



Canadian International  
Trade Tribunal

Tribunal canadien du  
commerce extérieur

CANADIAN  
INTERNATIONAL  
TRADE TRIBUNAL

# Appeals

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## ORDER

Application No. EP-2012-004

Terry C. Stapley Limited

*Order issued  
Tuesday, November 20, 2012*

IN THE MATTER OF an application made by Terry C. Stapley Limited on August 22, 2012, pursuant to section 60.2 of the *Customs Act*, for an order extending the time to file a request for a further re-determination of tariff classification pursuant to section 60 of the *Customs Act* with respect to Detailed Adjustment Statement Nos. 17863700015730, 17836700015627, 17863700015649, 17863700015638, 17863700015650, 17863700015694, 17836700015672, 17863700015661, 17863700015707, 17863700015729, 17863700015718, 17863700005741, 17863700015763, 17863700015752, 17863700014487, 17863700014513 and 17863700014693;

AND FURTHER TO a request made by the Canadian International Trade Tribunal on November 2, 2012, for submissions on the Canadian International Trade Tribunal's authority to grant an application that was not made within the time limit set out in subsection 60.2(1) of the *Customs Act*.

## ORDER

WHEREAS the Canadian International Trade Tribunal has considered the application made by Terry C. Stapley Limited and the submissions from the President of the Canada Border Services Agency;

AND WHEREAS the Canadian International Trade Tribunal notes that the application with respect to Detailed Adjustment Statement Nos. 17863700014487, 1786370001451 and 17863700014693 was made beyond the time limit set out in subsection 60.2(1) of the *Customs Act*;

AND WHEREAS the Canadian International Trade Tribunal is satisfied that the application with respect to Detailed Adjustment Statement Nos. 17863700015730, 17836700015627, 17863700015649, 17863700015638, 17863700015650, 17863700015694, 17836700015672, 17863700015661, 17863700015707, 17863700015729, 17863700015718, 17863700005741, 17863700015763 and 17863700015752 was made within the time limit set out in subsection 60.2(1) of the *Customs Act* and that the conditions set out in subsection 60.2(4) have been met with respect to the application;

THEREFORE, pursuant to section 60.2 of the *Customs Act*, the Canadian International Trade Tribunal hereby orders as follows:

- The application for an extension of time to file a request for a further re-determination of tariff classification with respect to Detailed Adjustment Statement Nos. 17863700014487, 17863700014513 and 17863700014693 is denied.
- The application for an extension of time to file a request for a further re-determination of tariff classification with respect to Detailed Adjustment Statement Nos. 17863700015730, 17836700015627, 17863700015649, 17863700015638, 17863700015650, 17863700015694, 17836700015672, 17863700015661, 17863700015707, 17863700015729, 17863700015718, 17863700005741, 17863700015763 and 17863700015752 is granted.

- The President of the Canada Border Services Agency shall accept the adjustment request filed by Terry C. Stapley Limited on November 1, 2011, with respect to Detailed Adjustment Statement Nos. 17863700015730, 17836700015627, 17863700015649, 17863700015638, 17863700015650, 17863700015694, 17836700015672, 17863700015661, 17863700015707, 17863700015729, 17863700015718, 17863700005741, 17863700015763 and 17863700015752 as a timely request for a further re-determination of tariff classification.

Stephen A. Leach  
Stephen A. Leach  
Presiding Member

Dominique Laporte  
Dominique Laporte  
Secretary