



Ottawa, November 21, 2013

# MEMORANDUM D13-2-1

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**IN BRIEF**

## **Responsibility of Importers and/or Authorized Agents With Respect to Valuation**

The editing revisions made in this memorandum do not affect or change any of the existing policies or procedures.



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Ottawa, November 21, 2013

# MEMORANDUM D13-2-1

## Responsibility of Importers and/or Authorized Agents With Respect to Valuation

This memorandum outlines and explains the role of importers and/or their authorized agents with respect to the calculation and declaration of value for duty of imported goods.

### Legislation

Sections 40, 45 and 164 of the [Customs Act](#) and [Imported Goods Records Regulations](#).

### Guidelines and General Information

1. Importers and/or their authorized agents are responsible for the calculation and declaration of the value for duty of imported goods in accordance with the valuation provisions of the [Customs Act](#) (the Act).
2. The determination of the value for duty and the selection of a particular valuation method must be based upon “sufficient information”, which supports the importer’s declaration. The term “sufficient information” is defined in subsection 45(1) of [the Act](#), and for valuation purposes is intended as objective and quantifiable information that establishes the accuracy of any amount, difference or adjustment used in the determination of the value for duty. Sufficient information in the form of corroborating documentation may be requested by the Canada Border Services Agency (CBSA) to support the calculation and declaration of the value for duty. While this information does not form part of the documentation requirements described in [Memorandum D1-4-1, CBSA Invoice Requirements](#), and [Memorandum D17-1-1, Documentation Requirements for Commercial Shipments](#), it must be available at the time of importation and be kept in such a manner as to facilitate review by CBSA officials when requested.

3. Subsection 40(1) of [the Act](#) requires that any person who imports goods or causes goods to be imported for sale or for any industrial, occupational, commercial, institutional or other like use or any other that may be prescribed shall keep at their place of business in Canada or at any other place designated by the Minister any records in respect of those goods in any manner and for any period of time that may be prescribed and shall, where an officer so requests, make them available to the officer, and answer truthfully any questions asked in respect of the records.

### Imported Goods Records Regulations

4. Pursuant to paragraph 164(1)(i) of [the Act](#), the Governor in Council published the [Imported Goods Records Regulations](#) (Regulations) with respect to the maintenance and preservation of importers’ records, as mentioned in subsection 40(1) of the Act.
5. Section 2 of these [Regulations](#) specifies that every person who is required by subsection 40(1) of [the Act](#) to keep records in respect of commercial goods shall keep amongst others; all records relating to the purchase, importation, costs, value and payment for the goods. Also, this person shall keep records of the sale or disposal of the goods in Canada. Section 2 of these Regulations, also specifies that these records shall be kept for a six year period following the importation of the commercial goods.
6. Further details regarding the responsibilities of importers to maintain records are contained in [Memorandum D17-1-21, Maintenance of Records in Canada by Importers](#).

### Additional Information

7. For more information, call contact the [CBSA Border Information Service](#) (BIS):
  - Calls within Canada & the United States (toll free): **1-800-461-9999**
  - Calls outside Canada & the United States (long distance charges apply): 1-204-983-3550 or 1-506-636-5064
  - TTY: **1-866-335-3237**
  - [Contact Us online](#) (webform)
  - [Contact Us](#) at the CBSA website

## REFERENCES

<b>ISSUING OFFICE –</b> Trade Programs Directorate	<b>HEADQUARTERS FILE –</b> 79070-4-2
<b>LEGISLATIVE REFERENCES –</b> <a href="#"><u>Customs Act</u></a> <a href="#"><u>Imported Goods Records Regulations</u></a>	<b>OTHER REFERENCES –</b> <a href="#"><u>D1-4-1</u></a> , <a href="#"><u>D17-1-1</u></a> , <a href="#"><u>D17-1-21</u></a>
<b>SUPERSEDED MEMORANDA “D” –</b> D13-2-1, March 19, 2001	

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are available in both official languages.

