



International Trade

Stikeman Elliott's international trade lawyers provide importers, producers, exporters, and investors with dynamic, responsive advice as they navigate the complex world of international trade law. Our multi-disciplinary team brings a pragmatic approach that focuses on triaging the issues, enabling the client's immediate objectives to be pursued while obtaining a resolution of regulatory issues.

We excel at dealing with the complex regulatory matters that arise in fast-moving commercial transactions and have considerable expertise in Canadian federal laws governing international trade, including customs, trade remedies, export and import controls, dispute resolution, and international trade agreements, as well as extensive experience in government relations and legislative affairs. Members of our International Trade Group have long-standing relationships with the Canada Border Services Agency, Department of Foreign Affairs and International Trade, the Canada Revenue Agency and the provincial tax authorities, the Canadian International Trade Tribunal, NAFTA arbitration panels, the WTO, and other trade regulators and dispute resolution bodies.

Lawyers in our International Trade Law Group are often involved with customs and trade audits of clients, and have extensive experience managing these audits, and resolving any issues in the client's favour at the audit stage. Where necessary, we also represent clients before the Canada Border Services Agency and the Canadian International Trade Tribunal, WTO, NAFTA arbitration panels, as well as appeals to the Federal Court of Appeal.

Our Expertise

- Anti-corruption
- Bilateral investment treaties
- Canadian Nuclear Safety Commission
- Controlled goods
- Customs law and commodity tax law
- Dumping and countervailing duties
- Economic sanctions
- Energy trading
- Excise tax
- Export and import controls
- Foreign corrupt practices / *Corruption of Foreign Public Officials Act*
- Goods and Services Tax
- Government procurement
- Government relations and legislative affairs
- Indirect tax
- Internal investigations
- NAFTA
- Nuclear non-proliferation import and export control regulations
- *Special Import Measures Act*
- Tariff classification and rate quotas
- Trade remedies
- Transfer pricing
- Valuations
- Voluntary disclosures
- WTO agreements

Accolades

- Corporate Law Firm of the Year - *Chambers Canada Awards 2017*

- *Chambers Canada 2020* for International Trade/WTO
- *Chambers Global 2019* for International Trade/WTO
- *Chambers Global 2019* for International & Cross-Border Capabilities
- *The Legal 500 Canada 2019* for International Trade

Recent Work

- Alcoa Canada Ltd. in its successful defence against the imposition of anti-dumping and countervailing duties in respect of Silicon Metal imports from various countries.
- Simpson Strong-Tie, in an expiry review of Certain Fasteners before the Canadian International Trade Tribunal, successfully requesting an exclusion from duties for the heavy-duty Titen HD concrete screws imported by the client.
- BC Hydro, a purchaser, in connection with its appearance before the CITT on the Large Transformers dumping and subsidy case.
- Nordion Inc., in its acquisition by Sterigenics International LLC, subject to the enactment of amendments to the *Nordion Act* pursuant to which foreign ownership restrictions applicable to Nordion will no longer apply to a change of control transaction with a "non-resident" if such a transaction is approved under the *Investment Canada Act*.
- An independent petroleum refinery in the context of a highly complex matter involving the importation and sale of fuel in Canada and the application of Canadian commodity taxes (GST/HST, QST and fuel tax).
- A manufacturer of fasteners based in the United States, in its appeal of administrative decisions issued by the Canada Border Services Agency under which certain fasteners imported in Canada are subject to anti-dumping duties under the *Special Import Measures Act* following an order issued by the Canadian International Trade Tribunal.
- A global seafood company with its request to obtain a remission order from the Canadian government on the customs duties applicable on the importation of certain aquaculture equipment in Canada. Also assisting with their request made to the Canada Border Services Agency (CBSA) for a refund of the customs duties paid under the *Customs Act* upon the importation in Canada of the same equipment in the past.
- A hardware manufacturer in the context of its voluntary disclosure with the Canada Border Services Agency concerning corrections to the tariff classification declared upon the importation of numerous products in Canada which could result in the payment of important additional customs duties.
- A home decor and furniture company with a very complex file involving multiple refund requests filed with the Canada Border Services Agency in connection with the tariff classification of various imported pieces of furniture for which our client has to demonstrate that such goods cannot be classified as "for domestic purposes".
- Multinational corporations in consumer products, energy commodities, footwear, textile, and other industries, as well as trading companies, refiners and investment bankers, with respect to Canadian customs compliance, trade laws, import/export controls, fuel tax, indirect tax, and federal regulations. This work includes advising clients with respect to NAFTA compliance, valuation issues, tariff classification and setting up compliance policies.

- Large Canadian and international corporations, in connection with customs and NAFTA audits and appeals regarding importations into Canada of various goods, including filing related corrections with the Canadian authorities.
- Canadian natural resources, pharmaceutical and aerospace companies, in advising on anti-corruption practices. This includes assisting with internal investigations, advising as to successor liability and parent-company liability in the corruption context, advising as to potential individual exposure, advising as to ways to mitigate risk involved in certain payments to foreign governments or agents acting on behalf of the client in foreign countries, presenting corruption compliance training and advising as to implications for clients of convictions under the federal government's Integrity Regime.
- International clients, in advising on commodity tax law in connection with the purchase and export of aircraft from Canada.
- Major clients, in connection with the operation of duty-free shops in Canada and the importation of alcohol and tobacco into Canada.