



Canadian International
Trade Tribunal

Tribunal canadien du
commerce extérieur

CANADIAN
INTERNATIONAL
TRADE TRIBUNAL

Procurement

DETERMINATION

File PR-2022-063

Newland Canada Corporation

v.

Department of National Defence

*Determination issued
Wednesday, June 7, 2023*

IN THE MATTER OF a complaint filed by Newland Canada Corporation pursuant to subsection 30.11(1) of the *Canadian International Trade Tribunal Act*;

AND FURTHER TO a decision to conduct an inquiry into the complaint pursuant to subsection 30.13(1) of the *Canadian International Trade Tribunal Act*.

BETWEEN

NEWLAND CANADA CORPORATION

Complainant

AND

THE DEPARTMENT OF NATIONAL DEFENCE

**Government
Institution**

DETERMINATION

Pursuant to subsection 30.14(2) of the *Canadian International Trade Tribunal Act* (CITT Act), the Canadian International Trade Tribunal determines that the complaint is not valid.

Pursuant to section 30.16 of the CITT Act, the Tribunal awards the Department of National Defence its reasonable costs incurred in responding to the complaint, which costs are to be paid by Newland Canada Corporation. In accordance with the *Procurement costs guidelines* (Guidelines), the Tribunal's preliminary indication of the level of complexity for this complaint case is Level 1, and its preliminary indication of the amount of the cost award is \$750. If any party disagrees with the preliminary indication of the level of complexity or the preliminary indication of the amount of the cost award, it may make submissions to the Tribunal on costs, as contemplated in article 4.2 of the Guidelines. The Tribunal reserves jurisdiction to establish the final amount of the cost award.

Randy Heggart

Randy Heggart

Presiding Member

The statement of reasons will be issued at a later date.