

# Canada

## National Guaranteeing organization

The Canadian Chamber of Commerce  
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Contact/ATA Manager  
 Mr Jean-Jacques Hermans, Senior Vice-President, Member Relations & Services  
 Ms Ariola Jakupi, Manager, Carnet Services

**Entry into force:** 10 July 1972

**Territorial application** Customs territory

**Field of application:** ATA Convention  
 Convention on "Scientific equipment"  
 Convention on "Commercial Samples"  
 Convention on "Private Road Vehicles": spare parts for repair of vehicles  
 Convention on "Customs Facilities for Touring": personal effects of high value, belonging to tourists.

**Other applications:** ATA Carnets **are** accepted for transit when goods are being transported from a foreign country through Canada to another foreign country of destination.

ATA Carnets **are** accepted for postal traffic.

Temporary admission operations under national laws and regulations:

- (1) Goods admitted temporarily and not to be sold, leased, repaired or further manufactured or processed for the period required to perform the function for which the goods are entered, up to a maximum period of 12 months, unless otherwise indicated, and which meet all government requirements:
  - (a) Goods produced or owned by a non-resident who is considering the acquisition of Canadian processing or packaging machinery, where the goods are imported to demonstrate the performance of Canadian processing or packaging machinery.
  - (b) Articles to be tested and specialized test equipment permanently attached to or installed on those articles.
  - (c) Cinematographic and video recording equipment imported by non-residents for their use in the production of cultural, educational or entertainment films or video recordings under an agreement between Canada and the country of the importer.
  - (d) Equipment for air shows, aquatic displays, trained animal acts, automobile dare-devil shows, and other acts of a similar character

excluding side shows of a carnival or midway; costumes, stage properties and related theatrical equipment, and trained animals; all of the foregoing when imported by non-residents for their use in providing live entertainment.

- (e) Musical instruments when imported by non-residents for their use in recording sessions or during live performances.
- (f) Equipment for circuses, with or without menageries, but not including amusement riding devices, side shows and concessions for which a separate admission fee is charged.
- (g) Cars, motorcycles, water-borne craft, aircraft, air-cushion vehicles, snow vehicles and other conveyances, and repair parts and repair equipment to maintain the imported racing vehicles while in Canada, when imported by non-residents for use in racing.
- (h) Animals and equipment for use therewith, for pasturage, competition, training or breeding.
- (i) Sulkies, saddles, harnesses and related equipment imported by non-residents for their use in racing.
- (j) Athletic equipment and apparel, and training and other equipment imported by non-resident teams or athletes or their support personnel, for their use in connection with professional or organized amateur sports activities, but excluding goods provided for under item (g).
- (k) Photographic equipment, including film; transmitting equipment not required to be licensed by the Department of Communications; radio and television equipment; video and sound-recording apparatus and related material and equipment; all of the foregoing when imported by non-residents for their use in covering news and sports events.
- (l) Photographic and related equipment, including film and videotape, imported by non-residents for their use in the production of travelogue films, television specials or illustrated articles in foreign periodicals that would be of benefit to the Canadian tourist industry.
- (m) Goods to be used in the production of commercials or to be photographed for use in commercials, brochures, catalogues or other advertising material; goods for use in commercials, brochures, catalogues and other advertising material for export.
- (n) Medals, trophies, plaques and similar articles to be presented to recipients at awards ceremonies.
- (o) Motion-picture films, slides, audio and video tapes and sound recordings devoid of advertising imported by non-residents for staff training or giving technical instruction to employees.
- (p) Lecture material including films, tapes, slides, projectors, videotape machines, sound recorders, charts and other articles imported by non-residents for their use in illustrating non-commercial lectures at meetings of educational societies, professional associations, athletic associations, church groups, service clubs and similar

organizations, whether or not a fee is to be paid to the lecturer or an admission fee is to be charged.

- (q) Films, videotapes and slides of an instructive, informative or documentary nature, when consigned to social and service clubs, charitable organizations and other similar groups, for entertainment.
- (r) Articles for use by students undertaking correspondence courses sponsored by foreign schools for use in conjunction with those courses.
- (s) Motion-picture films, videotapes, television and radio programmes and other articles for review by a recognized board of censors.
- (t) Articles for in-transit movement through Canada.
- (u) Goods imported for a period not exceeding six months for the purpose of display at a convention or a public exhibition at which the goods of various manufacturers or producers are displayed.
- (v) Any projector, camera, sound and lighting equipment, audiovisual equipment, typewriter or other office machine imported exclusively for use in conducting a meeting or convention held in Canada by and for a foreign organization.
- (w) Any souvenirs, the individual value of which exceeds C\$ 25, that are imported for free distribution to persons attending a meeting or convention held in Canada by a foreign organization, provided the souvenirs are exported at the end of the event.
- (x) Official paraphernalia imported by a foreign organization for sale at a meeting or convention and sold at the meeting or convention in the amount equivalent to the percentage of non-residents officially in attendance at the meeting or convention provided the unsold official paraphernalia are exported.
- (y) Goods prescribed as non-taxable imports in accordance with the Customs Tariff and Excise Tax Act and which could be imported permanently duty free if the importer so desired.
- (z) Goods for use in responding to an emergency.
  - (aa) Publications of the United Nations or the North Atlantic Treaty Organization or any of their specialized agencies; books received from free lending libraries abroad, subject to return under Customs supervision within sixty days.
  - (bb) Commercial samples imported on a temporary basis from Mexico, United States or Chile.
  - (cc) Commercial samples imported by a non-resident or a resident who is an employee or agent of a foreign supplier acts on behalf of the foreign supplier and negotiates sales contracts only in the name of the foreign supplier and the sample will not be exhibited or demonstrated in Canada by anyone other than the importer; goods ordered as a result of the exhibition or demonstration of the commercial sample will not be supplied from within Canada; if the value of the sample exceeds \$1,000, the importer indicates, at the time of importation, the places in Canada where he intends to exhibit

or demonstrate the sample, maintains records of the commercial sample while it is in Canada, and produces the records or sample for inspection on request; and the sample is exported from Canada within one year of the date of importation.

- (dd) Goods intended for display or demonstration, imported on a temporary basis from Mexico, United States or Chile by a national or resident of Mexico, the United States or Chile, to be used solely by or under the personal supervision of such person in the exercise of the business activity, trade or profession of that person.
- (ee) Advertising films imported on a temporary basis from Mexico, United States or Chile.
- (ff) Goods for use in photographic layouts for a publication that is published in Canada no fewer than four times a year, and the importer must present a signed declaration by a responsible officer of the importing company that "the imported merchandise will not be used to produce any advertising material or other printed matter promoting the availability of such merchandise in Canada.
- (gg) Specially designed tools for the maintenance, checking, gauging or repair of scientific equipment in use at or by any of the following institutions or organizations when imported by that institution or organization: any elementary or secondary school, school for the handicapped, university, community college or seminary of learning in Canada; any educational or research organization named in Schedule II to the Financial Administration Act or any similar educational or research organization established by or under the authority of a provincial government; any non-governmental organization operating on a non-profit basis that is incorporated or established in Canada solely for educational or religious purposes or solely for the purpose of carrying out research designed to benefit the public at large; any school, either separately incorporated in Canada or, if not incorporated, not related in any manner to non-qualifying organizations, solely established to offer instruction intended to provide individuals with the skills required for a trade or other gainful occupation or to increase skills or proficiency therein; or organizations, such as libraries, or art galleries, archives, historical houses or sites, zoological gardens, planetaria, botanical gardens, aquaria, nature centres or other museums, if the organization operates on a non-profit basis and offers its services to the public generally.

(2) Special conditions

- (a) The foreign organization mentioned in (1) (v) and (x) must maintain records of attendance at and registration for the meeting or convention and produce the records for inspection at any reasonable time on request of an officer employed in the administration of the *Customs Act* or *Excise Tax Act*.
- (b) The meeting or convention mentioned in (1) (v) and (x) is not open to the Canadian public at large.

(c) Split shipments are allowed, provide those items actually entering or leaving Canada are identified on the appropriate counterfoil and vouchers. Split shipments may also be consolidated at the time of re-importation or re-exportation, but only with other goods covered by the same Carnet. However, split shipments temporarily imported through different ports of entry may not be consolidated on a single re-exportation voucher.

(3) Notes

Unaccompanied goods are allowed temporary admission but must be documented on national forms until the holder or representative presents the relevant ATA Carnet.

**Languages in which Carnets should be completed**

English or French

**Replacement carnet**

1. Customs Notice N-591 dated 13 October 2004 is to announce a change in policy. The Canada Border Services Agency (CBSA) will now accept replacement A.T.A. Carnets for goods that will remain in Canada beyond 12 months.
2. Under the present temporary importation policy, goods may remain in Canada under the control of an A.T.A. Carnet for a maximum of 12 months. If a carnet holder wishes to keep goods documented on a carnet in Canada beyond 12 months, the goods must be transferred to a Form E29B, *Temporary Admission Permit*, and security posted in the amount of the duty and taxes that would be owed if the goods were permanently imported.
3. Effective June 1, 2004, replacement carnets may be accepted to cover goods that have been authorized by the local CBSA office to remain in Canada beyond 12 months. While an extension to the period of temporary importation is generally granted for six months at a time, in the case of goods documented on an ATA Carnet, where warranted, the CBSA officer may grant an extension of up to 12 months.
4. The replacement carnet must be presented to the local CBSA office prior to the expiry date of the original carnet. The replacement carnet must come into effect no later than the expiry date of the original carnet and the general list must be identical to the list presented with the original carnet. The importer may be required to present the goods for examination when requesting an extension to the time period.
5. The CBSA officer acquits the re-exportation voucher and counterfoil on the original carnet with a notation that the goods have been transferred to the new carnet. The voucher is forwarded to the customs office where the goods were imported to be matched with the importation voucher.
6. The CBSA officer processes the importation voucher and counterfoil of the new carnet with a notation that the goods have been transferred from the original carnet and the date the goods originally entered Canada.

7. Additional information concerning the A.T.A. Carnet process can be found in Memorandum D8-1-7, *Use of Carnets for the Temporary Admission of Goods*. This memorandum will be updated to reflect the information contained in this notice.
8. Any other questions concerning this notice should be directed to:  
Manager, Trade Incentives and Refunds Unit, Trade Incentives Programs Division, Admissibility Branch (4th floor, 150 Isabella Street - Ottawa ON K1A 0L8 -  
Telephone: (613) 954-6878 - Facsimile: (613) 952-3971)

**Regularization fee requested by Customs**

No

**Customs offices:**

All Customs ports and offices

Designated hours of services for normal business transactions.

**Special observations**

Only certain professional equipment will be accepted. For details, contact Canadian Customs in Ottawa at (613)954-6878.

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