

Victoria Day Week-end: Survival Guide For Cross Border Travel

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Victoria Day is the start of the long week-end season. Canadians travel outside Canada to visit friends and family and to shop. The Canada Border Services Agency (“CBSA”) is on the lookout for contraventions of the Customs Act and other border laws.

Here is our survival guide to make sure the CBSA is happy with your declaration and does not seize your goods, vehicle and/or NEXUS card:

1. Organize your receipts before you arrive at the border. If you have gone shopping, organize all your receipts (that is, all the receipts of all people in the vehicle) together. The most common mistake is forgetting a receipt and under-declaring to the Primary CBSA officer the value of the goods purchased outside Canada. Another mistake is that Dad does not know all the purchases and understates the value purchased by everybody in the vehicle. Make sure to add up all of your receipts before you drive to the border – preferably using a written list and a calculator app. Yes, you may be sent to the cashier — but you will not be delayed by seizure paperwork.
2. Declare any gifts or things received for free and allocate an amount to those items. If you took the soaps and coffee from the hotel room, add a small value for these items.
3. Declare any purchases of alcohol or tobacco products to the Primary CBSA officer. Canada restricts the number of items that may enter duty-free.
4. Declare goods purchased at the duty free store. Buying at a duty free store does not mean the goods are exempt from duties. Also, the CBSA gets the records of the purchases at the duty free store because you provide the store your license plate number or name. The Primary CBSA officer knows that you purchased duty free when they input your information into their computer.
5. Remember to convert your added receipts into Canadian dollars. This is the second most common mistake. Canadians inform the CBSA officer of the United States (or Euro or other currency) amount and do not adjust the amount upward to reflect foreign exchange. The CBSA will hold you to the number provided and, if it has not been converted, will take the position that you under-declared the value.
6. If you shopped at a store in the United States that accepted Canadian dollars at par, be in a position to provide evidence. The CBSA will default to converting your receipt into Canadian dollars. The CBSA does not know all the stores that accept Canadian dollars at par. A photograph of a sign or a note for the store will be necessary to prove to the CBSA that you were allowed to pay using Canadian dollars.

7. If you have more than \$CDN 10,000 in your possession (adding up all the Canadian dollars and all the other currencies converted into Canadian dollars), inform the Primary CBSA officer that you have currency over \$10,000. The CBSA takes the position that you have the obligation to inform them even if they do not ask you the question. If you fail to inform them, the CBSA could seize all of the money and take the position that it is proceeds of crime. If the CBSA accepts that it is not proceeds of crime, they will impose a penalty for failure to declare the currency in the amount of either \$250, \$2500 or \$5,000. If you have made this mistake before, the CBSA can seize all of the money and not give it back to you.
8. Don't forget to tell the Primary CBSA officer about any food that you have. It is best to not bring any food that is not permitted (e.g., fruits, vegetables, dairy, eggs, poultry, etc.). Check to see what food is not allowed – because if you bring it, your travel time will be extended due to the time spent in lines at the border. The fines are significant for not declaring food. For example, failure to declare food in Canada is \$800. Before you travel it is best to clean the vehicle in case you have a bag of Cheerios in the back seat.
9. Don't forget to declare your pets in the vehicle.
10. If you have NEXUS Card, but there is at least one person in your vehicle that does not have a NEXUS card, do not use the dedicated NEXUS lane. The CBSA will take away your NEXUS Card for a breach of the program rules.
11. Make sure that if you plan to travel with your NEXUS Card, you also have your passport. It is a rule of the NEXUS Program.
12. Make sure that if you travel with your NEXUS Card and plan to use the NEXUS lane, that every NEXUS Card holder has up-to-date information in the CBSA's computerized records. If you have received a new driver's license or passport, you must update the information with the NEXUS program. You will get pulled over to update the information if this has not been done. To avoid delays, update the information online before traveling.
13. If you have commercial goods in the vehicle, do not use the NEXUS lane. It is a breach of the NEXUS Program rules to use a NEXUS lane when you have commercial goods (that is, goods for your business).
14. If you have teenagers, have the talk with them about drugs. It is really embarrassing and is a negative event if your child is arrested at the border. The rule must be that they not bring any drugs and that they look in their pockets (clothing and bags) to make sure that drugs are not brought transported across the border.
15. The CBSA are not very sympathetic. Their view is that everyone must get in the long line up. Cutting if you use the NEXUS lane and do not have NEXUS membership, you will be sent to

Secondary Inspection and your visit with the CBAS will be lengthened. It would have been a lot shorter to use the long line up.

There are many other mistakes that could be listed – these are the most common. Hope you have happy travels and let the other people spend time in the CBSA’s Secondary Inspection Area.



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