

# **Canadian International Trade Tribunal**

**2006-2007**

**Report on Plans and Priorities**

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Minister of Finance



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## SECTION I—OVERVIEW

### Chairperson's Message

I am pleased to present the Report on Plans and Priorities (RPP) of the Canadian International Trade Tribunal (the Tribunal) for 2006-2007.

The Tribunal's mandate is to provide fair, timely and effective disposition of international trade cases and government-mandated inquiries in various areas of the Tribunal's jurisdiction. The Tribunal conducts inquiries into complaints relating to unfair trade (i.e. dumping and subsidizing), requests for protection from import competition (safeguards) and complaints regarding federal government procurement. The Tribunal hears appeals from decisions of the Canada Revenue Agency (CRA) and the Canada Border Services Agency (CBSA). In its advisory role, the Tribunal undertakes general economic inquiries and tariff references for the Minister of Finance or the Governor in Council. In so doing, the Tribunal contributes to Canada's competitiveness.

The Tribunal's workload is, for the most part, externally generated. One of the Tribunal's main challenges continues to be the allocation of limited resources to a variable and unpredictable caseload in such a manner as to ensure that statutory deadlines are met and that the quality of its findings, determinations and recommendations is not compromised. This situation has been compounded by the fact that, the size and complexity of cases have increased significantly in the last two years. The main priority of the Tribunal is to ensure its program integrity of the Tribunal and the continued quality and timeliness of its decisions. In this respect a priority in 2006-2007 will be to secure additional funding to meet the peaks in its workload.

Another challenge for the Tribunal will be to ensure the continuity and renewal of its highly specialized workforce. The Tribunal will be paying special attention to succession planning and learning strategies as part of its human resources planning.

The Tribunal will be continuing, based on available resources, with a range of technological improvements, to improve its case management processes and remote access to information by parties. Other service improvements include the automation of the hearing rooms, electronic filing, electronic questionnaires, and greater use of the Tribunal's Web site for external communications and the provision of information to the public.

The Tribunal will also continue to improve its management practices for reporting, accountability and control to contribute to the management agenda of the new government.

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Pierre Gosselin

## Legislative Context

The Tribunal acts as an independent, quasi-judicial, decision-making body that is accountable to Parliament through the Minister of Finance. The Tribunal may be composed of up to 9 (currently 7) full-time members, including a chairperson and two vice-chairpersons. The Tribunal is supported by a permanent staff of 87 people, responsible for court registry functions, the research and investigation of cases, legal services to the Members and staff, and corporate services. The Tribunal derives its authority from the *Canadian International Trade Tribunal Act (CITT Act)*, which received Royal Assent on September 13, 1988; the *Special Import Measures Act (SIMA)*; the *Customs Act*; and the *Excise Tax Act*.

Under the *CITT Act*, the Tribunal is empowered, on complaint by an interested party or as directed by the government, to carry out import safeguard inquiries into rapid increases in foreign imports (including through special procedures for imports specifically from the People's Republic of China [China]) and to formulate recommendations to the government for dealing with such imports. Under *SIMA*, the Tribunal conducts inquiries into whether dumped and/or subsidized imports have injured Canadian manufacturers. Pursuant to the *Customs Act*, the *Excise Tax Act* and *SIMA*, the Tribunal is empowered to deal with appeals from decisions of the CRA and the CBSA on various customs and excise matters. With the implementation of the *North American Free Trade Agreement (NAFTA)*, the Tribunal's mandate was expanded to include reviewing bid challenges on federal government procurement matters. The Tribunal has also been designated as the bid challenge authority under the *Agreement on Internal Trade (AIT)* and the *World Trade Organization (WTO) Agreement on Government Procurement (AGP)*.

## Tribunal's Mission

The Tribunal's mission is to provide a fair, accessible and efficient trade remedies system to Canadians and to offer the government, through the Tribunal's fact-finding inquiries and standing reference, its best advice so that it can formulate strategies for making the Canadian business sector better able to provide jobs and growth in today's globalized commercial environment.

In its quasi-judicial role, its caseload is comprised of:

- Unfair trade cases—inquiries under *SIMA* into whether dumped or subsidized imports have caused or are threatening to cause injury to a Canadian industry
- Safeguard cases—inquiries into whether the rapid build-up of imports from China, or from around the world, is causing injury to a Canadian industry
- Appeals of decisions of the CBSA made under the *Customs Act* and *SIMA* and appeals of decisions of the CRA under the *Excise Tax Act*
- Bid challenges—inquiries into complaints by potential suppliers concerning federal government procurement under *NAFTA*, the *AIT* and the *AGP*

The Tribunal also plays an advisory role for the government by conducting general economic inquiries and references, in particular:

- Tariff and general economic inquiries referred by the government—inquiries and advice on such economic, trade and tariff issues as are referred to the Tribunal by the Governor in Council or the Minister of Finance
- Standing tariff references from the Minister of Finance—investigations into requests from Canadian producers for tariff relief on imported textile inputs that they use in their production

The Tribunal obtains its operating budget through the Main Estimates process. It does not receive funds through grants and contributions or through cost recovery of its operational expenditures.

More detailed information on the Tribunal and its caseload is available on the Tribunal's Web site at [www.citt-tcce.gc.ca](http://www.citt-tcce.gc.ca).

### **Benefits to Canadians**

Canadians benefit from the Tribunal through:

- Access to fair and efficient processes for investigating complaints of injury from unfairly traded imports;
- Inquiry into complaints of injurious competition from rapidly increasing imports;
- Access to a fair and efficient process for investigating complaints of unfair government procurement decisions;
- Compliance with Canada's obligations under the WTO, and *NAFTA* and other trade agreements;
- Reliable economic and trade analysis and advice for the government's policy-making function; and
- Ultimately, a fair and open trading system for individual Canadians and the Canadian business sector.

### **Challenges and Risks**

Overall, the Tribunal delivers an indispensable trade adjudication service in the face of an increasingly heavy caseload and a complex environment. Specific challenges and risks include:

- **Capacity to Cope with Quasi-judicial Workload**

The Tribunal continues to face a large workload on dumping and subsidizing inquiries. Further, the workload associated with procurement complaints (though now stabilized) has tripled since 1994, and the complaints have become much more complex. The Tribunal has also undertaken several large safeguards and textile references in recent years without any additional resources.

While caseload and case complexity have been increasing, the resources of the Tribunal have been decreasing. The Tribunal's reference level for FTEs remains unchanged at 94,

while its reference level for operating costs decreased by 12 percent. Further, the increase in the Tribunal's type and volume of work has resulted in increases in non-discretionary costs (about 75 percent of O&M is non-discretionary).

The result is that the Tribunal is seeking additional funding to carry out its mandate. The reference level has not been reviewed in 10 years and in fact has decreased, while the Tribunal's case complexity and reporting requirements have increased over the years.

- **Maintaining the Level and Quality of Service and Meeting Legislative Timelines**

Most cases before the Tribunal are governed by tight legislated or government-mandated timelines. The heavy workload anticipated for 2006-2007 combined with the departure of key employees could impact the overall level and quality of service. It can also be expected that a lower priority may have to be assigned to areas of the Tribunal's jurisdiction that are not subject to statutory deadlines. This would affect the speed with which appeals of CBSA decisions, requests for tariff relief under the Textile Standing Reference and bid challenges are processed.

- **Human Resources Impact: Succession Planning and Learning and Development**

The planned departures of key employees and the possible departure of others accounting for a significant portion of the corporate memory will create critical and serious human resources management challenges in the coming year. In the Research Branch alone, seven people (21 percent) are eligible for retirement in 2006-2007. As a result, there is a risk that the Tribunal may not have the right mix of competencies in the various areas of its jurisdiction.

The work of the Tribunal requires special skills and knowledge, which is acquired over a number of years. The succession plan envisions the development of apprenticeship programs to meet these needs but such programs require a capacity to backfill. Due to the unpredictable workload and lack of sufficient resources, the Tribunal has not been able to pay adequate attention to succession planning and development opportunities for employees.

In addition to work skills and knowledge training, the Tribunal is obligated to provide language training which has been postponed for some employees or given a low priority due to the excessive caseload demands placed upon the limited employee resources available. The Tribunal makes every effort to provide time for language training, however, doing so results in added burden on the remaining employees. Despite these pressures it is important to highlight that the Tribunal is rated as notable by the Commission of Official Languages in the provision of services in both official languages.

There is constant pressure on the organization and on the Tribunal's Human Resources Services to recruit, retain and renew human resources.



- **Human Resources Impact: Health and Welfare of Employees**

The substantial and increased amount of overtime is affecting the well-being of Tribunal employees as evidenced by the increased and prolonged use of sick leave, increased use of long-term disability leave and a significantly increased use of the Employee Assistance Program, which in the last year alone has tripled.

Work-life balance has become one of the Tribunal's top concerns. At the Tribunal's September 2005 staff retreat, it was the main topic of discussion and staff concluded that the current situation was untenable over the long run.

- **Confidentiality Considerations**

The Tribunal exercises extreme caution in the use and distribution of confidential information given the serious and significant financial injury that could be caused by inappropriate dissemination and use of such information.

The increased reliance on electronic tools in Tribunal proceedings also gives rise to concerns as to how to adequately protect electronic information to be made available to counsel. The Tribunal requires resources to invest in providing assurance on security of electronic systems before developing and implementing them.

- **Risk Management and Operational Improvements**

Increasingly, parties and their counsel expect to be able to interface with the Tribunal electronically, as they now do with the courts and other tribunals. This includes the ability to submit applications and supporting documentation electronically, to access case information electronically and to be able to communicate with the Tribunal and the other parties electronically and securely.

It is difficult for the Tribunal, within its current A-base funding, to respond to the increasing pressures to provide improvements such as electronic filing and electronic sharing of information with parties. Even in situations where the Tribunal has been able to obtain more funds, e.g. Government On-Line, improvements required the involvement of line managers and officers whose time was more than consumed with case work.

The Tribunal has also had to delay work related to business continuity planning and audits that was not directly case-related.

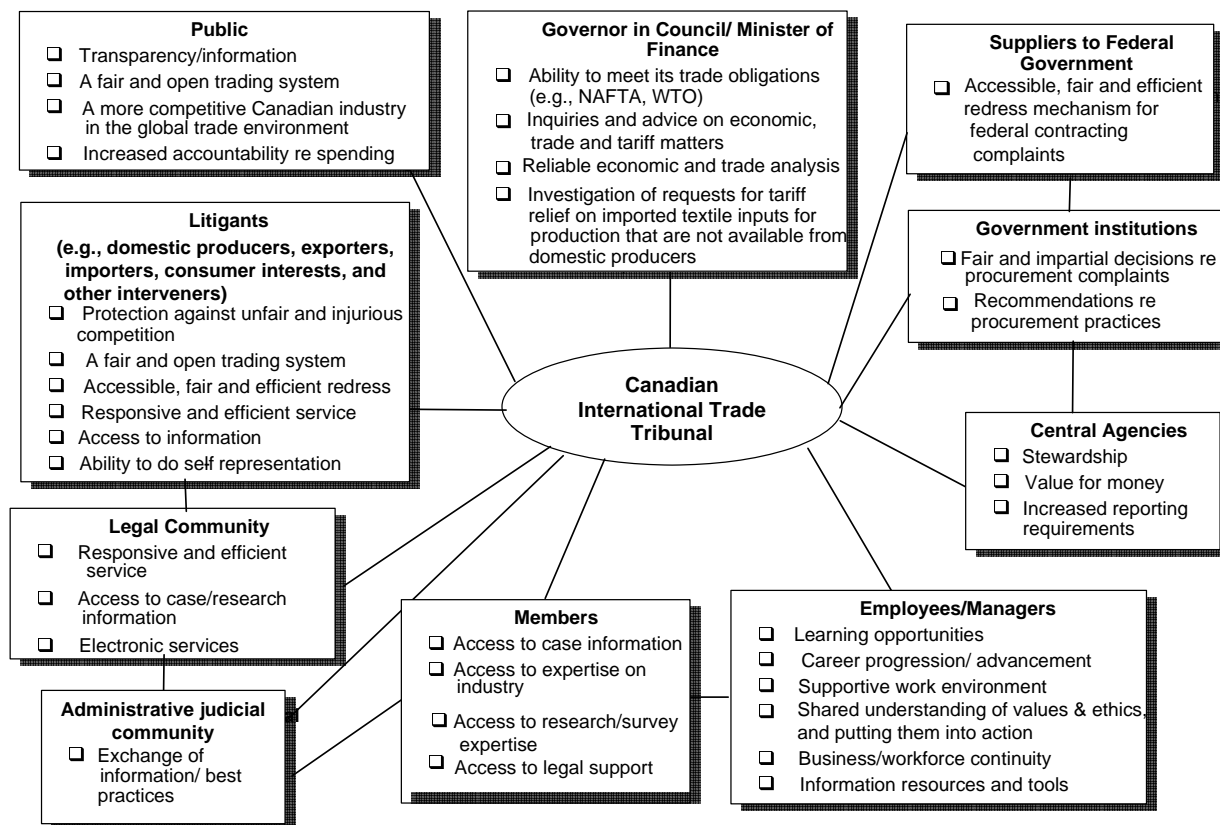
## **Stakeholder Expectations**

The Tribunal must strive to meet the expectations of a wide range of stakeholders, including:

- **Parties**—Litigants include domestic producers, exporters, importers and consumer groups. They typically want responsive service, timely processing of cases, information about cases and access to Tribunal files.
- **Counsel**—Lawyers and trade consultants who represent parties want responsive service and access to case files, decisions and staff reports. They also expect the information to be provided to them by the Tribunal in hard copy and electronic format.

- **Governor in Council/Minister of Finance**—As noted above, the government looks to the Tribunal for reliable economic and trade analysis and advice, and relies on the Tribunal for the purpose of meeting Canada's trade obligations.
- **Public**—At the highest level, Canada's business sector and its trading partners throughout the world expect a fair and open trading system, and Canadians expect a more competitive Canadian industry in the global trade environment, as well as competitive prices.
- **Suppliers to Federal Government and Government Institutions**—Suppliers expect fair and impartial decisions relating to procurement complaints and recommendations to improve procurement practices.

### Stakeholder Expectations of the Tribunal

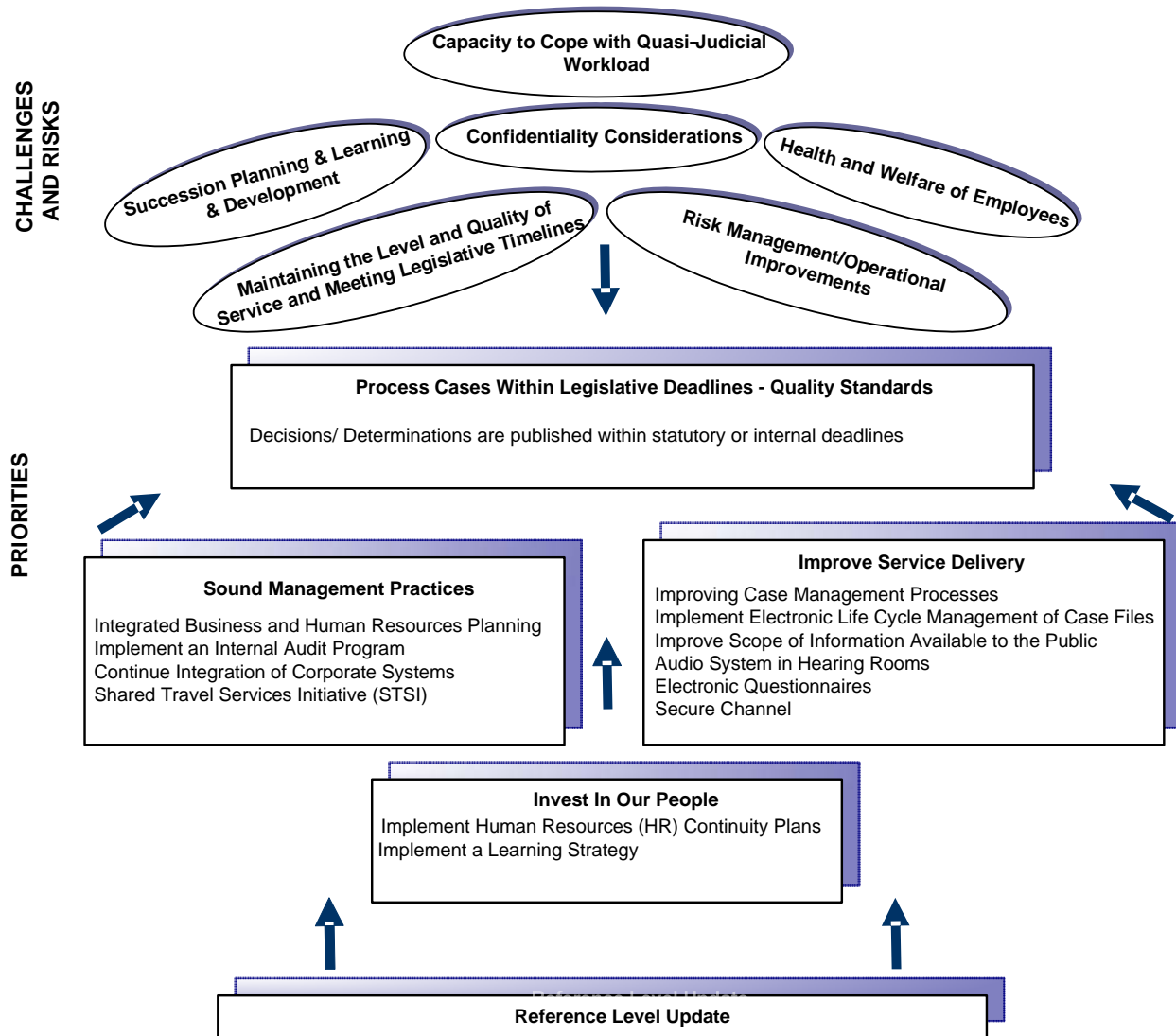


### **Departmental Plans and Priorities**

As in previous years, the Tribunal's overarching priority is to carefully consider and fairly decide cases within the tight deadlines imposed by legislation. In 2006-2007, the Tribunal hopes to secure additional funding to ensure that the Tribunal can carry out this mandate and supporting priorities. Supporting priorities include improving service through technology, as well as continuing to improve its management practices and investment in its people (with a particular focus on learning and improving the health and well-being of employees).

These priorities are summarized in the chart below and discussed in further detail in the text that follows. The associated resources are also summarized below.

Tribunal's Priorities



Summary Information on the Tribunal's Priorities**Strategic Outcome**

Fair, timely and effective disposition of international trade cases and government-mandated inquiries in various areas of the Tribunal's jurisdiction

**Financial Resources (\$ thousands)**

2006-2007	2007-2008	2008-2009
10,005	10,024	10,024

**Human Resources (FTE)**

2006-2007	2007-2008	2008-2009
94	94	94

**Departmental Priorities**

	Type	Planned Spending (\$ thousands)		
		2006-2007	2007-2008	2008-2009
Process Cases Within Legislative Deadlines / Quality Standards	On-going	9,206	9,347	9,347
Improve Service Delivery	On-going	493	487	487
Invest In Our People	On-going	201	123	123
Sound Management Practices	On-going	105	67	67

- Reference Level Up-date

The Tribunal is requesting an increase in its operating budget to better enable it to deliver upon its identified priorities.

Given the increasing size and complexity of trade remedy cases, the Tribunal believes it is no longer adequately funded to carry out its mandate. While the Tribunal's case load, case complexity and reporting requirements have continually increased over the past 10 years, its reference levels have not been adjusted accordingly. The Tribunal has been able to cope with the increased workload through overtime and other measures, but this has had a significant impact on the health and well-being of the employees.

- Process Cases Within Legislative Deadlines / Quality Standards

The Tribunal's overriding priority continues to be hearing cases and making sound decisions expeditiously on matters that fall within its jurisdiction within prescribed deadlines. In doing so, the Tribunal will strive to maintain the quality of its findings, determinations and recommendations.

Stakeholders' level of satisfaction with the Tribunal's procedures and guidelines entails a number of considerations such as the response time with regard to requests for information, the effectiveness of the Tribunal's procedures, and the overall efficiency of the adjudication process. Some

years ago, at the request of the Commodity Tax Committee of the Canadian Bar Association (CBA), the Tribunal established a Bench and Bar Committee (the Committee). The Committee serves as a forum to discuss procedural issues of common interest. It is composed of lawyers nominated by the CBA, Department of Justice lawyers and trade consultants invited by the Tribunal. Meetings of the Committee provide an opportunity for participants to present their views and concerns about the Tribunal's processes and procedures and proposed changes. The Committee typically holds one meeting during the fiscal year.

The Tribunal also seeks the views of stakeholders on new procedures prior to their implementation by distributing draft guidelines and practice notices. The process is typically to issue the guideline in draft form, to solicit and receive comments from interested parties, and then to discuss the matter with the Committee. These consultative mechanisms allow the Tribunal to remain accessible to various groups of litigants and to take advantage of their points of view on procedures and processes.

- Improve Service Delivery

The Tribunal will continue to dedicate significant efforts, based on available resources, to improve the delivery of services to parties and their counsel by leveraging information technology for better, faster and more efficient service. For a number of years, the Tribunal has undertaken initiatives to improve electronic access to information. This focus will continue over the next fiscal year, through a number of projects:

- **Improving Case Management Processes**

The Tribunal has maintained a focus on automating and integrating all the information around a case, with the objective of providing full electronic filing once confidentiality and legal issues have been resolved. The Tribunal has implemented an application (ToolKit) that allows for the electronic compilation of the administrative record in dumping and subsidizing inquiries. The use of the electronic record in the hearing room has shown significant improvement in time management and efficiency throughout the hearing and allows the parties to participate more efficiently in a proceeding.

In 2006-2007, the Tribunal will integrate the procurement inquiries record to the electronic case file management system. This will facilitate the use of the administrative record by members and staff. Modifications have been made to the ToolKit application presently used in SIMA inquiries. It is expected that ToolKit could be operational in procurement inquiries by the fall of 2006.

- **Implement Electronic Life Cycle Management of Case Files**

The Tribunal has obtained Government On-Line funds of \$136,000 (\$68,000 in 2004-2005 and \$68,000 in 2005-2006) to apply the Policy on the Management of Government Information to SIMA case files in partnership with the CBSA and Library and Archives of Canada. A common shared vision has been developed along with a long-term implementation plan. In this plan, five priorities were identified by the Tribunal: managing electronic communications to and from parties, electronic access to public and protected information, electronic questionnaires, secure channel and document standards and protocols. In 2006-2007 the Tribunal will continue to dedicate efforts to these initiatives and the methodology and lessons learned for managing multi-jurisdiction case files from a business and archival perspective will be shared with other government departments.

- **Improve Scope of Information Available to the Public**

The Tribunal continues to make information available to the public, including access to decisions and reasons for all of the cases heard since its creation, access to news and upcoming cases and information regarding the Tribunal's mandate and procedures. All of these services are offered in both official languages.

The Tribunal will continue to investigate initiatives relating to the strategic use of its Web site to communicate with various groups of stakeholders and the public and to ensure that stakeholders have a clear understanding of its jurisdiction. For example, the Web site is used to communicate and distribute certain documents, thus significantly enhancing the quality of services to those participating or interested in the Tribunal's cases. The Web site allows its users to register, free of charge, for a subscriber alert service that informs them when new documents are posted. It also allows potential suppliers to download a procurement complaint form and interested parties to download and complete electronic versions of Tribunal questionnaires. A repository of all documents produced by the Tribunal allows for research into past decisions. In 2006-2007, the Tribunal intends to provide secure access to the administrative record, for SIMA cases, to counsels and Tribunal staff through its Web site.

- **Audio system for hearing Rooms**

In respect of the Hearing Rooms, the major priority for the Tribunal in 2006-2007 will be to obtain funding to replace the audio systems for hearing rooms. The systems are sufficiently outdated that replacement parts are no longer available.

- **Electronic Questionnaires**

Parties currently have access to questionnaires through the Tribunal Web site and are asked to return the completed electronic questionnaires on diskette or compact disk to the Tribunal. Some respondents submit their completed questionnaires on diskette but have expressed an interest in returning it to the Tribunal via e-mail. The Tribunal does not have a means of accepting secure electronic communications at this time. In fiscal year 2006-2007, the Tribunal plans to have a secure channel in place for electronic communication.

In 2005-2006, the Tribunal developed functional requirements for the creation of electronic questionnaires that could be completed on line. In 2006-2007, based on having sufficient resources, the Tribunal plans to continue its work to develop a secure system that will host the creation and distribution of questionnaires and the collection of data. Such an approach will substantially reduce the amount of paper to be distributed to parties and interested parties. It would also allow the Tribunal to process responses to questionnaires more efficiently and effectively.

- **Secure Channel**

In 2006-2007 the Tribunal will complete work on a secure channel which will allow acceptance of electronic documents by parties.

- Sound Management Practices

The Tribunal is continuing to improve its management practices, building on the results of the capacity assessment of the Tribunal's management practices completed in 2003-2004 and the

subsequent action plan developed in 2004-2005, while recognizing that the improvements will be made over a number of years and are dependent on the Tribunal resource levels. Specific priorities for the upcoming fiscal year include:

- **Integrated Business and Human Resources Planning**

The Tribunal will develop a comprehensive human resources plan aligned with business strategies and objective.

- **Implement an Internal Audit Program**

The Tribunal has little capacity to carry out audit work; nonetheless, it has developed a risk-based internal audit plan, which is followed. In 2005-2006 the Tribunal had planned to conduct the internal audit of the financial function but was unable to do so because of resource constraints. This audit is planned for 2006-2007.

- **Continued Integration of Corporate Systems**

Procurement and salary information has already been integrated into the GX financial system. The focus during 2006-2007 will be on the integration of asset information into the GX financial system, thereby reducing the requirement for duplicate entries, ensuring better data integrity and providing timely information to managers. Also planned for 2006-2007 is the interface between the human resources system and the financial system.

- **Shared Travel Services Initiative**

By the end of 2006-2007, all employees will be able to use the Travel AcXess Voyage portal to manage all travel services from start to finish with addition of the Expense Management Tool.

- Invest In Our People

The Tribunal is dedicated to having a motivated and committed workforce. Specific priorities for the upcoming fiscal year include:

- **Implement Human Resources (HR) Continuity Plans**

The Tribunal is developing a comprehensive human resources strategy with the main focus being succession planning. Maintaining continuity in the Tribunal's corporate knowledge amongst staff will require a sustained focus on training, recruitment, and succession planning. The Tribunal will continue to assess its recruitment approaches and strategies (e.g. by developing a pool of commerce officer development positions) and consider the best approach for transferring Tribunal values and corporate knowledge to new staff.

- **Implement a Learning Strategy**

The Tribunal will maintain a strong focus on learning, for both new and existing staff. The Tribunal will continue to develop in-house training programs, building on its strong traditions of fostering in-house training seminars, developing guides and position papers on special topics, and sharing lessons learned by staff and Members. In 2005-2006, the Tribunal developed training tools for ToolKit (case management system for SIMA files and Procurement inquiries). In 2006-2007, these seminars and tools will be available to all staff and training seminars will be offered on an ongoing basis.

As part of its action plan for investing in its people, the Tribunal has identified the need to transfer institutional knowledge and values to new staff. One of the measures to achieve this objective is to create a virtual library of in-house training seminars and other training materials that have been developed by the operational areas. In 2006-2007, the application will be available to all branches and they will be able to create their own virtual collection to meet their operational requirements. Another measure will be the development of an in-house orientation program.



## SECTION II—ANALYSIS OF PROGRAM ACTIVITIES BY STRATEGIC OUTCOME

### Overall Logic Model and Performance Indicators

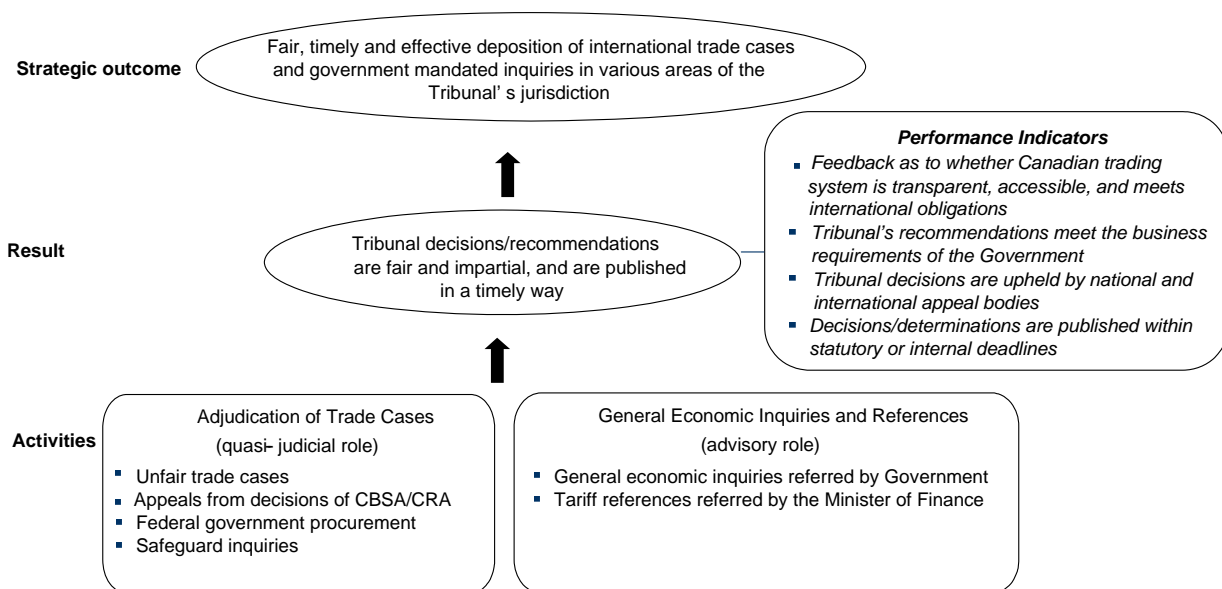
The Tribunal has a single strategic outcome:

*Fair, timely and effective disposition of international trade cases and government-mandated inquiries in various areas of the Tribunal’s jurisdiction.*

The result to be achieved in support of this strategic outcome is that the Tribunal’s decisions and recommendations are fair and impartial (and are viewed so by stakeholders) and published in a timely way (in terms of quality and meeting statutory and internal deadlines).

The Tribunal has two activities that contribute to the above result: the adjudication of trade cases (quasi-judicial role) and general economic inquiries and references (advisory role). The relationship between the activities, result and strategic outcome, as well as the performance indicators associated with this result, is summarized in the chart below.

#### Summary Logic Model of the Tribunal



Described below, for both program activities, are the performance objectives that the Tribunal is striving to achieve and the manner in which the Tribunal’s plans and priorities discussed earlier support these performance objectives. The performance objectives vary somewhat in application depending on the nature of the activity, i.e. the adjudication of trade cases or general economic inquiries and references.

## Activity #1—Adjudication of Trade Cases

The adjudication of trade cases is a quasi-judicial activity that includes unfair trade cases, appeals from decisions of the CBSA and the CRA, safeguard inquiries, and bid challenges relating to federal government procurement.

### Financial Resources: (\$ thousands)

2006-2007	2007-2008	2008-2009
9,922	9,941	9,941

### Human Resources: (FTE)

2006-2007	2007-2008	2008-2009
93	93	93

Result: Tribunal decisions are fair and impartial and published in a timely way.

This result is the ongoing primary concern of the Tribunal. Key performance objectives include:

- **Decisions/determinations are published within statutory deadlines.** The Tribunal's decisions regarding dumping and/or subsidizing, safeguard inquiries and procurement complaints are subject to statutory deadlines. The Tribunal's first priority is therefore to ensure that these decisions are fair and impartial and issued within these deadlines. The Tribunal has implemented strong case management controls to ensure that it is able to meet these deadlines and does extensive tracking of the status of cases to ensure close adherence to prescribed deadlines. Detailed reports exist on the status of cases.
- **Appeals issued within internal deadlines.** There is no statutory deadline imposed for the decisions on appeals of the CBSA and the CRA decisions. However, the Tribunal has adopted an informal, voluntary standard of publishing such decisions within 120 days of the hearing of an appeal. Tribunal management closely monitors these files to ensure that, to the greatest extent possible, the Tribunal adheres to this standard.
- **Tribunal decisions are upheld by national and international appeal bodies.** An indicator of the soundness of Tribunal decisions is the number of decisions that are upheld. The Tribunal's decisions on dumping and subsidizing matters may be reviewed by the Federal Court of Appeal or a bi-national panel under *NAFTA* in the case of a decision affecting U.S. and/or Mexican goods. WTO member states whose goods are affected by a Tribunal decision may also initiate dispute settlement proceedings under the WTO *Understanding on Rules and Procedures Governing the Settlement of Disputes*, if they believe that the Tribunal's procedures violated the *WTO Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994*. The Tribunal's decisions on appeals may be appealed to the Federal Court of Appeal or, in the case of the *Excise Tax Act*, the Federal Court. The Tribunal monitors whether its decisions have been the subject of applications for judicial review or appeals before these bodies. It determines, based on the issues raised in these applications, whether it will seek intervener status before the

Federal Court of Appeal. It is automatically a party in any bi-national panel review under *NAFTA*.

- **Feedback on whether the Tribunal's processes are transparent, accessible and meet international obligations.** The WTO publishes comments every two years, through its Trade Policy Review Mechanism, on whether Canada and the Tribunal have fostered a fair and open trading system that is transparent and accessible and meets international obligations.

## Activity #2—General Economic Inquiries and References

General economic inquiries and references are advisory activities of the Tribunal. These include general economic inquiries referred by the government and tariff references referred by the Minister of Finance.

### Financial Resources: (\$ thousands)

2006-2007	2007-2008	2008-2009
83	83	83

### Human Resources: (FTE)

2006-2007	2007-2008	2008-2009
1	1	1

Result: Recommendations are fair and impartial and published in a timely way.

Key performance objectives are similar to those outlined above and include:

- **Decisions are published within government-mandated deadlines.** The Tribunal's decisions regarding tariff references and economic inquiries are subject to government-mandated deadlines. The Tribunal has implemented strong case management controls to ensure that it is able to meet these deadlines and does extensive tracking of the status of cases. There is no statutory or government-mandated deadline imposed for tariff recommendations pursuant to the standing textile tariff reference. However, the Tribunal has established voluntary internal deadlines for the disposition of cases under the Minister of Finance's standing reference on textiles.
- **Tribunal determinations and recommendations are upheld by national and international appeal bodies.** An indicator of the soundness of Tribunal determinations and recommendations is the number of determinations that were appealed and upheld, i.e. whether applications are dismissed or discontinued by appeal bodies.
- **Tribunal recommendations meet the business requirements of the government.** That is, the extent to which the government implements the recommendations of the inquiries and references. Recommendations are typically implemented through changes to tariffs. For example, the Tribunal monitors the extent to which the government decides to implement the Tribunal's recommendations in the case of the standing reference on textiles.

## SECTION III—SUPPLEMENTARY INFORMATION

### Management Representation Statement

I submit for tabling in Parliament, the 2006-2007 Report on Plans and Priorities for the Canadian International Trade Tribunal.

This document has been prepared based on the reporting principles contained in the *Guide for the Preparation of Part III of the 2006-2007 Estimates: Reports on Plans and Priorities and Departmental Performance Reports*.

- It adheres to the specific reporting requirements outlined in the Treasury Board Secretariat (TBS) guidance;
- It is based on the department's approved Program Activity Architecture structure as reflected in its MRRS;
- It presents consistent, comprehensive, balanced and accurate information;
- It provides a basis of accountability for the results achieved with the resources and authorities entrusted to it; and
- It reports finances based on approved planned spending numbers from the TBS in the RPP.

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Julia Ginley  
Director  
Management Services

## Organizational Information

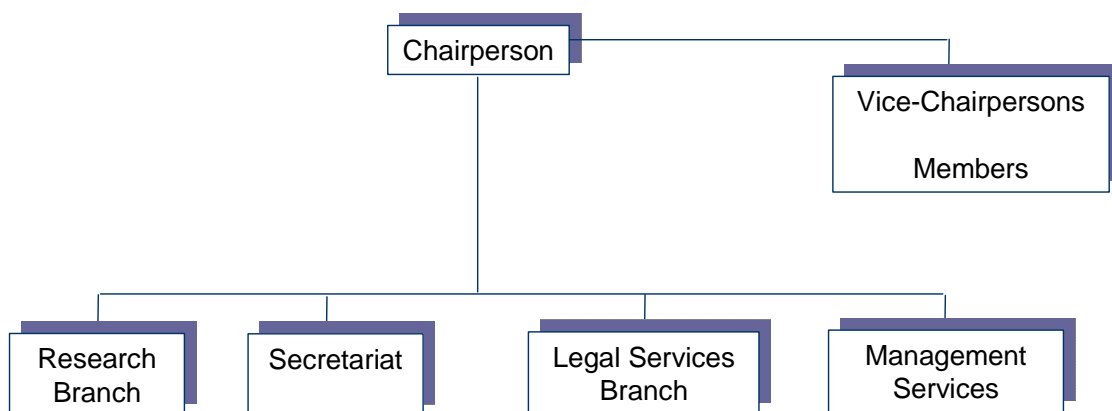
The Tribunal is an independent, investigative and quasi-judicial decision-making body that reports to Parliament through the Minister of Finance.

Under the *CITT Act*, the Tribunal may be composed of up to nine full-time members, including a chairperson and two vice-chairpersons, who are appointed by the Governor in Council for a term of up to five years. The Chairperson is the Chief Executive Officer responsible for the assignment of cases to the Members and for the management of the Tribunal's workload and resources.

The Members of the Tribunal are supported by a permanent staff of 87 people. Its principal officers are:

- the **Secretary**, responsible for relations with the public, the court registry functions of the Tribunal and relations with other government departments and other governments;
- the **Director General, Research**, responsible for the investigative portion of inquiries, the economic and financial analysis of firms and industries, the investigation of complaints by potential suppliers concerning any aspect of the procurement process and other fact finding required for Tribunal inquiries;
- the **General Counsel**, responsible for the provision of legal services to the Members and staff of the Tribunal; and
- the **Director, Management Services**, responsible for corporate services, such as HR management, financial management, information technology, materiel management, accommodation and administrative services, and for relationships with the central agencies on all matters relating to administrative policy and procedure.

### Organizational Structure



## Financial Tables

Table 1: Departmental Planned Spending and Full Time Equivalents (\$ thousands)

	Forecast Spending 2005-2006	<b>Planned Spending 2006-2007</b>	Planned Spending 2007-2008	Planned Spending 2008-2009
Adjudication of Trade Cases (quasi-judicial role)	9,449	<b>9,922</b>	9,941	9,941
General Economic Inquiries and References (advisory role)	103	<b>83</b>	83	83
<b>Total Main Estimates</b>	9,552	<b>10,005</b>	10,024	10,024
<i>Adjustments:</i>				
<i>Supplementary Estimates:</i>				
Operating Budget Carry Forward	417			
MGI Project	68			
Conversion Factor - O/B Transfer (20%)	65			
TB Vote 5 Eligible Costs	404			
<i>Budget Announcement:</i>				
Procurement Savings	-10	<b>-20</b>		
<i>Other:</i>				
TB Vote 15	487			
Employee Benefit Plan (EBP)	.....	.....	.....	.....
<i>Total Adjustments</i>	1,431	.....	.....	.....
<b>Total Planned Spending</b>	10,983	<b>9,985</b>	10,024	10,024
Total Planned Spending	10,983	<b>9,985</b>	10,024	10,024
Plus: Cost of Services Received Without Charge	2,406	<b>2,458</b>	2,474	2,474
<b>Net Cost of Program</b>	13,389	<b>12,443</b>	12,498	12,498
<b>Full Time Equivalents</b>	94	<b>94</b>	94	94

Table 2: Program Activities (\$ thousands)

<b>2006-2007</b>			
	Budgetary Operating	Adjustments (planned spending not in Main Estimates)	Total Planned Spending
Adjudication of Trade Cases (quasi-judicial role)	9,922	-20	<b>9,902</b>
General Economic Inquiries and References (advisory role)	83	0	<b>83</b>
<b>Total</b>	<b>10,005</b>	<b>-20</b>	<b>9,985</b>

Note: The Tribunal is in the process of reevaluating its cost allocation between its two program activities. This new cost allocation will be reflected in the upcoming 2005-2006 Departmental Performance Report.

Table 3: Voted and Statutory Items Listed in Main Estimates (\$ thousands)

<b>2006-2007</b>			
Vote or Statutory Item	Truncated Vote or Statutory Wording	<b>Current Main Estimates</b>	Previous Main Estimates
25	Program Expenditures	<b>8,609</b>	8,171
(S)	Contributions to Employee Benefit Plans	<b>1,396</b>	1,381
	<b>Total Department</b>	<b>10,005</b>	<b>9,552</b>

Table 4: Services Received Without Charge (\$ thousands)

<b>2006-2007</b>	
Accommodation Provided by Public Works and Government Services Canada (PWGSC)	<b>1,870</b>
Contributions Covering Employers' Share of Employees' Insurance Premiums and Expenditures Paid by TBS (excluding revolving funds) Employer's Contribution to Employees' Insured Benefits Plans and Expenditures Paid by TBS	<b>588</b>
<b>2006-2007 Services Received Without Charge</b>	<b>2,458</b>

Table 5: Resource Requirement by Branch (\$ thousands)

<b>2006-2007</b>			
	Adjudication of Trade Cases (quasi-judicial role)	General Economic Inquiries and References (advisory role)	<b>Total Planned Spending</b>
Chairman's Office	1,472	12	<b>1,484</b>
Secretariat	1,767	15	<b>1,782</b>
Research	3,546	30	<b>3,576</b>
Legal	864	7	<b>871</b>
Management Services	2,273	19	<b>2,292</b>
<b>Total</b>	<b>9,922</b>	<b>83</b>	<b>10,005</b>

Table 6: Internal Audits and Evaluations (\$ thousands)

<b>Internal Audits or Evaluations</b>	<b>2006-2007</b>	<b>2007-2008</b>	<b>2008-2009</b>
Financial Management Framework	60		
Review of Financing Model			30
Human Resources Management—Workplace Assessment	50		
Management Audit of the Information Management / Information Technology Function		55	
Review of Information Management		40	
Review of the Management Framework Surrounding Confidentiality of Information		40	



## SECTION IV—OTHER ITEMS OF INTEREST

### Contact for Further Information and Web Site

The Secretary  
Canadian International Trade Tribunal  
Standard Life Centre  
333 Laurier Avenue West  
17th Floor  
Ottawa, Ontario  
K1A 0G7  
Telephone: (613) 993-3595  
Fax: (613) 998-1322  
E-mail: [secretary@citt-tcce.gc.ca](mailto:secretary@citt-tcce.gc.ca)  
Tribunal's Web Site: [www.citt-tcce.gc.ca](http://www.citt-tcce.gc.ca)

### Legislation Governing the Work of the Canadian International Trade Tribunal

Canadian International Trade Tribunal Act	R.S.C. 1985 (4th Supp.), c. 47
Customs Act	R.S.C. 1985 (2d Supp.), c. 1
Excise Tax Act	R.S.C. 1985, c. E-15
Special Import Measures Act	R.S.C. 1985, c. S-15
Softwood Lumber Products Export Charge Act	R.S.C. 1985 (3d Supp.), c. 12
Energy Administration Act	R.S.C. 1985, c. E-6
Canadian International Trade Tribunal Regulations	S.O.R./89-35
Canadian International Trade Tribunal Procurement Inquiry Regulations	S.O.R./93-602
Canadian International Trade Tribunal Rules	S.O.R./91-499

### List of Statutory and Tribunal Reports

#### Annual Report

- 1989-90 to 2004-2005
- Textile Reference—Annual Status Report 1994-95 to 2000-2001 (incorporated into the Tribunal's Annual Report as of 2002-2003.)

#### Guides

- Procurement Review Process—A Descriptive Guide
- Safeguard Inquiry-Market Disruption-Imports from China-Guide for Complainant
- Safeguard Inquiry-Trade Diversion-Imports from China-Guide for Complainant
- Textile Reference Guide

#### Pamphlets

- Introductory Guide on the Canadian International Trade Tribunal
- Information on Appeals from Customs, Excise and *SIMA* Decisions
- Information on Dumping and Subsidizing Inquiries and Reviews
- Information on Economic, Trade and Tariff Inquiries
- Information on Import Safeguard Inquiries and Measures
- Information on Procurement Review
- Information on Textile Tariff Investigations