

Frontier Duty Free Association's Operator Survey - CBSA Forms and Industry Changes for the Future

This document captures the input received from the FDFA's Operator Survey, *CBSA Forms and Changes for the Future*. It provides a summary of the review and analysis conducted by the Assessment and Licensing Unit with respect to the suggestions and recommendations made by the Duty Free Shop (DFS) Operators as well as a CBSA response to each item.

Short-Term – Immediate Responses/Actions

Consistent comments throughout survey	FDFA Survey Comments/Questions	CBSA Response
B116	<ul style="list-style-type: none"> Forms should be online fillable Forms should calculate totals Operators should be able to send forms electronically 	<ul style="list-style-type: none"> The B116 has been updated to be online fillable, the remaining forms are online fillable. The B116 & B117 have been modified to include functions to add, subtract and total. The B116 & B117 may be sent via email.

	<ul style="list-style-type: none"> No need to write the currency for the ship date Clearance should occur at any time not just during office hours Recommend emailing once per day, taking to the CBSA for stamped approval weekly and submitting the B3 monthly 	<ul style="list-style-type: none"> This is not a specific field on the B116; however, the value required on the form is in Canadian dollars. The CBSA will respond within 1 ½ hours of arrival notification as to whether the goods must be held in the holding area. If the CBSA does not respond the goods may be placed into the DFS warehouse as temporarily released goods. It is no longer necessary to immediately notify the CBSA upon receipt of goods. The B116 can also be set via email referring to the arrival notification number, and the DFS operator has 5 business days to provide the B116. The CBSA can approve the electronic version (i.e., scanned copy of the B116) and return the approval electronically via email, at which time the goods can be removed from the warehouse and placed for sale in the DFS.
BSF664	<ul style="list-style-type: none"> This form should not be used for renewals 	<ul style="list-style-type: none"> When renewing a DFS licence, the DFS operator must provide information on the company's board of directors and owners, and a copy of the financial security, as is done at the time of application. The BSF664 has the necessary fields to provide this information, and an area for the applicant's signature to certify the information as true.
B261, B256, L63	<ul style="list-style-type: none"> Comments were provided 	<ul style="list-style-type: none"> These forms are owned by the Canada Revenue Agency and therefore, the CBSA cannot make any changes to them.
Medium-Term – Changes To Be Implemented At a Later Date		
Consistent comments throughout survey	FDFA Survey Comments/Questions <ul style="list-style-type: none"> Forms should be online savable 	CBSA Response <ul style="list-style-type: none"> The CBSA is in the early stages of developing a process to make external forms savable. The need for online savable forms is recognized and once a process is developed, further consideration will be given to this request. In

		the interim, they have been made fillable with calculation functions.
E15	<ul style="list-style-type: none"> • Section 9 is not large enough • Combine the E15 with the B116 • Destroy goods without CBSA presence. 	<ul style="list-style-type: none"> • The Assessment and Licensing Unit is not responsible for form E15, nor the policy on the destruction of goods; however, because the E15 is used for program areas beyond the DFS program, the combination of these forms is not recommended. Further discussions on these concerns would be required with the CBSA policy area and owner of form E15.
General Comments		
Comments Regarding CBSA Processes	<u>FDFA Survey Comments/Questions</u> <ul style="list-style-type: none"> • Allowance for e-commerce • Question regarding public tenders and comment that the federal government should require landlords to negotiate with any applicants that meet federal criteria • Concerns raise regarding conflicting federal/provincial laws and regulations governing alcohol and tobacco • Simplify direct delivery via DFS vehicles • Collection of a postal code instead of licence plate number 	CBSA Response <ul style="list-style-type: none"> • Detailed proposals from the DFS industry would be required on this concept with sufficient detail for the CBSA to conduct a fulsome assessment and ensure the proposal would adhere to applicable legislation, regulations and policy. • The Minister (i.e., the CBSA) cannot require private land owners negotiate with any specific party nor intervene in private negotiations affecting the commercial rights between two private parties. • Additional details on this issue are necessary in order for the CBSA to analyze and provide a response. • DFS goods travelling within Canada must be transported in bond; therefore a personal or non-bonded company vehicle could not be used. • A licence plate provides indication of the purchaser of the goods as well as the vehicle in which the goods were presumably exported, while a postal code is only a geographical reference to the area in which the purchaser of the goods resides.

	<ul style="list-style-type: none"> • Completing the B3 to pay for perfume testers and shorts is very inefficient. 	<ul style="list-style-type: none"> • Importers are required under the <i>Customs Act</i> to account in the prescribed manner and in the prescribed timeframes; therefore a Form B3 must be presented.
Fuel	<ul style="list-style-type: none"> • Allowing border stores to sell duty free gas. 	<ul style="list-style-type: none"> • The CBSA is not able to assess this matter as it would fall under the authority of the Department of Finance Canada (Finance). Should the DFS industry wish to explore this further a proposal would need to be submitted to Finance.