

A. The representative must be able to produce a dated, written proof from the Canadian company that he or she is acting on its behalf. The information should be as specific as possible, such as:

- which product or service is covered by this mandate?;
- the purpose of the representation;
- the target market(s);
- the duration of the representation rights agreement; and
- an indication of whether the agreement provides exclusive rights in the market.

(see related case).

Q. Should I provide services to consultants doing market research for third parties?

A. Yes, if the consultant can present a written proof from the Canadian company that the company has mandated the consultant. However, you should restrict the services provided to the normal services we offer our business clients. Clients cannot expect posts to do detailed market research on their behalf. The third party which has mandated the consultant must meet our normal criteria for Canadian business clients including the focus on target markets (see related case).

Q. What about trading houses?

A. The same criteria apply. Either the trading house is an established Canadian company or it has a mandate from a Canadian company. In addition, the trading house must have focused on some target markets and the transaction must bring economic benefits to Canada (see related case).

Q. What do I do if I am unsure whether to provide service to an enquirer?

A. Contact the Post Support Unit at the Trade Commissioner Service, Overseas Operations Division, in Ottawa .

Q. Should I provide services to companies about whom complaints have repeatedly been made, who are currently under investigation, or who have been found guilty of acts which could damage the reputation of Canada or the Department?>

A. In these cases, the Post Support Unit is responsible for formulating recommendations to posts concerning the services that should be provided. The position of the Department will be established in consultation with the Justice Legal Services Division. Our services may be withheld on a temporary basis. However, the company in question will be given the opportunity to reinstate itself by demonstrating to the Department that the situation has been rectified to the satisfaction of all parties concerned. In all cases, contact the Post Support Unit (see related case).

Q. Do our clients include local importers or distributors of Canadian products?

A. Importers and distributors are part of the network of local contacts that you maintain in the market to better serve Canadian clients. If they are traditional or major buyers of Canadian products or services, you will want to treat them as clients.

Q. Should I provide services to the subsidiary of a Canadian company trying to sell, in my territory, a product it manufactured in a third country?

A. Yes, if you are satisfied that the value developed in Canada through research, engineering, manufacturing, design, marketing or servicing is significant enough to justify your involvement.

Example: A Canadian telecom company which has developed and designed a telephone in Canada, manufactured it in China, and now seeks our services to sell or distribute it in Australia (see related case).