

**GENERAL AGREEMENT ON  
TARIFFS AND TRADE**

RESTRICTED

L/5126/Rev.1

25 February 1983

Limited Distribution

Original: English

REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES

CANADA

Revision

The following notification, describing the present import licensing systems, has been received from the delegation of Canada in response to the questionnaire on import licensing procedures annexed to document L/5106/Rev.1. The present revision replaces the data previously made available to contracting parties in documents L/5126, L/5126/Corr.1 and L/5126/Add.1.

Commodities subject to quantitative restrictions are primarily related to domestic agricultural programmes; measures taken to safeguard domestic producers against injurious imports pursuant to either GATT Article XIX (e.g. footwear) or the Arrangement Regarding International Trade in Textiles (MFA) (e.g. clothing and textiles); or international commitments (e.g. narcotics and endangered species of fauna and flora). In these cases, import permits are required. Other products, although not generally limited as to quantity, are also subject to import control on grounds of public interest, or for surveillance purposes. This is accomplished either through import licensing measures or through certain other formalities at the port of entry.

Import controls are administered by a number of government departments. It is not practical, therefore, to provide a general description of the procedures involved as they vary, in certain particulars, from department to department. Consequently, replies to the questionnaire have been organized according to the different legislative instruments under which import controls are maintained. In the case of the Export and Import Permit Act, general responses, in respect of all products controlled (except endangered species), have been provided for questions 5, 8-10, 12-17 and 19 of the questionnaire. Replies to the remaining questions have been organized by separate product groups owing to differences in the procedures involved. Copies of the applicable Acts and Regulations, including sample forms referred to in the notification, are available in the secretariat. The notification covers import licensing measures in force as of 1 January 1983.

	<u>Index</u>	<u>Page</u>
PART I	- Narcotic Control Act - Food and Drugs Act	3
PART II	- Explosives Act	7
PART III	- Atomic Energy Control Act	10
PART IV	- Plant Quarantine Act	13
PART V	- Animal Disease and Protection Act	15
PART VI	- Canadian Wheat Board Act	18
PART VII	- National Energy Board Act	21
PART VIII	- Export and Import Permits Act	28
	(a) General Responses - All products except Endangered Species - (Questions 5, 8-10, 12-17 and 19).	28
	(b) Other Responses - By Product Groups	32
	(1) Clothes and Handbags	32
	(2) Textiles	36
	(3) Footwear	40
	(4) Dairy Products	44
	(5) Turkey, Eggs & Chicken	49
	(6) Sugar & Coffee	52
	(7) Whale Products & By-Products	54
	(8) Endangered Species	56

I - NARCOTIC CONTROL ACT  
FOOD AND DRUGS ACT  
NARCOTICS AND DRUGS

OUTLINE OF SYSTEM

1. The importation into Canada of narcotic, controlled and restricted drugs is subject to import licensing to ensure that dealer's procedures are in conformity with Canada's international obligations (Single Convention on Narcotic Drugs 1961 and Convention on Psychotropic Substances 1981), our domestic regulations, that the importation meets Canadian medical requirements and that the drugs remain in the legitimate distribution channels. The importation of these drugs is covered by the Food and Drugs Act and its regulations as well as the Narcotic Control Act and its regulations.

PURPOSE AND COVERAGE OF THE LICENSING

2. The prospective importers of controlled drugs (e.g. amphetamine, methamphetamines, barbituric acids), narcotics (e.g. codeine, morphine), and restricted drugs (used only for research, not commercial sale). The application must specify the origin, quantity and type of drug being imported.

Prospective importers of such drugs must be firms domestically licensed to manufacture or distribute specified narcotic, controlled, or restricted drugs.

3. The system applies to all narcotic, controlled and restricted drugs from all countries. Imports of narcotics are made only from countries which are party to the International Narcotic Convention of the United Nations, to which Canada is a signatory.

4. The licensing is intended to ensure that the quantity of drugs imported does not exceed Canadian medical or scientific needs and that Canada is able to comply with its International commitments.

5. The laws governing the importation of these drugs are the Narcotic Control Act (1961) as amended and Parts III and IV of the Food and Drugs Act (1961), as amended. Licensing is statutorily required and the narcotic, controlled and restricted drugs are listed in the Schedules to the Acts. Drugs may be added to or deleted from these Schedules by Order-in-Council.

## PROCEDURES

6. (a) Allocations of quotas for narcotics are published by the United Nations and this information is provided to dealers upon request. Any nation exporting these drugs has Canadian quotas provided to it through the United Nations International Narcotic Control Board.

Canada does not allocate a specific quantity to any country.

(b) The quotas for narcotics are allocated annually in accordance with the requirements of the United Nations International Narcotic Control Board.

(c) Permits to import narcotic, controlled and restricted drugs are issued to resident licensed dealers only. Should Canada not use the assigned quota in a calendar year it would be utilized the following year provided there was the scientific or medical need. The name of the company doing the importing is forwarded to the exporting government as is necessitated by international requirements.

(d) All narcotic quotas are on a calendar year basis and an application may be made at any time during the year.

(e) All the import permits are issued within five working days of receipt of application provided the Canadian quota has not been utilized for the calendar year.

(f) Permits are issued for immediate importation except when a dealer has indicated that he wishes to import in the following calendar year. In this case the permit becomes valid January 1st. All permits are valid for three months from the date of issue with none extending beyond December 31 of the year in which the permit is granted.

(g) All applications for import narcotics are reviewed by the Bureau of Dangerous Drugs, Department of National Health and Welfare, and the import permits are issued by this Bureau on the authority of the Minister of the Department of National Health and Welfare.

(h) Permits are issued to licensed manufacturers and distributors on a first-come-first-served and past performance basis.

(i) Under Canadian law and the International estimate system of the International Narcotics Control Board of the United Nations, the narcotic, controlled and restricted drugs requiring an import permit are also covered by an export permit issued by the narcotics authorities of the exporting country.

(j) Not applicable.

(k) Export permits would only be issued for narcotic, controlled or restricted drugs not approved for sale on the Canadian market after receiving an import permit from the importing country.

7. (a) The importer of controlled and restricted drugs possessing a manufacturer's or distributor's licence for that drug is usually issued an import permit within 5 days of receipt of the application. It is effective immediately.

(b) All permits are granted within 5 days if there is a legitimate medical or scientific need and the Canadian quota has not been utilized.

(c) No. All Permits are valid for three months from the date of issue and none extend beyond December 31 of the year in which they were issued.

(d) The Bureau of Dangerous Drugs, Health Protection Branch, Department of National Health and Welfare is the only group which the importer need contact.

8. An application for an import permit can be refused if there is an insufficient quota remaining or if there has been non-compliance with the Acts and Regulations by the importer or if there is reason to suspect that there will be diversion of the drug to an illicit market. Reasons are given for refusing permits.

#### ELIGIBILITY OF IMPORTERS TO APPLY FOR LICENCE

9. Permits to import or export narcotic, controlled or restricted drugs are limited to these companies licenced to manufacture or distribute the drug in Canada. A list of such is published at least once each year and revisions more frequently.

DOCUMENTATIONAL AND OTHER REQUIREMENTS FOR APPLICATION OF LICENCE

10. Applications for permit to import narcotic and controlled drugs.<sup>1</sup>
11. Canadian import permits and export permits from the exporting country.
12. No.
13. No.

CONDITIONS OF LICENSING

14. Three months. It may be extended upon application.
15. No.
16. No.
17. (a) No.  
(b) No.

OTHER PROCEDURAL REQUIREMENTS

18. No, provided the company is currently licenced to manufacture or distribute such drugs and can provide the security necessary to store the drug.
19. Not applicable.

---

<sup>1</sup>Sample application forms are available for reference in the Secretariat.

## II EXPLOSIVES ACT

### EXPLOSIVES

#### OUTLINE OF SYSTEM

1. The importation of explosives is governed by the Explosives Act and Regulations. Before an explosive may be imported it must be declared an authorized explosive by the Department of Energy, Mines and Resources. This consists of submitting composition and packaging details together with samples for laboratory testing. The criteria for acceptance or rejection are based on the safety characteristics of the explosive substance or article and to confirm that the classification is in conformity with the recommendations of the United Nation's Committee of Experts on the Transport of Dangerous Goods as adopted by the Economic and Social Council (ECOSOC) of the United Nations.

#### PURPOSE AND COVERAGE OF THE LICENSING

2. There are two basic types of importation permits. One is called a general and the other an annual. A general importation permit is valid for one importation. An annual importation permit may be issued for explosives that, in the opinion of the Minister, constitute only a limited hazard to the general public or that are for use in a manufacturing process. This type of permit is valid for an unlimited number of importations. In addition, special permits may be issued for quantities not exceeding 2 lb. in weight if required for purposes of chemical analysis or scientific research.

3. The system applies to explosives from all countries.

4. The licensing is intended to only control the quality of the explosives as it relates to safety and to ensure that it is an authorized explosive.

5. The Explosives Act and Regulations. Yes, the licensing is statutorily required. No, the legislation does not leave designation of products to administrative discretion. The system requires legislative approval to be abolished.

#### PROCEDURES

6. Not applicable.

7. (a) The import permit is normally issued within twenty-four hours if all is in order, but can be obtained within a shorter time. Permits should be on hand when shipment arrives at customs.

(b) Yes.

(c) No.

(d) Yes, Explosives Branch only.

8. Not applicable.

ELIGIBILITY OF IMPORTERS TO APPLY FOR LICENSE

9. (a) No.

(b) Yes.

DOCUMENTATIONAL AND OTHER REQUIREMENTS FOR APPLICATION OF LICENSE

10. Licence and importation permit application forms 13-17 included in Schedule II of the Explosives Regulations.<sup>1</sup>

11. Completion and return of Importers Transmission Schedule.

12. Yes - \$1.00.

13. No.

CONDITIONS OF LICENSING

14. A general permit is valid for six months from date of issue. An annual is valid for a calendar year. Yes, the validity of a general permit may be extended by amending the permit.

15. No.

16. No.

17. (a) No.

(b) No.



OTHER PROCEDURAL REQUIREMENTS

18. No.
19. Not applicable.

---

<sup>1</sup> The Explosives Regulations are available for reference in the Secretariat.

### III - ATOMIC ENERGY CONTROL ACT

#### RADIOACTIVE MATERIALS (Prescribed Substances)

#### OUTLINE OF SYSTEM

1. The Atomic Energy Control Board has established a strict licensing system for the distribution and use of prescribed substances. Under this system, any person or organization proposing to deal in prescribed substances in Canada, in excess of exempt quantities, must apply to the Board, giving details of the material and quantity requested, the proposed use, the facilities and protection equipment available and the experience of the user. When satisfied, the Board issues a licence authorizing the applicant to possess and use the material subject to any conditions which the Board deems necessary.

In addition to obtaining this authorization to possess and use prescribed substances, any person or organization wishing to import any quantity of a prescribed substance must, pursuant to section 5(1) of the Regulations under the Atomic Energy Control Act, obtain an import licence.

#### PURPOSES AND COVERAGE OF THE LICENSING

2. Section 5(1) of the Atomic Energy Control Regulations refers to importation into Canada of any prescribed substance. Prescribed substances includes uranium, thorium, plutonium, neptunium deuterium, their respective derivatives and compounds, and radioactive isotopes of all elements and any substances containing such isotopes.

3. This licensing system applies to prescribed substances from all countries.

4. The import licence is intended to ensure that the material is destined to a person or organization authorized and equipped to use the materials safely and to effect government policy regarding such imports.

5. Import licensing is provided for by the Atomic Energy Control Act and regulations made thereunder. Licensing procedures and the products coverage of the licensing requirements are prescribed by regulation. The licensing system cannot be abolished without the approval of the Governor-General in Council.

6. Quantity and value restrictions do not apply to imports of prescribed material except as may from time to time be determined by Government Policy.

7. (a) (b) The application for a licence to import a quantity of a prescribed substance in excess of an exempt quantity can be approved only if the importer is authorized by the Board to possess the prescribed substance.

An import licence is normally issued within one month of receipt of the application and can be issued in a shorter time if necessary.

(c) No.

(d) The Atomic Energy Control Board is the only body authorized to issue an import licence. Applications are made directly to the Board.

8. The Board may refuse to issue a licence or revoke, suspend, or amend the terms and conditions of, a licence for reasons of health, safety or security. The holder of the affected licence has the right to be heard by the Board.

#### ELIGIBILITY OF IMPORTERS TO APPLY FOR LICENCE

9. Yes

#### DOCUMENTATIONAL AND OTHER REQUIREMENTS FOR APPLICATION OF LICENCE

10. Application for licence<sup>1</sup> to import uranium, thorium, plutonium other radioactive isotopes and deuterium.

11. Approved import licence or a copy thereof.

12. No.

13. No.

#### CONDITIONS OF LICENSING

14. The period of validity depends on the nature of the import and is normally 1 or 2 years. The validity of a licence may be extended upon receipt of a written request.

15. No.

16. No.

17. No.

OTHER PROCEDURAL REQUIREMENTS

18. The applicant should ensure that the importer is licenced to possess the subject prescribed substance.

19. Not applicable.

---

A sample application form is available for reference in the Secretariat.

IV - PLANT QUARANTINE ACT  
PLANTS AND PLANT PRODUCTS

OUTLINE OF SYSTEM

1. A "Permit to Import" is required for the importation into Canada of regulated plants, plant parts (including seeds) and other material from all countries.

PURPOSES AND COVERAGE OF LICENSING

2. Under the regulations pursuant to the Plant Quarantine Act, the prospective importer must apply for a permit for the importation of living plants and plant parts for propagation, root crops from countries other than the U.S.A., used bags, brown corn and certain other plant products. A permit to import is required for each source or exporter for the regulated products.

3. The system applies to plants and plant products from all countries with the exception of root crops from the U.S.A.

4. The permit system is intended to ensure that plant materials imported are in conformity with Canada's phyto-sanitary regulations.

5. The Plant Quarantine Act and Regulations thereunder. Yes. No. No.

PROCEDURES

6. Not applicable.

7. (a) and (b) Application for a permit must be made in writing. Permits are normally issued within twenty-four hours of application.

8. Not applicable.

ELIGIBILITY OF IMPORTERS TO APPLY FOR LICENSE

9. Any person or firm may apply for a permit to import.

DOCUMENTATIONAL AND OTHER REQUIREMENTS FOR APPLICATION OF LICENSE

10. The application for a permit to import must specify: the date, the name of the importer, the Canadian address of importer, the name of exporter, the address of exporter, the country of origin, the means of transport and a description of the goods.<sup>1</sup>

The importer is not required to supply other documents with the application.

11. In addition to the import permit and the normal customs invoices, phytosanitary certification issued by the inspection authorities of the country of origin is required.

12. No.

13. No.

CONDITIONS OF LICENSING

14. The permit is valid for one year from the date of issue (except for corn seed where it is valid for two years). The permit may be valid for one or multiple importations from the same source. Yes, upon request by the importer.

15. No.

16. No.

17. No.

OTHER PROCEDURAL REQUIREMENTS

18. No.

19. Not applicable.

---

<sup>1</sup> A sample form of application for a permit to import is available for reference in the Secretariat.

V - ANIMAL DISEASE AND PROTECTION ACT

LIVE ANIMALS, ANIMAL PRODUCTS, BIRDS AND VETERINARY  
BIOLOGIES

OUTLINE OF SYSTEM

1. For importation from countries other than the U.S.A. a permit is required for all animals (except domesticated dogs and cats), animal products, birds, and veterinary biologics. For importation from the U.S.A. a permit is required for the following: Semen, veterinary biologics, psittacine birds, monkeys, turtles, skunks, foxes, ferrets and raccoons.

PURPOSES AND COVERAGE OF LICENSING

2. See Number 1 above.

3. Imports are permitted only from countries which are free of serious animal diseases which may affect the species of animal or bird imported. The movement of most live animals between Canada and the United States is excepted from this requirement because of the relatively disease-free status of the two countries and on the basis of an agreement with respect to certification procedures between the veterinary services of Canada and the U.S.A.

4. The permit system is intended to ensure that all items identified in Number 1 are imported in conformity with Canada's sanitary health regulations.

5. The Animal Disease and Protection Act and Regulations thereunder.

PROCEDURES

6. Not applicable.

7. (a) and (b) In the case of live animals or animal semen, an import permit must be issued prior to the importation and the permit describes the conditions of importation as it relates to health certification. On arrival at the port of entry in Canada:

- (i) Live animals receive veterinary inspection and the accompanying permit and health certification are inspected to assure that import requirements are met, and,
- (ii) In the case of animal semen, the permit and health certification are checked.

In the case of biologics, production protocols for each product must be submitted and approved prior to the issuance of the permit. They are examined and reviewed to assure the product is safe, free from contaminants and that the label meets all requirements.

(c) No.

(d) Food Production and Inspection Branch,  
Department of Agriculture.

8. Not applicable.

#### ELIGIBILITY OF IMPORTERS TO APPLY FOR LICENSE

9. Any resident of Canada.

#### DOCUMENTATIONAL AND OTHER REQUIREMENTS FOR APPLICATION OF LICENSE

10. Application must be made in writing, and must specify the species, quantities, date of arrival, country or origin and purpose of import.<sup>1</sup>

11. In addition to the Permit to Import Animals and the normal customs invoices, a certificate of health issued by the veterinary services of the country or origin must accompany the shipment.

12. No.

13. No.

#### CONDITIONS OF LICENSING

14. Usually three months. Yes, upon request by the importer.



- 15. No.
- 16. No.
- 17. No.

OTHER PROCEDURAL REQUIREMENTS

- 18. No.
- 19. Not applicable.

---

<sup>†</sup> A sample form of application for permit to import is available for reference in the Secretariat.

## VI - CANADIAN WHEAT BOARD ACT

### GRAINS

#### OUTLINE OF SYSTEM

1. The importation into Canada of wheat, oats, barley and certain grain products are subject to import control pursuant to Part IV of the Canadian Wheat Board Act and the regulations thereunder depending on the supply situation.

#### PURPOSE AND COVERAGE OF THE LICENSING

2. The Canadian Wheat Board Act prohibits any person, other than the Board except if permitted under the regulations, from importing into Canada wheat or wheat products owned by a person other than the Board. This provision extends by regulations to include oats and oat products, barley and barley products. Wheat, oat and barley products include screenings and all substances produced by processing and manufacturing wheat, oats and barley that contain more than 25 per cent by weight of those grains (such as wheat starch and gluten, rolled and crushed oats, and crimped barley and barley meal).

3. The system applies to grains coming from all countries.

4. The import control is intended to restrict the quantity imported for orderly marketing and distribution of Canadian grains. No.

5. The Canadian Wheat Board Act and the regulations thereunder. The licensing is statutorily required for wheat and wheat products and is extended by regulations to include oats and barley and their products.

#### PROCEDURES

6. (a) (b) (c) (d) Information on import licensing procedures for wheat, oats and barley and products thereof is published in the Canada Gazette. It is also available from collectors of Customs and Excise at Canadian Customs ports or entry and from the Canadian Wheat Board.

11. The import license with the usual Customs invoices.

12. No.

13. No.

CONDITIONS OF LICENSING

14. Licenses are normally valid for thirty days and if extension is required, new licenses are issued.

15. No.

16. No.

17. No.

OTHER PROCEDURAL REQUIREMENTS

18. No.

19. Not applicable.

VII - NATIONAL ENERGY BOARD ACT

SECTION A: NATURAL GAS AND ETHANE

OUTLINE OF SYSTEM

1. The National Energy Board Act and the Part VI Regulations made thereunder control imports of natural gas pipelines, railway tank cars and tank trucks or tankers. Imports are authorized by both licences and orders. Licences are issued for large volume imports while orders are used in the case of small volume and emergency imports. An application is made to the Board for import authorization and depending on the type of authorization requested (licence or order) the application may or may not be set down for a public hearing. Any licence or order, other than an emergency import order, is not effective until approved by the Governor-in-Council.

PURPOSES AND COVERAGE OF THE LICENSING

2. As stated, the licences are issued for the larger volume imports of natural gas while orders are used in the case of small volume and emergency imports of natural gas (or liquefied natural gas or ethane).

3. The system described applies to goods originating in and coming from any country. In practice, however, all imports of natural gas have, to date, been from the United States.

4. The licensing of imports is for regulatory and emergency purposes. Since the formation of the National Energy Board in 1959 there has been a shortage of natural gas in the United States and a surplus of natural gas produced in Canada. Therefore, the purpose of licensing has not been to restrict the quantity or value of imports per se.

5. The licensing is maintained under the National Energy Board Act, a statute of the Government of Canada. The designation of products i.e. natural gas, is specifically referred to in the Act and is not subjected to administrative discretion. Legislative action would be required to abolish the system.

PROCEDURES

6. (a)(b)(c)(d) Since natural gas is not restricted as such as to the quantity or value of imports, sub-sections (a), (b), (c) and (d) of this section of the questionnaire would not seem to be applicable.

(e) For processing applications, the minimum length of time is approximately one month, while the maximum length depends on whether a public hearing is required and could take up to four months or longer. Applications for emergency import purposes can be approved immediately.

(f) Between the granting of licences and the date of opening of the period of importation, the time remaining may be immediate or some practical interval not unduly restrictive.

(g) The importer has to approach one administrative organ only, the National Energy Board. However, the licence or order granted for such an import, other than an emergency import order, has to be approved by the Governor-in-Council before final authorization is granted.

(h) Applications are examined on receipt, except for special situations arising as a result of emergency conditions. To date, import licences have not been allocated. Any licences authorized to date have recognized the special circumstances of export - imports (passage through foreign soil only), emergency situations and trade-offs.

(i) There are no applicable bilateral arrangements.

(j) The granting of import licences would be conditional on an export licence being granted by the appropriate foreign government agency.

(k) Not applicable.

7. (a) Application for a licence should be made in advance of importation by a reasonable length of time, depending on the scope of the importation.

(b) An order can be granted immediately by the Board in an emergency situation.

(c) There are no limitations as to the period of the year during which application for licence and/or importation may be made.

(d) See response to 6(g) above.

8. An application for a licence may be refused for failure to meet ordinary criteria such as price, failure to consider alternate domestic supplies, etc. An applicant, in the event of refusal to issue a licence may resubmit his application with appropriate amendments to the same Board. Appeal can be made to the Federal Court of Appeal, on leave being obtained from that Court.

#### ELIGIBILITY OF IMPORTERS TO APPLY FOR LICENCES

9. All firms, persons and institutions, within the meaning of the Act, are eligible to apply for licences.

#### DOCUMENTATIONAL AND OTHER REQUIREMENTS FOR APPLICATION OF LICENCE

10. The Board may have regard to the following information in the application the availability of gas; the existence of markets, natural or potential; the economic feasibility; the financial responsibility; and the public interest. The Governor-in-Council may make regulations respecting the information to be furnished by applicants for licences and the procedure to be followed in applying for licences as constituted in the National Energy Board Act under the Regulations made pursuant to Part VI of that Act, and specifically Section 5 entitled "Information to be Furnished by Applicant for Licence to Import Gas".

11. Documents required upon actual importation are as stated in the licence or order authorizing the import. Full details of documentation requirements are set out in the National Energy Board Part VI Regulations.

12. There is no licensing fee or administrative charge in respect of an application.

13. There is no deposit or advance payment requirement associated with the issue of licences.

#### CONDITIONS OF LICENSING

14. No import licence shall be issued for any period in excess of twenty-five years from a date to be fixed in the licence. The validity of a licence cannot be extended beyond this period without an amendment to the Act, by Parliament.
15. There is no penalty for the non-utilization of a licence or a portion of a licence.
16. Licences are not transferable between importers.
17. Conditions attached to the issue of a licence would normally include installation of metering, inspection and reporting, subject to requirements defined by the Board.

#### OTHER PROCEDURAL REQUIREMENTS

18. Apart from procedures defined in the Regulations made pursuant to the Act, no additional administrative procedures are required.
19. Not applicable.

SECTION B: NOS. 4, 5 AND 6 HEAVY FUEL OILS, BUNKER "C" OIL, "C" GRADE OIL, RESIDUAL FUEL OIL, HEAVY BUNKER OIL, INTERMEDIATE OR THIN BUNKER FUELS AND ANY OTHER HEAVY FUEL OILS OR BLEND OF HEAVY FUEL OILS.

#### OUTLINE OF SYSTEM

1. The National Energy Board Act and the Part VI Regulations made thereunder control imports of the above-mentioned oils. Imports are authorized by licences. An application is made to the Board for import authorization and depending on the type of authorization requested the application may or may not be set down for a public hearing. No licence for the importation of oil referred to above shall be for a period exceeding one year except where a hearing has been held. Any licence for a period exceeding one year is not effective until approved by the Governor-in-Council.

PURPOSES AND COVERAGE OF THE LICENSING

2. As stated, licences are issued for long and short term imports of heavy fuel oil.

3. The system described applies to heavy fuel oil originating in and coming from any country.

4. The purpose of the import licensing is to allow the Board to issue licences to import heavy fuel oil where the importation will not be inconsistent with the development and utilization of Canadian indigenous energy sources.

5. The licensing is maintained under the National Energy Board Act, a statute of the Government of Canada. The designation of products is specifically referred to in the Act and is not subject to administrative discretion. Legislative action would be required to abolish the system.

PROCEDURES

6. (a) All potential importers, and Canadian provincial authorities, were notified of the regulations with respect to the importation of heavy fuel oils. There are no quotas. Importers must provide such information as the Board requires, and the Board may issue a licence to import such oil in such quantities and at such points of entry into Canada as it may consider appropriate.

(b) See (a) above.

(c) Partly, yes. The Board requires the reporting of volumes to be imported, consignee, location of delivery and location where oil would be consumed. Unused allocations are not added to any succeeding period. Names of importers are in the public domain.

(d) Not applicable.

(e) For processing applications for imports of less than one year, the minimum length is approximately two weeks, while the maximum length will depend on whether a public hearing is required (for imports exceeding one year) and could take up to four months or longer.



(f) Between the granting of licences and the date of opening of the period of importation, the time remaining may be immediate or some practical interval not unduly restrictive.

(g) The importer has to approach one administrative organ only, the National Energy Board.

(h) Applications are examined on receipt. See 6 (a) above.

(i) There are no applicable bilateral arrangements.

(j) Not applicable.

(k) Not applicable.

7. (a) Application for a licence should be made in advance of importation by reasonable length of time, depending on the scope of the importation.

(b) No.

(c) There are no limitations as to the period of the year during which application for licence and/or importation may be made.

(d) See response to 6 (g) above.

8. An application for the importation of heavy fuel oil may be refused if the Board is unable to satisfy itself that the proposed importation will not be inconsistent with the development and utilization of Canadian indigenous energy sources. An applicant, in the event of refusal to issue a licence may resubmit his application with appropriate amendments to the Board. Appeal can be made to the Federal Court of Appeal, on leave being obtained from that Court.

#### ELIGIBILITY OF IMPORTERS TO APPLY FOR LICENCES

9. All firms, persons and institutions, within the meaning of the Act, are eligible to apply for licences.

DOCUMENTATIONAL AND OTHER REQUIREMENTS FOR APPLICATION OF LICENCE

10. Applications for import licences must at least include the following information:
- i) the volume of heavy fuel oil to be imported;
  - ii) the period for which a licence is required;
  - iii) the name or description of consignee(s);
  - iv) the location where the oil would be delivered;
  - v) the location where the oil would be consumed.
11. Documents required upon actual importation are as stated in the licence authorizing the import. Full details of documentation requirements are set out in the National Energy Board Part VI Regulations.
12. There is no licensing fee or administrative charge in respect of an application.
13. There is no deposit or advance payment requirement associated with the issue of licences.
14. The period of validity is as stated in the licence. The Board does not extend the validity of a licence.
15. There is no penalty for the non-utilization of a licence or a portion of a licence.
16. Licences are not transferable between importers.
17. A condition attached to the issue of a licence would normally include area of consumption.

OTHER PROCEDURAL REQUIREMENTS

18. Apart from procedures defined in the regulations made pursuant to the Act, no additional administrative procedures are required.
19. Not applicable.

VIII - EXPORT AND IMPORT PERMITS ACT

GENERAL RESPONSES - ALL PRODUCTS

(EXCEPT ENDANGERED SPECIES)

NOTE: On January 1, 1979 a computerized import permit issuing system was introduced and is now fully operational for all products, except endangered species of wild fauna and flora. This system, based upon the concept of single shipment permits, is effected through the use of computer terminals located in all major centres across Canada.

5. - Licensing if effected by regulations under the Export and Import Permits Act.
- Individual products are not designated in the Act.
- An Import Control List has been established by the Governor in Council which includes any article, the import of which he deems it necessary to control for any of the following purposes, namely:
- 1) - to ensure, in accordance with the needs of Canada, the best possible supply and distribution of an article that is scarce in world markets or is subject to government controls in the countries of origin or to allocation by inter-governmental arrangement;
- to restrict, for the purpose of supporting any action taken under the Farm Products Marketing Agencies Act, the importation in any form of a like article to one produced or marketed in Canada the quantities of which are fixed or determined under the Act;
- to restrict, for the purpose of supporting any action under the Meat Import Act, the importation of products to which the act applies;
- to implement any action taken under the Agricultural Stabilization Act, the Fisheries Prices Support Act, the Agricultural Products Co-operative Marketing Act, the Agricultural

Products Board Act or the Canadian Dairy Commission Act, to support the price of the article or that has the effect of supporting the price of the article;

- to implement an intergovernmental arrangement or commitment;

- 2) where at any time it appears to the satisfaction of the Governor in Council on a report of the Minister made pursuant to:
- (a) an inquiry made by the Textile and Clothing Board with respect to the importation of any textile and clothing goods within the meaning of the Textile and Clothing Board Act, or
  - (b) an inquiry made under section 16A of the Anti-Dumping Act by the Anti-dumping Tribunal in respect of any goods other than textiles and clothing goods within the meaning of the Textile and Clothing Board Act.

that goods of any kind are being imported or are likely to be imported into Canada at such prices, in such quantities and under such conditions as to cause or threaten serious injury to Canadian producers of like or directly competitive goods, any goods of the same kind may, by order of the Governor in Council, be included on the Import Control List in order to limit the importation of such goods to the extent and for the period that, in the opinion of the Governor in Council, is necessary to prevent or remedy the injury.

- Once an item has been placed on the Import Control List, a permit either individual or general, is required by the Act to import such goods into Canada.
- Specific products can be made subject to either individual licensing or open general licensing by the Secretary of State for External Affairs.
- This licensing system may be abolished by the Governor in Council by removing the items from the Import Control List. Only Parliament can alter or amend the Export and Import Permits Act.

8. Applications which meet the general requirements will not be refused. If criteria have not been met (e.g. no valid export licence, no quota entitlement) the applicant will be informed; in such event the applicant may request reconsideration by the Secretary of State for External Affairs.

ELIGIBILITY OF IMPORTERS TO APPLY FOR PERMIT

9. Any resident of Canada may apply for a permit. Citizenship is not a criterion.

DOCUMENTATIONAL AND OTHER REQUIREMENTS FOR APPLICATION OF LICENCE

10. The applicant is required to provide the information requested on the application for import permit form.<sup>1</sup> For certain products, additional information and/or documentation may be required, as indicated in the specific product group responses.

12. Any applicant may apply for a permit in Ottawa, for which there is no charge, but for permits issued at other computer terminals there is a \$5.00 or more fee to cover costs of additional service. There is no advance payment associated with the issue of permits.

CONDITIONS OF LICENSING

13. Import permits have a validity of 30 days which may be extended, provided the request for extension is made prior to the original expiry date, by a simple amendment to the permit. Otherwise if the permit has not been used the importer may apply for its cancellation and the issue of a new permit.

14. There is no penalty for non-utilization of an import permit.

15. Permits are not transferable between importers.

16. Under very particular circumstances, special conditions may be attached from time to time (e.g. see responses to 6(k)).

17. Not applicable.

OTHER PROCEDURAL REQUIREMENTS

19. Not applicable.

---

1 A sample application form is available for reference in the Secretariat.

OTHER RESPONSES - BY-PRODUCTS GROUPS

(1) CLOTHING & HANDBAGS

OUTLINE OF SYSTEM

1. Specified clothing products are included on the Import Control List established under the Export and Import Permits Act pursuant to negotiated bilateral export restraint arrangements and are subject to either individual import licensing or general licensing.

PURPOSES AND COVERAGE OF LICENSING

2. Clothing products on the Import Control List and subject to individual import permits are: work gloves; outerwear garments; hosiery; pants; blouses and ladies' shirts; pyjamas and sleepwear; raincoats; sportswear; foundation garments; swimwear; underwear; topcoats and overcoats; men's and boy's structured suits and jackets; leather coats; men's and boy's shirts; and sweaters. (All clothing products, with the exception of work gloves, and hosiery, are allowed entry into Canada under open general permits if a) the value of duty, as determined under the Customs Act, of each importation of the goods is not more than \$500; or b) where the importation of the goods has a value for duty, as determined under the Customs Act, of more than \$500, the number of units of the goods to be imported does not exceed twelve. Imports of hosiery are allowed entry into Canada under open general permit where they are imported for personal use of the importer, as gifts, or a bona fide commercial samples and where their value does not exceed \$500.00. Imports of work gloves are allowed entry into Canada under open general permit where they are imported for the personal use of the importer or as gifts and the importation does not exceed 13 pairs or where they are bona fide commercial samples and the importation does not exceed 144 pairs.

3. See table on licensing requirements on page 35.

4. See page 35. The licensing system is being used to implement restraint arrangements negotiated under the MFA.\* The licensing system is being used for surveillance purposes in order to fulfill Canada's obligations under the

\*Arrangement Regarding International Trade in Textiles  
(Multi-Fibre Arrangement)

MFA and its bilateral obligations to those trading partners with whom restraints have been negotiated. General Canadian custom clearance is not yet fully computerized and in view of the significant number of ports of entry, the surveillance required could not be achieved without the licensing system.

#### PROCEDURES

6. Products subject to bilateral restraints under The International Arrangement Regarding Trade in Textiles.

#### NOTE:

Quantitative restrictions on clothing products and handbags are established in accordance with bilateral export restraint arrangements negotiated under the International Arrangement Regarding Trade in Textiles. The administration of all such arrangements is maintained in the exporting source. The Canadian import licensing system is therefore a back-to-back licensing system with that of the exporting sources. Canadian import permits are issued on a single shipment basis to the holders of valid exports licences from the export authorities.

(As a result of the above, parts (b), (c), (f) and (h) in question 6 are not applicable to the Canadian system).

(a) Information on restraints and formalities is published in the Canadian Gazette, in press releases and in notices to importers distributed to associates and traders, and, upon request, from the Department of External Affairs.

- When the authorities in the exporting source are responsible for administration of the restraint, information is available from the appropriate body in that source.

- In addition to the above overall amounts and the amount allocated to goods from each country are also available from the Department of External Affairs.

(b) See NOTE above.

(c) See NOTE above. Bilateral arrangements provide for swing, borrow-forward and carry-over.



(d) Within 30 days of arrival or any time after arrival of goods.

(e) Import permits are available immediately at numerous computer terminals across Canada provided that proper documentation from the exporting source is presented.

(f) See response to 6 (d).

(g) Permit applications are considered by only one organization, the Office of Special Trade Relations, Department of External Affairs.

(h) See NOTE above.

(i) Yes.

- Yes

(j) Not applicable.

(k) There are provisions of this type in the bilateral arrangements in order that such transshipments are not counted against the negotiated restraint levels.

7. (a) Import permits for goods subject to surveillance only can be applied for 30 days prior to the expected date of arrival or at any time after arrival.

(b) A permit is normally granted immediately upon request.

(c) See response to 7(a).

(d) Permit applications are considered by only one organization, the Office of Special Trade Relations, Department of External Affairs.

DOCUMENTATIONAL AND OTHER REQUIREMENTS FOR APPLICATION OF LICENCE

10. See NOTE on question (6) for additional information required to that prescribed in the application for import permit form.

11. Import permits and normal customs entry forms are required.

OTHER PROCEDURAL REQUIREMENTS

18. See NOTE in question (6).

LICENSING REQUIREMENTS - CLOTHING AND HANDBAGS

Import Control No.	PRODUCT	246 Czech Republic	277 Poland	279 Romania	513 Sri Lanka	516 Hong Kong	519 India	524 Malaysia	528 Singapore	553 China	564 Korea	567 Philippines	575 Macau	578 Taiwan	583 Thailand	262 Hungary	245 Bulgaria
31	work gloves					R	R			R	R		R	R	R		
32	outerwear			R		R			R	R	R		R	R	R		CL
34	hosiery									R	R						
37	plants		R	R		R	R		R	R	R		R	R	CL		CL
39	shirts blouses shirts sweaters					R	R	CL	R	R	R				R		CL <sup>3</sup>
40	sleepwear		R	R		R,EA			R	R	R		R,CL	R			
41	rainwear		R	R		EA				R	R		R	R			CL
42	sports wear					R	R		R	R <sup>2</sup>	R		R,CL	R	CL		
43	foundations garments					R					R						
44	swimwear					R				R,CL	R		R,CL	R			
45	underwear					R				R	R		R,CL	R			
46	coats jackets		R	R	R <sup>1</sup>	R,EA	R <sup>1</sup>		R <sup>1</sup>	R	R		R	R	CL <sup>1</sup>		R
47	knit sweaters blouses		R	R		R			R	R,CL	R		R	R		R	
49	tailored shirts		R	R	R	R	R	R	R	R	R		R	R	R		R
50	sweater		R	R		R		R	R	R	R	CL	R	R			R
58	handbags					EA				R,CL	R	CL		R			

R = Restraint; CL = Consultation Level; EA = Export Authorization

\* All items not under restraint are under surveillance

No silk categories included.

- (1) Jackets only
- (2) Suits and co-ordinates only
- (3) Blouses and shirts, WSCI only

O.S.T.R. Dec 20/82

## (2) TEXTILES

### OUTLINE OF SYSTEM

1. Specified textile products are included in the Import Control List established under the Export and Import Permits Act pursuant to negotiated bilateral export restraint arrangements and are subject to either individual import licensing or open general licensing.

### PURPOSES AND COVERAGE OF LICENSING

2. See table on licensing requirements on page 39.

All textile products are allowed entry into Canada under open general permits where they are imported for personal use of the importer or as a bona fide commercial sample and where their value does not exceed in most cases \$500.00.

3. See table on licensing requirements on page 39.

4. Individual import licensing for textile products is intended to restrict quantities in accordance with bilaterally negotiated restraint arrangements under the MFA. In addition, it is used for import surveillance.

5. General Canadian custom clearance is not yet fully computerized and in view of the significant number of ports of entry, the surveillance required could not be achieved without the licensing system.

### PROCEDURES

6. NOTE The administration of all bilateral arrangements is maintained in the exporting source. The Canadian import licensing system is therefore a back-to-back licensing system with that of the exporting sources. Canadian import permits are issued on a single shipment basis to the holders of valid export licences from the export authorities.

(As a result of the above, parts (b), (c), (f) and (h) in question 6 are not applicable to the Canadian system).

(a) Information on restraints and formalities is published in the Canada Gazette, in press releases and in notices to importers distributed to associations and traders, and upon request, from the Department of External Affairs.

When the authorities in the exporting source are responsible for administration of the restraint, information is available from the appropriate body in that source.

In addition to the above, overall amounts, and the amount allocated to goods from each country are also available from the Department of External Affairs.

(b) See NOTE above.

(c) See NOTE above. Bilateral arrangements provide for swing, borrow-forward and carry-over.

(d) Within 30 days of arrival or any time after arrival of goods.

(e) Import permits are available immediately at numerous computer terminals across Canada provided that proper documentation from the exporting sources is presented.

(f) See NOTE above..

(g) Permit applications are considered by only organization, the Office of Special Trade Relations, Department of External Affairs.

(h) See NOTE above.

(i) Yes

- Yes

(j) Not applicable.

(k) There are provisions of this type in the bilateral arrangements in order that such transshipments would not be counted against the negotiated restraint levels.

7. (a) Import permits for goods subject to surveillance only can be applied for 30 days prior to the expected date of arrival or at any time after arrival.

(b) A permit is normally granted immediately upon request.

(c) See response to 7 (a).

(d) Permit applications are considered by only one organization, the Office of Special Trade Relations, Department of External Affairs.

DOCUMENTATIONAL AND OTHER REQUIREMENTS FOR APPLICATION OF LICENCE

10. See note on question (6) for additional information required to that prescribed in the application for import permit form.

11. Import permits and normal customs entry forms are required.

OTHER PROCEDURAL REQUIREMENTS

18. See NOTE on question (6).

LICENSING REQUIREMENTS - TEXTILES

Import Control No.	Description	246 Czechoslovakia	277 Poland	279 Romania	516 Hong Kong	519 India	524 Malaysia	528 Singapore	553 China	564 Korea	567 Philippines	578 Taiwan	782 Uruguay	527 Pakistan
15	cotton yarn				EA									
22	polyester fabric		R		EA					R		R		
24	acrylic yarn						CL	R		R	CL	R		
25	wool/worsted fabric	R	R	R		R			R	R		R	R	
26	nylon fabric		R	R	EA					R		R		
27	polyester yarn				EA					R		R		
29	toilet linen	R	R		EA	R			R	R <sup>3</sup>		R		R <sup>3</sup>
51	sheets		R		EA				R	R		R		
52	pillowcases		R		EA				R	R		R		
60	cotton, nylon & mixed fibre yarns				EA					R		R		
61	cotton fabric		R <sup>1</sup>		EA				CL <sup>1</sup>	R		R		
62	broadwoven fabric		R							R		R		
63	coated fabric				EA					R		R		
64	household textiles		R <sup>5</sup>						R <sup>2</sup>			R <sup>4</sup>		
65	rope									R		R		

R = Restraint; EA = Export Authorization; CL = Consultation Level

\* Global Surveillance: (a) Polyester Filament Fabric

(b) All types of machine and hand knitting yarns containing 50% or more by weight of acrylic fibres, except those yarns composed entirely of fibres not exceeding 6.35 cm. in length.

(c) Worsted fabric containing 17% or more by weight of wool from ALL sources except France, Italy, Japan, Netherlands, Switzerland, U.K., U.S.A. and West Germany.

- {1} Denim & Corduroy
- {2} Cotton Blankets
- {3} Includes Bar Mops
- {4} Bedding
- {5} Blankets, Bedspreads, Tablecloths

(3) FOOTWEAR

OUTLINE OF SYSTEM

1. Specified footwear products as described in paragraph 2 are on the Import Control List established under the Export and Import Permits Act. Products on the Import Control List are subject to either: (a) individual import licensing, or (b) general import licensing.

PURPOSES AND COVERAGE OF THE LICENSING

2. The individual and general licensing systems apply to most leather and non-leather footwear, except rubber footwear and certain other specific exemptions.

(a) Individual import permits are required for all shipments of the above footwear products.

(b) The following exceptions are allowed entry into Canada under open general licensing: personal effects and gifts totalling not more than six pairs; commercial samples not exceeding 100 pairs; footwear acquired by means of medical prescription; sisal footwear; disposable paper slippers; and footwear imported for and by performing arts organizations.

3. The systems apply to goods originating in and coming from all countries.

4. (a) Individual import licensing for footwear products is intended to restrict the quantity of imports in accordance with Canadian action under G.A.T.T. Article XIX, as a temporary measure to allow the Canadian footwear industry to improve its competitive ability and better meet international competition.

However, import permits are granted freely on request for the following products which are under surveillance:

Cowboy Boots - whose value for duty exceeds  
\$50.00/pair  
Golf Shoes  
English Riding Boots  
Orthopaedic Footwear  
Climbing and Hiking Boots - whose value for duty  
exceeds \$40.00/pair

Moto-Cross Racing Boots  
Bowling Shoes  
Highland Dancing Pump or Jig Shoes  
Beach-type Sandals

General Canadian Customs Clearance is not yet fully computerized and in view of the significant number of ports of entry, the surveillance required could not be achieved without the licensing system.

(b) Bilateral arrangements had been considered following the Anti-Dumping Tribunal conclusion of its inquiries in 1977 and 1981, which established that footwear imports into Canada were at such prices, in such quantities, and under such conditions as to cause or threaten serious injury to Canadian production of like or competitive goods. However, foreign government observations about such agreements in 1977 and again in 1982 made this alternative unrealizable, forcing Canada to impose global import constraints.

#### PROCEDURES

##### NOTE:

6. For footwear products subject to quantitative restrictions under G.A.T.T. Article XIX, overall quantitative limits of 11.4 million pairs of leather footwear and 35.1 million pairs of non-leather footwear for the period December 1, 1982 to November 30, 1983 with a 3% growth factor to be applied for the period December 1, 1983 to November 30, 1984. for all sources (with no individual country sub-limits) are established. Individual importers are informed of their entitlements which are based upon import performance in recent periods. Applications for single shipment permits are made against these entitlements. New importers submit requests for entitlements in order to be able to obtain the necessary import permits at the appropriate times.

(a) Information on quotas and formalities is published in the Canada Gazette, in press releases, and in notices to importers distributed to associations and traders, and is also available from the Department of External Affairs. The overall quota amount is published. There are no allocations specific to any country and there is no data to publish. The amount allocated to each importer is not published.



(b) Allocations to individual importers are made once a year for use at any time in their quota year (December 1 to November 30).

(c) Applications for quota entitlements are considered on an individual basis, without reference to whether or not the applicant is a producer of the like products. The Office of the Special Trade Relations has records of the allocations by importer and of permits approved, but there is no means of ensuring that the import permits are actually utilized. Unused quotas are not added to quotas for a succeeding period. There is provision for extension of unused permits on a case-by-case basis at the end of a quota year when shipments may have been delayed. It has been a Canadian government practice to treat names of licensed importers on a commercially confidential basis and thus the names are not made known to promotion bodies of exporting countries.

(d) Importers can apply for permits during all quota periods provided they still have allocation.

(e) Individual import permits are available at 32 computer terminals across Canada provided that the applicant has sufficient quota. Processing time from application to permit print out can be as short as one minute or less and only rarely would require up to 25-30 minutes.

(g) Permit applications are considered by only one organization, the Office of Special Trade Relations, Department of External Affairs.

(h) Quota allocations per importer are attributed on their past performances in recent periods. A portion of the total quota amount is reserved for allocation to applicants who are new importers. Applications are considered once a year by the Office of Special Trade Relations.

(i) Not applicable.

(j) Not applicable.

(k) Permits could be issued on condition that goods should be exported and not sold in the domestic market.

7. (a) Import permits for goods to surveillance only can be applied for 30 days prior to the expected date of arrival or at any time after arrival.

(b) A permit is normally granted immediately upon request.

(c) None.

(d) Permit applications are considered by only one organization, the Office of the Special Trade Relations, Department of External Affairs.

DOCUMENTATIONAL AND OTHER REQUIREMENTS FOR APPLICATIONS FOR LICENSE

11. Import permits and normal customs entry forms are required.

OTHER PROCEDURAL REQUIREMENTS

18. Not applicable.

(4) DAIRY PRODUCTS

OUTLINE OF SYSTEM

1. Dairy products as listed in paragraph 2 are on the Import Control List established under the Export and Import Permits Act and subject to either individual import licensing or open general licensing.

PURPOSE AND COVERAGE OF LICENSING

2. Dairy products on the Import Control List and subject to individual import licensing are: butter, butterfat in any form except any combination unsuitable as a butterfat ingredient; dry buttermilk, dry casein or caseinates; dry skimmed milk, animal feed containing more than 50 per cent of non-fat milk solids; dry whole milk; dry whey, evaporated and condensed milk and cheese of all types. With the exception of dry casein which is subject to global surveillance, all the aforementioned products are subject to quantitative restrictions - namely a global quota on cheese, quotas allocated to traditional supplying countries on dry buttermilk and sweet condensed milk, and discretionary licensing which varies with domestic supply availability for all remaining products. Where imported for the personal use of the importer and his household and where the value of each importation does not exceed \$20.00, all products are allowed entry into Canada under open general licensing.

3. The system applies to goods originating and coming from all countries.

4. Except for dry casein, the licensing is intended to restrict the quantity of imports in support of the domestic price stabilization programme to which milk is subject. For dry casein, the licensing is for surveillance purpose in order to provide information on the levels of imports from all sources. General Canadian customs clearance is not yet fully computerized and, in view of the significant number of ports of entry, the surveillance required could not be achieved without the licensing system.

PRODUCTS SUBJECT TO GLOBAL QUOTAS (APPLICABLE TO IMPORTS OF  
CHEESE, DRY BUTTERMILK AND SWEET CONDENSED MILK)

6.1 NOTE: The basic procedure is that a quantitative limit is established for a one year period. At the beginning of a quota year, individual importers are informed of their allocation (which is based upon import performance in recent periods). Applications for single shipments are made against these allocations at any time during the 30 days preceding the expected date of arrival of the shipment or at any time after the arrival. In the case of cheese, a small share of the global quota is set aside for new importers who submit requests for allocation in order to be able to obtain the necessary import permits at the appropriate time.

(a) Information on quotas and formalities is published in the Canada Gazette, in press releases and in importers notifications distributed to associations and traders and, in addition, available upon request from the Department of External Affairs.

- Not applicable.
- Through publication in the Canada Gazette and distribution of importers notices.
- The levels of the annual quotas are published.
- The amount allocated to each importer is treated as confidential information.

(b) See NOTE above.

(c) See NOTE above. Applications for allocation are considered on an individual basis without reference to whether or not the applicant is a producer of the like product.

- Permit utilization requires the return of a copy of the permit for monitoring purposes. Unused allocations are generally made available for redistribution in the subsequent year to new applicants or to importers requesting increases in their allocations.
- Unused allocations may not be carried over to succeeding quota years.

- Names of importers to whom allocations and permits have been given are not made known to governments and export promotion bodies of exporting countries upon request.

- Such information is deemed under the Export and Import Permits Act to be confidential and can be revealed only to those legally entitled thereto under the Act.

(d) See NOTE above.

(e) Import permits are available at numerous computer terminals across Canada with a turn-round time measured in seconds.

(f) See NOTE above.

(g) Permit applications are considered by one organization, the Office of Special Trade Relations, Department of External Affairs.

(h) See NOTE above.

(i) Not applicable.

(j) Not applicable.

(k) Not applicable.

## 6.2

### PRODUCTS SUBJECT TO DISCRETIONARY LICENSING

(Applicable to imports on butter, butterfat in any form except any combination unsuitable as a butterfat ingredient, caseinates, dry skimmed milk, animal feed containing more than 40 per cent of non-fat milk solids, dry whole milk, dry whey and evaporated and condensed milk other than sweet condensed milk).

---

**NOTE:** Under the discretionary licensing that applies to the forementioned products, import authorization is granted if and when shortages are identified in the domestic market. Accordingly, there are no fixed quantitative limits as to the import volumes and values allowed into the country. At any given time, importers apply for single shipment import permits. These permits have a validity period of 30 days.

(a) Information pertaining to the formalities of filing applications is published in importers notifications.

- Not applicable.
- Through distribution of importers notifications.
- Not applicable.
- Not applicable.

- The amount allocated to each importer is treated as confidential information.

(b) Se NOTE above.

(c) See NOTE above. Applications for allocations are considered on an individual basis without reference to whether or not the applicant is a producer of the like product.

- Not applicable.
- Not applicable.

- Names of importers to whom permits have been given are not made known to governments and export promotion bodies of exporting countries upon request.

- Such information is deemed under the Export and Import Permits Act to be confidential and can be revealed only to those legally entitled thereto under the Act.

(d) Not applicable.

(e) Import permits are available immediately at numerous computer terminals across Canada for all permits issued automatically. However, for products subject to discretionary licensing, each application is authorized individually usually with a turn-round time of one or two days.

(f) Not applicable.

(g) Under discretionary licensing, permit applications are considered by the issuing organization, the Office of Special Trade Relations, in consultation with the Canadian Dairy Commission and the Agriculture, Fisheries and Food Products Branch of the Department of Regional and Industrial Expansion (D.R.I.E.).

- The importer must approach only one organization, the Office of Special Trade Relations, Department of External Affairs.

(h) See NOTE above.

(i) Not applicable.

(j) Not applicable.

(k) Not applicable.

PRODUCT SUBJECT TO GLOBAL IMPORT SURVEILLANCE (CASEIN)

7. (a) An application may be made at any time during the 30 days preceding the arrival of a shipment in Canada or at any time after the arrival.

(b) A permit is normally granted immediately upon request.

(c) Not applicable.

(d) Permit applications are considered by only one organization, the Office of Special Trade Relations, Department of External Affairs.

DOCUMENTATIONAL AND OTHER REQUIREMENTS FOR APPLICATION OF LICENCE

11. Import permits and customs entry forms are required as well as food certificates as required under the Canadian Dairy Products Act and Regulations.

OTHER PROCEDURAL REQUIREMENTS

18. Importation is subject to health/food inspection and normal requirements of Customs regulations.

(5) TURKEY, EGGS AND CHICKEN

OUTLINE OF SYSTEM

1. Turkey, eggs and egg products and chicken are on the Import Control List established under the Export and Import Permits Act. As such, these products are subject to either individual import licensing or open general licensing.

PURPOSE AND COVERAGE OF LICENSING

2. Imports of "chicken and chicken capons, live or eviscerated, chicken parts, whether breaded or battered, and chicken products manufactured wholly thereof, whether breaded or battered", "turkeys, turkey parts and products manufactured wholly thereof" and "shell eggs, egg powder and frozen or liquid egg" are subject to global import quotas. For all three products, individual import permits are required for each shipment covered by the aforementioned descriptions. Exceptions are however provided for (a) chicken not exceeding 20 pounds (9.0 kilograms) in net weight per non-commercial importation, or for baby chickens or a chicken contained in a jar or can, (b) turkeys not exceeding one or turkey parts not exceeding 10 kilograms for each non-commercial importation, turkey poults and turkey contained in jars or cans and (c) non-commercial importation of eggs where the amount does not exceed 2 dozen eggs per importation, hatching eggs for direct use by direct hatching operations and eggs encased in mud or other material which preserves their quality for speciality food. These exceptions are under open general licensing.

3. The system applies to goods originating in and coming from all countries.

4. The licensing is being used to implement the import quotas on chicken, turkey and eggs in support of the supply management programmes to which these three products are subject.

PROCEDURES

6. NOTE: The basic procedure that applies to imports of chicken, turkeys, shell eggs and egg products is that a quantitative limit for all sources is established yearly. At the beginning of a quota year, individual importers are informed of their allocations which are based upon import performance in recent periods. In the case of turkeys,



individual allocations may be utilized at any time during the quota year. However for chicken and egg products individual allocations are distributed on a quarterly basis whereas for shell eggs entitlements are distributed on a monthly basis at a volume ratio in keeping with traditional demand. Applications for single shipment permits are made against these allocations at any time during the 30 days preceding the expected date of arrival of the shipment. New importers may submit requests for entitlements with a view to obtaining the necessary import permits at a later date. Depending upon domestic supply availability, import permits may also be obtained to supplement the basic quota. Permit application procedures for supplementary permits are the same as those described above.

(a) Information on quotas and formalities is published in the Canada Gazette, in press releases and in importers notifications distributed to associations and traders, and, in addition, available upon request from the Department of External Affairs.

- Not applicable.

- Through publication in the Canada Gazette and distribution of importers notices.

- Overall amounts are published.

- The amount allocated to each importer is treated as confidential information.

(b) See NOTE above.

(c) See NOTE above. Applications for allocation are considered on an individual basis without reference to whether or not the applicant is a producer of the like product.

- Not applicable.

- Allocations may not be carried over one quota year to the next. However in the case of chicken and shell eggs, quarterly and monthly allocations may be carried over the succeeding quarter or month while, for egg products, unused individual allocations become available to all importers one month prior the end of each quarter.

- Names of importers to whom allocations and permits have been given are not made known to Governments and export promotion bodies of exporting countries upon request.

- Such information is deemed under the Export and Import Permits Act to be confidential and can be revealed only to those legally entitled thereto under the Act.

(d) See NOTE above.

(e) Import permits are available immediately at numerous computer terminals across Canada, provided that the applicant has unused allocation.

(f) See NOTE above.

(g) Permit applications are considered by only one organization, the Office of Special Trade Relations, Department of External Affairs.

(h) See NOTE above.

(i) Not applicable.

(j) Not applicable.

(k) Occasionally - in such instances of re-export, the quota entitlement is restored.

7. Not applicable.

#### DOCUMENTATIONAL AND OTHER REQUIREMENTS FOR APPLICATIONS OF LICENCE

11. Import permits and normal customs entry forms are required in addition to health certificates as required under the Canada Agriculture Products Standards Act.

#### OTHER PROCEDURAL REQUIREMENTS

18. Importation is subject to health/food inspection and normal requirements of Customs regulations.

(6) SUGAR AND COFFEE

OUTLINE OF SYSTEM

1. Sugar and coffee are on the Import Control List established under the Export and Import Permits Act and are subject to individual open general licensing as indicated in paragraph 2 below.

PURPOSES AND COVERAGE OF LICENSING

2. Pursuant to Canada's undertakings under the International Sugar and Coffee Organizations, the following products are subject to individual import licensing:

"Coffee, in any form including parchment, green, roasted, ground, decaffeinated, liquid and soluble."

and

"Sugar, in any of its recognized commercial forms, i.e. derived from sugar cane or sugar beet, including edible and fancy molasses, syrups and any other form or liquid sugar used for human consumption."

The following exceptions for each product may however be imported under open general licensing:

- coffee: samples and parcels up to a limit per importation of (a) 60 kilograms net of green coffee; or 50.4 kilograms net of roasted coffee; or (c) 20 kilograms net of soluble or liquid coffee.

- sugar: when the quantity to be imported does not exceed one tonne (2,246 pounds) in weight or where the sugar is imported as ships stores for direct consumption on board a conveyance.

3. The system applies to sugar and coffee originating in and coming from all countries.

4. Pursuant to Canada's undertakings under the International Sugar and Coffee Organizations, the system is intended to monitor the volume and the origin of sugar and coffee imports, plus in the case of sugar, the contribution to the organization's Stock Financing Fund.

PROCEDURES

6. Not applicable.

7. Individual import permits are required for each shipment of sugar or coffee entering Canada. Applications for permits may be made at any time during the 30 days preceding the date of arrival of a shipment or at any time after the arrival. In the case of coffee, the ICO certificate, in its appropriate form, accompanying the shipment must be provided to the Office of Special Trade Relations, Department of External Affairs, within 10 days following customs clearance of the shipment.

(a) See NOTE above.

(b) A permit is normally granted immediately upon request.

(c) See NOTE above.

(d) Permit applications are considered by only one organization, the Office of Special Trade Relations, Department of External Affairs.

DOCUMENTATIONAL AND OTHER REQUIREMENTS FOR APPLICATION OF LICENCE

11. Import Permits, Certificates of Origin and of Re-Export (coffee) and normal customs entry forms are required.

OTHER PROCEDURAL REQUIREMENTS

18. Importation is subject to the requirements of the Food and Drugs Act as well as normal Customs regulations.

(7) WHALE PRODUCTS AND BY-PRODUCTS

OUTLINE OF SYSTEM

1. Whale products and whaling apparatus are listed on the Import Control List established under the Export and Import Permits Act and are subject to licensing.

PURPOSES AND COVERAGE OF LICENSING

2. The purpose of the coverage is to maintain surveillance over the importation of whale products and whaling apparatus.

3. The system applies to whale products and whale apparatus originating in and coming from all countries.

4. The purpose of the licensing system is to restrict trade in whale products and by-products from countries not members of the International Whaling Commission.

5. - See General Responses.

- See General Responses.

- Whale products were placed on the Import Control List, established by the Governor in Council, to implement an intergovernmental arrangement or commitment.

- See General Responses.

- Whale products are subject to general import licensing provided they originate from a member country of the International Whaling Commission. In all other cases they are subject to individual import licensing.

- See General Responses.

PROCEDURES

6. (a) Information as to the formalities for complying with the requirements of this control is published in the Canada Gazette, in press releases, and in importers notifications distributed to associations and traders and, in addition, available upon request from the Department of External Affairs.

- Not applicable.

- Not applicable.

- Not applicable.

Parts (b), (d), (e), (f), (g), (h), (i), (j) and (k) are not applicable.

7. (a) Individual import permits can be applied for 30 days prior to the expected date of arrival or at any time after arrival. No application is required for a greater import permit.

(b) An individual import permit is normally granted immediately upon request.

(c) Not applicable.

- Not applicable.

(d) Permit applications are processed by two administrative organizations.

- Applications for permits to import whales, whale products or whale apparatus are considered by the Office of Special Trade Relations of the Department of External Affairs and by the Fisheries and Marine Services of the Department of Fisheries.

- No.

#### DOCUMENTATIONAL AND OTHER REQUIREMENTS FOR APPLICATION OF LICENCE

11. Valid import permit and the customs entry forms.

#### CONDITIONS OF LICENSING

14. - See General Responses.

- (A general import permit is valid until revoked by the Secretary of State for External Affairs.)

#### OTHER PROCEDURAL REQUIREMENTS

18. Importation is subject to requirements of customs regulations.

(8) ENDANGERED SPECIES

OUTLINE OF SYSTEM

1. By virtue of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, of which Canada is a member, specimens of such species and their by-products are listed on the Import Control List established under the Export and Import Permit Act and subject to licensing.

PURPOSES AND COVERAGE OF LICENSING

2. The purpose of this coverage is:

(a) to place a particularly strict limitation on trade in specimens and by-products of species considered as endangered;

(b) to establish a system of monitoring on specimens and by-products susceptible to becoming endangered through the mechanism of back-to-back licensing;

(c) to allow individual countries to exercise surveillance on importation in other countries of specimens and by-products of species which are considered endangered by the exporting country only.

3. The system applies to endangered species originating in and coming from all countries.

4. The purpose of the licensing system is to allow importation in endangered species and their by-products in internationally agreed circumstances.

- Licensing is effected by regulations under the Export and Import Permits Act.

- Individual products are not designated in the Act.

- Endangered species were placed on the Import Control List, established by the Governor in Council to implement an intergovernmental arrangement or commitment.

- See General Responses.

- Endangered species are subject to open general licensing by the Secretary of State for External Affairs.

- See Général Responses.

PROCEDURES

6. (a) Information as to the formalities for complying with the requirements of this control is published in the Canada Gazette, in press releases and in importers notifications distributed to associations and traders, in brochures distributed to travellers entering the country and, in addition, available upon request from the Department of External Affairs.

- Not applicable.

- Not applicable.

- Not applicable.

Parts (b), (c), (d), (e), (f), (g), (h), (i), (j), and (k) are not applicable.

7. (a) Not applicable.

- Not applicable.

(b) Not applicable.

(c) Not applicable.

- Not applicable.

(d) Consideration as to whether requirements are met for a permit is by the Canadian Wildlife Service of the Department of the Environment.

8. Except in the case of endangered species, permits will not be refused if general requirements are not met. If criteria have not been met applicant will be informed, in such event applicant may request reconsideration by the Secretary of State for External Affairs.

9. Any resident of Canada may apply for a permit. Citizenship is not a criterion.



DOCUMENTATIONAL AND OTHER REQUIREMENTS FOR APPLICATION OF LICENCE

10. The importer is required to provide all the information requested by regulations depending on the type of species he intends to import (e.g. an export permit, a re-export permit or certificate issued by the exporting state, and an import permit issued by the Canadian Wildlife Service of the Department of the Environment).

- Not applicable.
- As stated above.

11. Documents as in 10 and the customs entry forms are required.

- There is no permit fee.
- Not applicable.

13. There is not advance payment associated with the issue of permits.

- Not applicable.

CONDITIONS OF LICENSING

Questions 14-17 are not applicable.

OTHER PROCEDURAL REQUIREMENTS

18. Importation is subject to requirements of customs regulations.

19. Not applicable.