

AMPS CIRCULAR

Changes to Contraventions

On June 21, 2004, a number of changes to AMPS contraventions come into effect as a result of a major review of a variety of issues raised by the internal and external communities. The purpose is to strengthen and clarify the system by creating more focussed penalties and to respond to some of the recommendations of the AMPS Six-Month Review. Specifically, the following contraventions will be affected:

- A new **C008** combines previous C007 and C008 into one contravention to eliminate previous confusion in differentiating between the two contraventions. C007 will be eliminated in the near future.
- **C315** has been amended to exclude the requirement for General Export Permit (GEP) notations as it was felt that a \$1,000 first level penalty was punitive for a missing GEP notation.
- Consequently, a new export-related contravention, **C362**, focuses solely on GEP notations, with penalty amounts of \$100 for the first occurrence, \$200 for the second, and \$300 for the third and subsequent occurrences.
- Two new importer contraventions, **C360** for high value, and **C361** for low value, were put in place for situations where unreported goods are found during an examination based on a referral of the release request. This is to eliminate the uncertainty surrounding the application of C019 and C020 and the legislative base in situations where the importer fails to account for all imported goods at the time of release request. C360 and C361 are based on *Customs Act* paragraphs 32(1)(a) and (2)(a). C019 and C020 will be phased out in the near future.

As a result of the AMPS Six-month Review, the retention period for 164 contraventions that do not apply in compliance verification environment will be reduced from three years to one year. The change in retention period is to take effect during the summer, and you will be notified of the implementation at a later date. However, four contraventions that can apply both in the front end and in the compliance verification environments needed to be amended to make a distinction in retention periods; therefore, the following changes also take effect June 21, 2004:

- Contraventions **C046, C047, C066, and C069** were amended to exclude reference to sufferance warehouses. These contraventions will continue to have a retention period of three years.
- Consequently, four new contraventions were created to focus specifically on the sufferance warehouse program: **C356, C357, C358 and C359**. These have a retention period of one year.

Attached please find revised contravention pages. The changes will be posted on the Internet, and incorporated into the next version of the Master Penalty Document.