

Introduction

A. Do I Need An Export Permit?

This is the first question facing an exporter. Some categories of goods, some goods of certain origins, and goods going to some destinations, require that an exporter first obtain a federal export permit from the Export Controls Division (EPE) of the Department of Foreign Affairs and International Trade (DFAIT) before they can legally be exported. To help understand the decision process involved, please refer to the flow-chart on the opposite page.

Export permits are required if goods are:

Step 1: • destined for a country on Canada's Area Control List;

Step 2: • on Canada's Export Control List;

Step 3: • of U.S. origin; *or*

Step 4: • subject to export controls by other government departments/agencies.

Step 1: Destination of the Goods

Regardless of the product, any goods going to a country on the Area Control List (ACL) require a permit before they can be exported. At time of publication, the ACL included Angola, Myanmar (Burma) and Yugoslavia. Similarly, for any nation that is subject to a United Nations Security Council embargo, additional approvals may be required (e.g., all goods destined to Iraq).

Step 2: The Categories/Types of Goods

A variety of specific goods controlled by DFAIT require permits for export, regardless of their destination. The goods are found on the Export Control List (ECL), which is contained in this Guide. Most, but not all goods, are eligible for an exemption to usual permit requirements if destined for end-use in the U.S. (see paragraph D.1.). The ECL is quite detailed, covering many products that Canada controls for various reasons. Section L, "How Do I Use the ECL and Find Information in the Guide?", on page xvii, provides some practical information on using the ECL.

Step 3: U.S. Origin Goods

Exporters should note that the export of all goods of U.S. origin, as defined in ECL Item 5400, and regardless of their nature and destination, require permits (see paragraph D.2.). This is in recognition of the favourable permit/licence treatment accorded bilaterally on most controlled goods.

Step 4: Other Possible Export Controls

If goods are not destined for a country on the ACL (Step 1), are not listed on the ECL (Step 2), and are not of U.S. origin (Step 3), then there are no controls over the export of the goods under the *Export and Import Permits Act*. **An export permit from EPE/DFAIT is not required.** However, exporters should note that even if EPE/DFAIT controls do not exist, other controls may still apply, including the issuance of permits, licences and certificates. Some listed and non-listed goods may require an approval for export from, for example: the Canadian Nuclear Safety Commission [formerly the Atomic Energy Control Board] (nuclear/atomic items); Environment Canada (endangered species and hazardous waste); and Heritage Canada (cultural properties). For more information about exporting requirements, please contact your local Canada Customs office or the responsible Government Department or Agency. These can be found in the blue pages of your local telephone book under "Government of Canada".