



### 30-day Non-Escalation of Penalty Levels

In Phase I of AMPS Review Implementation, a new business requirement was introduced in the escalation of penalty levels from the first to the second for some low and medium risk contraventions to allow importers and exporters enough time to correct their non-compliance with the many trade laws and regulations, which the CBSA enforces on its own behalf and on that of other government departments.

Should a second Penalty Assessment (PA) with the same contravention be issued against the same client, the system will not escalate the penalty level to level two unless 30 days have transpired from when the first PA was issued or the infraction occurred. The 30-day non-escalation requirement will apply from the first to second level only; it will not apply from the second to third level.

Following is the list of contraventions to which the 30-day non-escalation requirement applied in Phase I, on April 14, 2010.

Contravention Code	30-Day Non-Escalation Requirement from Level 1 to Level 2
C004	Person failed to provide the correct SIMA code.
C005	Person failed to provide true, accurate and complete information.
C010	Broker failed to provide records within specified time limit.
C011	Person acted as broker without a license.
C044	Transporter failed to keep records or to answer questions about records.
C058	Sufferance warehouse licensee failed to acknowledge receipt of goods.
C071	Person failed to provide permit/certificate or information before goods released.
From C084 to C151 (68 Contraventions)	Importer failed to mark the goods.
C192	Person failed to report goods not exported.
C207	Master of ship failed to secure alcohol and tobacco under seal (marine).
C208	Carrier failed to seal bar-boxes while on the ground (air).
C342	Person failed to transmit release information to the correct customs office.



Following is the list of contraventions to which the 30-day non-escalation requirement will apply in Phase II, on December 15<sup>th</sup>, 2010.

Contravention Code	30-Day Non-Escalation Requirement from Level 1 to Level 2
C008	Carrier failed to use bar code for CCN.
C026	Person failed to present, open, unpack or unload goods for officer.
C036	Transporting goods without proper bond or security prior to release.
C048	Sufferance warehouse licensee failed to ensure safe storage of goods.
C050	Sufferance warehouse licensee failed to maintain security procedures.
C060	Sufferance warehouse licensee failed to provide facilities/equipment/personnel control access.
C170	Exporter failed to report the export of goods on an export declaration at the time, place and/or in the manner prescribed.
C196	Customs bonded warehouse licensee/operator failed to ensure safety and security of goods.
C369	Carrier failed to report the export of cargo at the time, the place and / or in the manner prescribed.
C372	Person failed to report non-duty paid goods in their possession.
C377	Importer failed to mark the goods.