

15. Amendments

- a. Requests for amendments must be made in writing, addressed to the Director, Export Controls Division. All such requests should be received in the Division at least four weeks before the expiry date of the export permit.
- b. Requests for amendments are reviewed individually in light of the circumstances prevailing at the time of the request. Extensions will be approved on a one time basis only for permits originally issued with an expiry date of one year. Where a permit is issued with a expiry date of two years, no extension will be approved.
- c. Unless otherwise indicated above, the number of consignees per permit is limited to three. Amendments will be considered although no increase in the number of consignees beyond three will be allowed. Changes in consignee must be accompanied by end-use certificates (EUC) or International Import Certificates (IIC).
- d. New items may not be added to an existing permit. Companies are asked to submit a new application for permit to export those goods. Requests to change the quantities or values indicated on existing permits will be reviewed on a case-by-case basis. Such amendments to permits covering military goods (ECL Group 2) will generally be approved only when the changes are of a minor nature.

Note:

Once the permit has expired, it cannot be amended.

16. Access to Information

As a general rule, under the *Privacy Act* and the *Access to Information Act*, information in the possession of the federal government cannot be disclosed, regardless of the source of such information. However, both the *Privacy Act* and the *Access to Information Act* contain provisions which allow the government to disclose certain information under certain circumstances. Please refer to the Acts for more information.

E. Customs

1. Introduction

Before allowing the export of goods, it is the duty of Customs Officers, under the *Export and Import Permits Act* (EIPA) and the *Customs Act*, to satisfy themselves that the export does not contravene the EIPA.

2. Customs Documents

- a. At the time the goods are presented for export it is necessary to present a completed Customs and Excise Declaration form B-13 (if one is required) along with the exporter's original copy of an export permit. In those instances where the exporter is unable to provide the original copy, an export permit stamped "this is a certified true copy" and signed by the appropriate officer of DFAIT will be accepted. It is the responsibility of the exporter to declare on the B-13 (Box 9) the Permit No. and whether or not the goods require an export permit. If a permit is required, the Individual Export Permit number or the General Export Permit number must be cited. If no permit is required, this fact must be stated on the export documentation.
- b. For permits valid for multiple shipments, it is the responsibility of the exporter to present the original copy of the export permit to Customs at the time of the first exported shipment. Copies of attachments listing consignees, goods etc., must also be presented with the same information stated on the B-13 (i.e. consignee name and address). Photocopies will be accepted for all additional exports. Each shipment will be recorded by Customs until the export permit expires or the quantity/value of the export permit has been reached, whichever comes first. However, it should be noted that it is the responsibility of the exporter to keep records and not to ship beyond the limits of the export permit.
- c. For more information on presentation and processing of Customs export documents, please contact your local Customs office.

3. Detained Goods

- a. Exporters whose goods are being detained by Customs should contact the Detention Liaison Clerk, Export Controls Division, Department of Foreign Affairs and International Trade. If the detained goods are controlled under the Export Control List or require a permit because they are destined for a country on the Area Control List, the exporter will be required to obtain and present to Customs the valid export permit before the goods will be considered for release. Before an export permit may be issued, the exporter may be requested to provide additional information in order to have the goods properly assessed.
- b. Exporters found to be in violation of the *Export and Import Permits Act* (EIPA) may have their goods seized by Canada Customs. In these instances, the exporter may be liable for severe penalties under the *Customs Act* or the *EIPA*. Following seizure, Canada Customs has the sole responsibility of all seized goods.

- c. Permits will not be issued for goods under seizure until such time as the goods are released to the exporter.

Reminder: Canada Customs compares the goods described on the export permit and the Customs Declaration form B-13 or equivalent export documentation. Discrepancies in the documentation could result in the export being detained, pending clarification.

F. Forest Products

1. General

Federal permits for the export of Forest Products as defined in the Export Control List, Group 5, from all provinces and territories in Canada are issued by the Department of Foreign Affairs and International Trade in Ottawa. All export permit applications to export forest products should therefore be submitted to the Export Controls Division.

2. Forest products originating from British Columbia

Forest Products as defined in the Export Control List (ECL) Group 5 and being exported from British Columbia require consultation with the Provincial government to determine adequate supply. Once the B.C. Ministry of Forests has given a favourable recommendation for the export of logs, exporters should forward copies of the valid provincial permits (Form FS-34) and the relevant form (FS-38) to the Export Controls Division along with the federal application (EXT 1042). For woodchips exported from B.C., exporters should submit to this office a copy of the relevant *Order of the Lieutenant Governor in Council* issued by the Province of British Columbia along with the federal application (EXT 1042). The federal export permit, once issued, will be sent to the applicant/exporter.

3. Forest Products Originating from Indian Reserves in British Columbia

In the event the logs in question originate from Indian Reserves in B.C., please ensure that the following information is included on the Federal application form (EXT 1042): The appropriate Timber Mark should be indicated next to each Boom Number. Indicate and add the number of pieces of information next to the volume per each boom. Ensure a letter of consent issued by Northern Development accompanies your application. Information concerning this letter of consent should be directed to:

Mr. Nenad Kotic
Lands and Resources, B.C. Region
300-1550 Alberni St.
Vancouver, B.C.
V6G 3C5
Telephone: (604) 666-6755
Facsimile: (604) 666-3808

4. Forest Products Originating from the Yukon

Applications for Forest Products as defined in ECL Group 5, which originate from the Yukon require that the Department of Foreign Affairs and International Trade (DFAIT) consult with Indian and Northern Affairs Canada (INAC), Whitehorse Regional Office, which, in turn will consult with the Minister for Economic Development, Government of the Yukon to determine adequate supply before a federal export permit can be issued. Pending the outcome of this consultation procedure, exporters will be advised by the Export Controls Division as to whether or not an export permit will be issued. Exporters are advised to submit their applications to the Export Controls Division and to allow 20 working days from receipt of their application for this office to complete such consultation requirements.

5. Export Permit and Certificate Fees

- a. Under the authority of the *Export and Import Permits Act and Certificates Fees Order, 1989*, a fee of \$15.00 is levied for each export permit for the export of goods included on the Export Control List (ECL) under Group 5 except Items 5400, 5401 and 5500. Exporters must submit with their application a cheque or bank money order, (no cash) payable to the Receiver General for Canada in the amount of \$15.00 for each permit requested.