those of your intended target market.

Adopting international standards will bring you at least three major benefits. First, it will increase your competitiveness in the global marketplace, which translates into faster, easier access to foreign markets. Second, compliance with standards will make it simpler for you to exchange technical information with experts in other countries. Third, you'll avoid the cost and bother of testing and recertification when you move into a new market.

The best place to learn about standards is the Standards Council of Canada (SCC) at **www.scc.ca.** The SCC manages Canadian contributions to the two chief international standards forums, the International Organization for Standardization (ISO) and the International Electrotechnical Commission (IEC), which publish standards in a wide variety of fields.

Standards are constantly changing and exporters need to be up-to-date on these changes. The SCC can help you through its Export Alert! program, which provides you with automatic email notification of proposed regulatory changes in global markets. Two other SCC tools that you may find useful are RegWatch, a database of standards referenced in federal legislation, and Standards Alert!, which allows you to monitor Canadian, ISO and IEC standards and get automatic notification of changes. For more information, refer to **www.scc.ca/online/index_e.html**.

Contracts for the sale of goods

A contract covering the sale of goods involves you (the seller) transferring or agreeing to transfer goods to the buyer, in return for a sum of money. The actual transfer of the property is important, because it distinguishes the sale of goods from other transactions such as leases or property loans.

The term "goods" includes all movable things, excluding real estate, and such intangibles as debts, shares, patents and services. Furthermore, the fact that money changes hands distinguishes a sale of goods from other transactions, such as barter or counter-trade.