

June 14, 2016

Mr. Martin Bolduc
Vice President, Operations Branch
Canadian Border Services Agency
191 Laurier Avenue West, 18th floor
Ottawa, Ontario K1A 0L8

Dear Mr. Bolduc,

Thank you for your response to our recent correspondence addressing our Association's ongoing concerns related to the RFP issued by the Buffalo and Fort Erie Public Bridge Authority (PBA) for the Duty Free Store in Fort Erie, Ontario.

As the representative Association for the land border duty free industry in Canada, we continue to emphasize that the entire RFP process, including potential license cancellation and issuance of a new duty free license based on its' outcome has raised several concerns for the FDFA and our members. As you rightly point out, the final decision to issue a licence for a duty free store remains with the Minister of Public Safety and Emergency Preparedness (Minister).

In this particular case, we would like to stress that it is important for the Minister to defer cancelling the current licence until a thorough investigation has been conducted. We believe that uncertainty and confusion abound and that there are indicators that raise suspicion as to the transparency of the RFP process and its compatibility with existing CBSA policy.

In your recent letter of reply, you mentioned that "policies are only one of the factors that the Minister must consider." We would like to seek clarity on this. First we would like confirmation that the processes outlined in Memo D4-3-2 will be followed should the Minister be in a position of issuing a new license. Given the existence of the written policy as well as past precedent, the duty free industry as well as the Canadian public have a legitimate expectation that the policy will be followed. We would also like to better understand what other factors might be considered when rendering a decision.

Thank you again for your consideration of this matter. We strongly believe that this process has been flawed from inception and ask that you support us in corresponding to the Minister accordingly.

Sincerely yours,