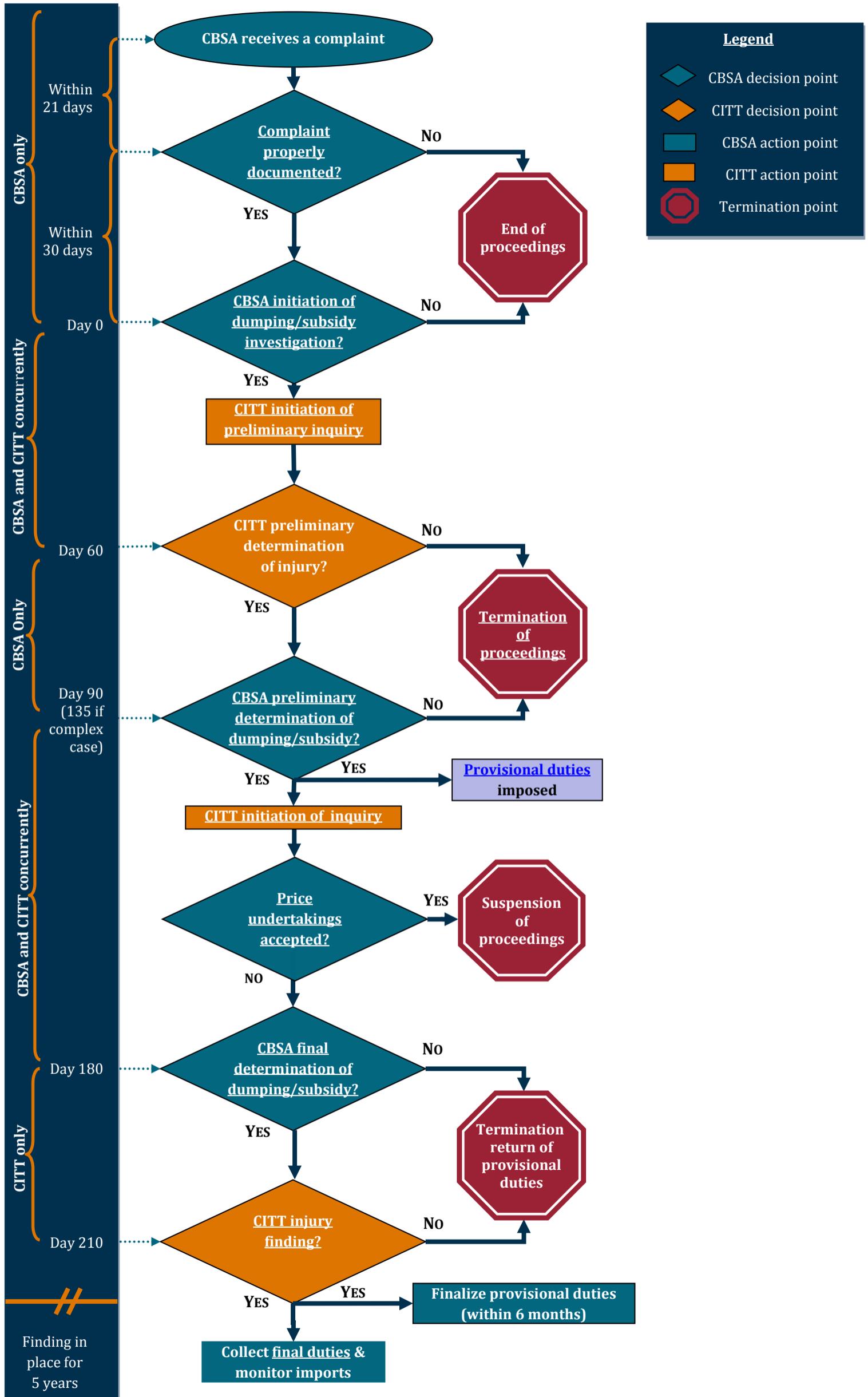


Special Import Measures Act (SIMA) Investigative Process and Timeframes



Explanation of Flowchart

The flow chart represents the SIMA investigation timelines following the receipt of a complaint. The SIMA investigative process generally takes about 260 days from the time the CBSA receives a complaint until the Canadian International Trade Tribunal (CITT) makes a finding.

Once a formal complaint is received, the CBSA has 21 days to determine if it is properly documented.

If the complaint is not properly documented, all the proceedings cease.

If the CBSA determines that a complaint has been properly documented, a decision must be made within 30 days whether or not to initiate an investigation.

If the CBSA decides not to initiate an investigation, all the proceedings cease.

If the CBSA decides to initiate an investigation, the CITT will commence its preliminary injury inquiry. Within 60 days, the CITT will either terminate its inquiry or make a preliminary finding of injury.

If the CITT terminates its inquiry, all the proceedings are terminated including the CBSA's investigation.

If the CITT makes a preliminary determination of injury, the CBSA will, within 90 days after the date of its initiation (or 135 days if the case is complex), terminate the investigation or make a preliminary determination.

Where the CBSA terminates the investigation, all the proceedings are terminated including the CITT injury inquiry.

If the CBSA determines that there is dumping or subsidizing of the goods, provisional duties may be imposed by the CBSA and the CITT will initiate its injury inquiry. During the time that follows, there is a possibility for the CBSA to accept price undertakings that could suspend both the CBSA and CITT investigations.

Ninety days after its preliminary determination, the CBSA will either terminate its investigation or make a final determination of dumping or subsidizing of the goods.

If CBSA terminates the investigation, all the proceedings are terminated and the provisional duties are returned.

If the CBSA makes a final determination of dumping or subsidizing of the goods, the CITT will, within 120 days after the initiation of its injury inquiry, make its final injury finding.

Where the CITT determines there is no injury, all the proceedings are terminated and the provisional duties are returned.

Where the CITT makes a finding of injury, the CBSA will review and finalize the provisional duties within six months of the finding. The CBSA will collect final duties and monitor imports of subject goods while the finding is in place for the next five years.