

## Canada-U.S. Blog

LEGAL DEVELOPMENTS AFFECTING CANADA-U.S. CROSS BORDER TRADE

# Canadian e-Manifest AMPs Penalties Start Today For U.S. Truckers/Trains – Submit Manifest Prior to Arrival

By Cyndee Todgham Cherniak on January 11th, 2016

Posted in Border Security, Cross-border trade, Customs Law, Legal Developments, Transportation



January 11, 2016 is E-Day – the day Canada will start to impose administrative monetary penalties (“AMPS”) for failure by highway carriers and rail carriers to have satisfied e-Manifest filing requirements. What are e-Manifest requirements? E-Manifest requirements are national security measures established by the Canada Border Services Agency (“CBSA”) and require that persons carrying cargo into Canada to submit their manifest (cargo and conveyance data) electronically prior to arrival at the Canadian border. This will enable the CBSA to verify the manifest information and determined whether to inspect the cargo prior to customs clearance.

Electronic manifests became mandatory for truckers and railroads in July 2015; however, fines for non-compliance were not imposed — until now. Penalties will be imposed according to a sliding AMPs matrix scale and will range from \$250 to as much as \$10,000 per shipment. Voluntary compliance remains in effect for freight forwarders.

The e-Manifest rules have two significant components:

- 1) Electronic filing; and
- 2) Submission of Advance data.

The electronic filing options are detailed on the CBSA web-site.

The submission of advance data must be filed according to the following deadlines:

- Highway land borders – 1 hour before arrival at the border;
- Train land borders – 2 hours before arrival at the border;
- Air – 4 hours before arrival (depending on duration of the flight); and
- Ocean/Marine – 24 hours before arrival.

It is very important for U.S. carriers to comply with the e-Manifest rules because no one likes to pay penalties. Also, the customs clearance process will likely slow down for non-compliant carriers as the CBSA will conduct inspections and complete AMPs paperwork. Compliance carriers may also experience a slowdown at the border as trucks ahead in line at

the border may slow down those behind.

**Tags:** Administrative Monetary Penalties, AMPs, Canada Border Services Agency, cargo, CBSA, e-Manifest, trains, trucks

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