

REVIEW AND APPEAL

Rights of review and appeal of determinations of origin and advance rulings will be on a non-discriminatory basis. Equal treatment will be given to all producers and exporters within the North American Free Agreement (NAFTA) area. Each country may, however, adapt the right of review and appeal to fit its own circumstances.

CONSULTATION AND UNIFORMITY

The North American Free Trade Agreement (NAFTA) provides for uniform regulations to be established and implemented to ensure consistent interpretation, application and administration of the rules of origin, customs administration and other matters agreed to by Canada, the United States and Mexico.

The Agreement calls for the creation of a trilateral working group to address future modification of the rules of origin, uniform customs procedures, country-of-origin marking obligations and other matters. A customs subgroup will also be created to meet at least four times per year. This group will exchange information and consult on technical and administrative aspects.

DEALING WITH CUSTOMS OFFICIALS

Customs officials may ask for information on how the imported goods are to be used or what material they are made from. These information requests should be dealt with carefully as the response could significantly impact upon the application of a duty. If it is not clear why the Customs official wants this information, you should find out, either directly or through your broker. The exporter will be informed in writing of a change in rate or value of duty. A challenge to any change, particularly in duty rate or value, should be handled by your customs broker. Failure to respond to an information request could result in the imposition of a higher duty rate or duty value.