

Designation of Customs Controlled Areas

Pursuant to subsection 11.2 of the *Customs Act*, I hereby designated the places described in the following schedules to be “customs controlled areas” for the purposes of sections 11.3 to 11.5 and 99.2 and 99.3 of the *Customs Act*.

Original signed by
Alain Jolicoeur
President
Canada Border Services Agency

Date

29 July 2004

Part A – Interpretation:

In this instrument, the following terms have the meanings assigned:

“Aerodrome: means any area of land, water (including frozen surfaces) or other supporting surface used, designed, prepared, equipped or set apart for use either in whole or in part for the arrival, departure, movement or servicing of aircraft.

“Apron” means a flight line, ramp, tarmac or any other part of an aerodrome, intended to accommodate the loading and unloading of passengers and cargo, or the refuelling, servicing, maintenance or parking of aircraft;

“Canadian Inspection Service (CIS)” means any of the following agencies mandated for the inspection of persons and goods entering Canada: the Canada Border Services Agency (CBSA); the Department of Citizenship and Immigration Canada (CIC); the Canadian Food Inspection Agency (CFIA); and the Department of Health Canada (HC);

“CIS Facility” means the work facility or portion of such facility, including administrative offices, examination rooms or bays, interior or exterior to a building, holding cells and other secured rooms designed for the exclusive use of persons employed by any of the CIS agencies for the purposes of examining or searching persons and goods arriving in or leaving Canada;

“Designated

Holding Area” means any room or other area designated by the President of the Canada Border Services Agency for the use of persons arriving in Canada who are in transit to another place in Canada or to a place outside Canada;

“Federal Inspection Service (FIS)” means any of the following services mandated for the inspection of persons and goods entering the United States: United States Customs and Border Protection, United States Immigration and Customs Enforcement and United States Citizenship and Immigration Services consisting of the following: the United States Customs Service (USCS); the

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Animal and Plant Inspection Service, and the United States Department of Health (USDH);

“Gate” means a numbered or otherwise specified location used to direct persons to/from a particular aircraft or other conveyance;

“International
Departure
Area” means any room or other area within a “restricted area” of a terminal building that is for the use of persons who are departing Canada or which is in use by persons who are departing Canada;

“Preclearance
Facility” means the facility or portion of such facility, including administrative offices, examination rooms or bays, interior or exterior to a building, holding cells and other secured rooms designed for the use of persons employed by any of the FIS agencies for the purposes of clearing persons and goods leaving Canada for a destination in the United States;

“Vehicle
Corridor” means any space delineated at an aerodrome to guide vehicle and equipment movements between areas of the apron.

Designation of Customs Controlled Areas

The following areas are hereby designated as “customs controlled areas”, anywhere they occur in Canada.

1. A CIS facility;
2. A Preclearance facility;
3. The interior of, or the exterior surface of, a conveyance that has arrived in Canada, for a period of two hours from the arrival of the conveyance or for such time as the conveyance contains any goods that have been imported into Canada and have not been released by a customs officer.
4. Any portion of an apron, wharf, railroad yard or siding or other docking or parking facility that is within 10 meters of a conveyance that has arrived in Canada, for a period of two hours from the arrival of the conveyance or for such time as the area contains any goods that have been imported into Canada and have not been released by a customs officer.

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5. The interior, or the exterior surface of, a conveyance that is scheduled to depart from Canada, for the period of time up to departure.
6. Any portion of an apron, wharf, railroad yard or siding or other docking or parking facility that is within 10 meters of a conveyance that is scheduled to depart from Canada, for the period of time up to departure.
7. The area within, on the surface of or occupied by a vehicle, conveyor belt or other equipment used to move people or goods to, from or through a customs controlled area, and the area within 1.0 metre of that equipment.
8. A designated holding area.
9. An international departure area.
10. An internal or external corridor that leads directly, or indirectly through the opening and closing of doors, ropes or stanchions, from a CIS or Preclearance facility to an international arrival or departure gate;
11. A vehicle corridor leading from a gate or any aircraft parking spot on the apron to any other area of an aerodrome when being used to move persons who have arrived in Canada or who are about to depart from Canada or any goods that have been imported or are about to be exported and within 15 minutes of such use;
12. A customs bonded warehouse, customs sufferance warehouse or any other area within 1.0 metre of any goods that have been imported into Canada and have not been released by a customs officer;
13. A duty free shop.
14. Any area within 1.0 metre of any goods that are about to be exported from Canada, for the period of time up to exportation.
15. Any area confined by a fence, wall or other similar structure where the area contains one or more customs controlled areas.