

COVID-19 RESOURCE CENTER

Measures Taken by the Canadian International Trade Tribunal

April 8, 2020 [Updated April 20, 2020]

The Canadian International Trade Tribunal (the “CITT”) has issued an [update](#) with respect to measures it is taking given the COVID-19 pandemic.

The CITT has jurisdiction over a variety of international trade matters, including certain customs and excise appeals, anti-dumping and countervailing inquiries, procurement inquiries and safeguard inquiries. Many of these matters have deadlines associated with them that are mandated by federal statutes, such as the *Customs Act*, RSC 1985, c. 1 (2nd Supp.) and the *Special Import Measures Act*, RSC 1985, c. S-15 (“*SIMA*”). For example, certain appeals allowed under *SIMA* must be commenced within 90 days of a decision (with no discretion for the CITT to grant extensions). Further, *SIMA* specifies that an existing anti-dumping order or anti-circumvention order will expire after five years, unless the CITT has initiated an expiry review of the relevant order prior to this date. The CITT has no power to modify these statutory deadlines, absent an amendment to the relevant statute.

The CITT has confirmed in its recent update that all currently scheduled filing deadlines in appeals, procurement reviews, anti-dumping, countervailing and safeguard matters will be maintained. While the CITT will consider requests to extend these filing deadlines on a case-by-case basis, any extensions granted will need to be within the constraints of the deadlines set out in the relevant statute. To accommodate these deadlines, the Tribunal has confirmed that its electronic filing system remains fully operational for filing of case documents.

FARRIS

With respect to hearings, the CITT has postponed all in-person appeal hearings scheduled to commence through June 15, 2020. Hearings in anti-dumping, countervailing and safeguard matters scheduled through June, 2020 are not expected to proceed in person (and the CITT will provide further information and directions directly to those involved in the affected proceedings). It is possible that the CITT will consider conducting future hearings by way of video, to ensure that it continues to be able to comply with statutory deadlines.



Erica Miller
Associate
604 661 9328
emiller@farris.com
Bio

Farris communications are intended for informational purposes only and do not constitute legal advice or an opinion on any issue. We would be pleased to provide additional details or advice about specific situations if desired. For permission to republish this content, please contact the Marketing Department at ssangha@farris.com. © 2020 FARRIS LLP