

OP 1 and related matters from OP 5, OP 6, OP 8 (a), (b), (c) and OP 10

State: **Canada**
Date of Report: **31 December 2004**
Date of Addendum 1: **19 January 2006**
Date of Addendum 2: **31 January 2008**
Date of Addendum 3: **12 August 2010**

Did you make one of the following statements or is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?		YES	if YES, indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks (information refers to the page of the English version of the report or an official web site)
1	General statement on non-possession of WMD	X	Does not possess nuclear, chemical or biological weapons, nor their means of delivery	
2	General statement on commitment to disarmament and non-proliferation	X	Highest priority on countering international terrorism and preventing the proliferation of WMD	
3	General statement on non-provision of WMD and related materials to non-State actors	X	Does not provide any form of support to non-State actors	
4	Biological Weapons Convention (BWC)	X	Deposit 18 September 1972	
5	Chemical Weapons Convention (CWC)	X	Deposit 26 September 1995	
6	Nuclear Non-Proliferation Treaty (NPT)	X	Deposit 08 January 1969	

The information in the matrices originates primarily from national reports and is complemented by official government information, including that made available to inter-governmental organizations. The matrices are prepared under the direction of the 1540 Committee.

The 1540 Committee intends to use the matrices as a reference tool for facilitating technical assistance and to enable the Committee to continue to enhance its dialogue with States on their implementation of Security Council Resolution 1540.

The matrices are not a tool for measuring compliance of States in their non-proliferation obligations but for facilitating the implementation of Security Council Resolutions 1540 and 1673. They do not reflect or prejudice any ongoing discussions outside of the Committee, in the Security Council or any of its organs, of a State's compliance with its non-proliferation or any other obligations

7	Comprehensive Nuclear Test Ban Treaty (CTBT)	X	Deposit 18 December 1998	
8	Convention on Physical Protection of Nuclear Material (CPPNM)	X	In force 08 February 1987	
9	Hague Code of Conduct (HCOC)	X	Subscribed 25 November 2002	
10	Geneva Protocol of 1925	X	Deposit 06 May 1930	
11	International Atomic Energy Agency (IAEA)	X	Since 1957	
12	Nuclear Weapons Free Zone/ Protocol(s)			
13	Other Conventions/Treaties	X	<p>1. Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management</p> <p>2. Convention on Nuclear Safety</p> <p>3. Several international counter-terrorism conventions, including the the International Convention on the Suppression of Financing of Terrorism (19 February 2002); the International Convention on the Suppression of Terrorist Bombings (3 April 2002) that get incorporated into Canada's Criminal Code.</p>	

14	Other Arrangements	X	<ol style="list-style-type: none"> 1. Nuclear Suppliers Group (NSG) 2. Australia Group (AG) 3. Missile Technology Control Regime (MTCR) 4. Zangger Committee (ZC) 5. Wassenaar Arrangement (WA) 6. Proliferation Security Initiative (PSI) 7. Container Security Initiative (CIS) 8. Financial Action Task Force (FATF) 9. Global Initiative to Combat Nuclear Terrorism (GICNT) 10. G8 Director's Group on Non-Proliferation 	
15	Other	X	In addition to the information from earlier reports, Canada's most recent submission of additional information included a summary action plan.	

OP 2 - Biological Weapons (BW)

State:

Canada

Date of Report:

31 December 2004

Date of Addendum 1:

19 January 2006

Date of Addendum 2:

31 January 2008

Date of Addendum 3:

12 August 2010

Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties and others		Remarks
	YES	if YES, indicate source document of national implementation law	YES	if YES, indicate source document	
1 manufacture/produce	X	Human Pathogens and Toxins Act (HPTA) of 2009, sections 7-8 and 11: if schedule 5, or otherwise without license	X	1. Human Pathogens and Toxins Act (HPTA) of 2009, sections 40-64 2. Criminal Code, section 46	
2 acquire			X		
3 possess	X		X	1. Human Pathogens and Toxins Act (HPTA) of 2009, sections 40-64 2. Criminal Code, sections 46, 83, 88, 91, and 92	
4 stockpile/store	X	Human Pathogens and Toxins Act (HPTA) of 2009, sections 7-8: if schedule 5 (manufacture defined to include developing)	X	1. Human Pathogens and Toxins Act (HPTA) of 2009, sections 40-64 2. Criminal Code, sections 86, 100 and 101	
5 develop	X		X	1. Human Pathogens and Toxins Act (HPTA) of 2009, sections 40-64 2. Criminal Code, sections 46, 83, 88, 91, and 92	
6 transport			X	Criminal Code (R.S. 1985, c. C-46), Subsection 86(1)	

7	transfer	X	Human Pathogens and Toxins Act (HPTA) of 2009, sections 7-8: if schedule 5	X	1. Human Pathogens and Toxins Act (HPTA) of 2009, section	
8	use	X		X	1. Human Pathogens and Toxins Act (HPTA) of 2009, sections 40-64 2. Criminal Code, sections 83, 86 and 431	
9	participate as an accomplice in a.m. activities			X	1. Criminal Code (R.S. 1985, c. C-46), Section 21, Section 83 (see below) and Subsections 99(1), 100(1), 101(1)	
10	assist in a.m. activities			X	2. Security of Information Act, Subsection 16: 1, 2 and 3(2)	
11	finance a.m. activities			X	Criminal Code, sections 21 and 83: especially as this implements the Convention on the Suppression of Terrorist Bombing as well as the Terrorist Financing Conventions	
12	a.m. activities related to means of delivery			X	Criminal Code (R.S. 1985, c. C-46), Subsections 86(1), 88(1), 99(1), 100(1) and 101(1)	
13	involvement of non-State actors in a.m. activities			X	Criminal Code (R.S. 1985, c. C-46), Part II	
14	Other	?	1. BTWC Implementation Act (2004), assented but not yet in force 2. Is in the process of drawing up as a matter of urgency comprehensive regulations to bring the BTWCIA into force	X	Criminal Code, (R.S. 1985, c. C-46), Subsection 7(3.72): Extraterritorial Jurisdiction	

OP 2 - Chemical Weapons (CW)

State:

Canada

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	YES	if YES, indicate source document of national implementation law	YES	if YES, indicate source document	
1 manufacture/produce	X	CWC Implementation Act (1995, c. 25), Sections 6 and 8	X	1. CWC Implementation Act (1995, c. 25), Sections 20 to 26 2. Criminal Code (R.S. 1985, c. C-46), Subsection 99(1)	
2 acquire	X	CWC Implementation Act (1995, c. 25), Sections 6 and 8	X	CWC Implementation Act (1995, c. 25), Sections 20 to 26	
3 possess	X	CWC Implementation Act (1995, c. 25), Sections 6 and 8	X	1. CWC Implementation Act (1995, c. 25), Sections 20 to 26 2. Criminal Code (R.S. 1985, c. C-46), Subsections 88 (1), 91(2) and 92(2)	
4 stockpile/store	X	CWC Implementation Act (1995, c. 25), Section 6	X	1. CWC Implementation Act (1995, c. 25), Section 20 2. Criminal Code (R.S. 1985, c. C-46), Subsections 86(1), 100(1) and 101(1)	
5 develop	X		X	CWC Implementation Act (1995, c. 25), Section 21	
6 transport			X	Criminal Code (R.S. 1985, c. C-46), Subsection 86(1)	

7	transfer	X	CWC Implementation Act (1995, c. 25), Section 6	X	1. CWC Implementation Act (1995, c. 25), Section 20 2. Criminal Code (R.S. 1985, c. C-46), Subsections 99(1), 100(1) and 101(1)
8	use	X	CWC Implementation Act (1995, c. 25), Sections 6 and 8	X	1. CWC Implementation Act (1995, c. 25), Sections 20 to 26 2. Criminal Code, Section 83 and Subsection 431.2(1)(2)
9	participate as an accomplice in a.m. activities			X	1. Criminal Code (R.S. 1985, c. C-46), Sections 21 and 83 and Subsections 99(1), 100(1), 101(1)
10	assist in a.m. activities			X	2. Security of Information Act, Subsection 16: 1, 2 and 3(2)
11	finance a.m. activities	?	CWC Implementation Act (1995, c. 25), Section 6: inducing	X	Criminal Code, Sections 21 and 83
12	a.m. activities related to means of delivery	X	CWC Implementation Act (1995, c. 25), Section 2 (2)	X	1. CWC Implementation Act (1995, c. 25), Section 20 2. Criminal Code (R.S. 1985, c. C-46), Subsections 86(1), 88(1), 99(1), 100(1) and 101(1)
13	involvement of non-State actors in a.m. activities			X	Criminal Code (R.S. 1985, c. C-46), Part II
14	Other	?	1. CWC Implementation Act (1995, c. 25), Section 6: assigning, encouraging, military preparations 2. Firearms and Other Weapons: Prohibited and Prescribed Weapons	X	1. CWC Implementation Act (1995, c. 25), Section 22 2. Criminal Code, Subsection 7(3.72): Extraterritorial jurisdiction

OP 2 - Nuclear Weapons (NW)

State:

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Date of Addendum 3:

Canada

31 December 2004

19 January 2006

31 January 2008

12 August 2010

Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties and others		Remarks
	YES	if YES, indicate source document of national implementation law	YES	if YES, indicate source document	
1 manufacture/produce	?	Nuclear Safety and Control Act of 1997 (NSCA), Section 26	X	1. Criminal Code (R.S. 1985, c. C-46), Subsection 99(1) 2. Nuclear Safety and Control Act of 1997 (NSCA), Sections 48-50	
2 acquire					
3 possess	?	Nuclear Safety and Control Act of 1997 (NSCA), Section 26	X	Criminal Code (R.S. 1985, c. C-46), Subsections 88 (1), 91(2) and 92(2)	
4 stockpile/store			X	Criminal Code (R.S. 1985, c. C-46), Subsections 86(1), 100(1) and 101(1)	
5 develop					
6 transport	?	Nuclear Safety and Control Act of 1997 (NSCA), Section 26	X	1. Criminal Code (R.S. 1985, c. C-46), Subsection 86(1) 2. Nuclear Safety and Control Act of 1997 (NSCA), Sections 48-50	

7	transfer	?	Nuclear Safety and Control Act of 1997 (NSCA), Section 26	X	Criminal Code (R.S. 1985, c. C-46), Subsections 99(1), 100(1) and 101(1)	
8	use	?	Nuclear Safety and Control Act of 1997 (NSCA), Section 26	X	Criminal Code, (R.S. 1985, c. C-46) Section 83 and Subsections 86(1) and Subsection 431.2(1)(2)	
9	participate as an accomplice in a.m. activities			X	1. Criminal Code (R.S. 1985, c. C-46), Sections 21 and 83 and Subsections 99(1), 100(1), 101(1) 2. Security of Information Act, Subsection 16: 1, 2 and 3(2)	
10	assist in a.m. activities			X	1. Criminal Code, Sections 21 and 83 and Subsections 99(1), 100(1), 101(1) 2. Security of Information Act, Subsection 16: 1, 2 and 3(2)	
11	finance a.m. activities			X	Criminal Code, Sections 21 and 83	
12	a.m. activities related to means of delivery	X	Offences Against Public Order	X	Criminal Code, Section 83 and Subsections 86(1), 88(1), 99(1), 100(1) and 101(1)	
13	involvement of non-State actors in a.m. activities			X	Criminal Code (R.S. 1985, c. C-46), Part II	
14	Other	?	Nuclear Safety and Control Act of 1997 (NSCA), Section 26: import and abandonment	X	Criminal Code, (R.S. 1985, c. C-46), Subsection 7(3.72): Extraterritorial Jurisdiction	

OP 3 (a) and (b) - Account for/Secure/Physically protect BW including Related Materials

State:

Canada

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31 December 2004

Date of Addendum 1:

19 January 2006

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31 January 2008

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12 August 2010

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties, and others		Remarks
		YES	if YES, indicate source document	YES	if YES, indicate source document	
1	Measures to account for production	X	1. Human Pathogens and Toxins Act (HPTA) of 2009, sections 12-17 and 18-30 2. Laboratory Biosafety Guidelines, 3rd Edition 3. New Substances Notification Regulations (Organisms) 2005 4. Hazardous Products Act 1985, Schedule II, Class D Products		1. Human Pathogens and Toxins Act (HPTA) of 2009, sections 40-64 2. Hazardous Product Act 1985, Section 28 3. Controlled Products Regulations 2008	
2	Measures to account for use	X				
3	Measures to account for storage	X				
4	Measures to account for transport	X	1. Transport Canada, Dangerous Goods Directorate Regulations 2. Transportation of Dangerous Goods Act 1992, Section 5, and amendment 2009 of sections 5-8 3. Plant Protection Act, Section 6	X	1. Transportation of Dangerous Goods Act 1992, Sections 33-34, and amendment 2009 for sections 13-26 and 33-42 2. Plant Protection Act, Sections 48-50	
5	Other measures for accounting			X	Health Canada, Office of Laboratory Security (OLS)	

6	Measures to secure production	X	1. Human Pathogens and Toxins Act (HPTA) of 2009, sections 6, 12-17 and 18-30 2. Plant Protection Act, 1990, Section 6	X	1. Human Pathogens and Toxins Act (HPTA) of 2009, sections 40-64 2. Criminal Code, Sections 334, 341 and 344-345 3. Plant Protection Act, 1990, Section 48	
7	Measures to secure use	X	3. Hazardous Products Act 4. Controlled Product Regulations	X	4. Hazardous Product Act 1985, Section 28 4. Controlled Products Regulations 2008	
8	Measures to secure storage	X		X		

9	Measures to secure transport	X	1. Transport Canada, Dangerous Goods Directorate Regulations 2. Transportation of Dangerous Goods Act 1992, Section 5, and amendment 2009 of sections 5-8	X	1. Criminal Code, Sections 334, 341 and 344 2. Transportation of Dangerous Goods Act 1992, Sections 33-34, and amendment 2009 for sections 13-26 and 33-42	
10	Other measures for securing	X	Transportation of Dangerous Goods Act 1992 amendment 2009: requires security plans, training and clearance	X	1. Health Canada, Office of Laboratory Security (OLS) 2. Government's Biohazard Containment and Safety Unit helps establish biocontainment levels, procedures and protocols	
11	Regulations for physical protection of facilities/materials/ transports	X	Laboratory Biosafety Guidelines, 3rd Edition	X	1. Health Canada, Office of Laboratory Security (OLS) 2. Security of Information Act (R.S., c. O-5) 3. Containment Standards for Veterinary Facilities 4. Canadian Food Inspection Agency	
12	Licensing/registration of facilities/persons handling biological materials	X	Human Pathogens and Toxins Act (HPTA) of 2009, sections 18-30	X	Human Pathogens and Toxins Act (HPTA) of 2009, sections 40-64	
13	Reliability check of personnel	X	Human Pathogens and Toxins Act (HPTA) of 2009, sections 31-35	X	Human Pathogens and Toxins Act (HPTA) of 2009, sections 40-64	
14	Measures to account for/secure/ physically protect means of delivery					
15	Regulations for genetic engineering work					
16	Other legislation/ regulations related to safety and security of biological materials			X	Security of Information Act (R.S., c. O-5): communicating, preparing, and extraterritorial jurisdiction	
17	Other	?	1. BTWC Implementation Act, (2004, c.15, part 23), assented but not yet in force 2. Health of Animals Act: regulates imports and movement 3. Plant Protection Act: regulates imports and movement 4. Fertilizers Act: regulates imports and movement	X	Canada has recently added a section on domestic responsibilities for the BTWC in our Biosafety guidelines. The guidelines are a primary manual for all labs across Canada. The manual itself will be republished in late 2008, and will be part of a mandatory biosafety/biosecurity course.	

OP 3 (a) and (b) - Account for/Secure/Physically protect CW including Related Materials

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Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and others		Remarks
	YES	if YES, indicate source document	YES	if YES, indicate source document	
1 Measures to account for production	X	1. CWC Implementation Act 1995 2. Declarations Regulations (Chemical Weapons Convention) 2004 3. 1. Schedule 1 Chemicals Regulations (Chemical Weapons Convention) 2004	X	1. CWC Implementation Act (1995), Sections 20-25 2. Canadian Environmental Protection Act 1999, Part X, especially Section 272	
2 Measures to account for use	X	4. Canadian Environmental Protection Act 1999, Sections 66-76 and 80-81 5. Hazardous Products Act 1998, especially Schedule II, Classes D-F products 6. Controlled Product Regulations 2008	X	3. Hazardous Products Act 1998, Section 28 4. Controlled Products Regulations 2008	
3 Measures to account for storage	X	1. Canadian Environmental Protection Act 1999, Sections 66-76 and 80-81 2. Controlled Product Regulations 2008 3. Consumer Chemical and Containers Regulations (2001)	X	1. Canadian Environmental Protection Act 1999, Part X, especially Section 272 2. Hazardous Products Act 1998, Section 28 3. Controlled Products Regulations 2008	
4 Measures to account for transport	X	Transportation of Dangerous Goods Act, 1992			
5 Other measures for accounting					

6	Measures to secure production	X	1. CWC Implementation Act (1995, c. 25) authorizes regulations 2. Hazardous products Act 1998, especially Schedule II, especially Classes D-F products	X	1. Criminal Code, Sections 334, 341 and 344 2. CWC Implementation Act (1995), Section 20 3. Hazardous Products Act 1998, Section 28	
7	Measures to secure use	X	3. Controlled Product Regulations 2008	X	4. Controlled Products Regulations 2008	
8	Measures to secure storage	X	1. Hazardous Products Act 1998 2. Controlled Product Regulations 2008 3. Consumer Chemical and Containers Regulations (2001)	X	1. Hazardous Products Act 1998, Section 28 2. Controlled Products Regulations 2008	
9	Measures to secure transport	X	1. Transportation of Dangerous Goods Act, 1992 2. Transportation of Dangerous Goods Act Regulations			
10	Other measures for securing					
11	Regulations for physical protection of facilities/materials/ transports					
12	Licensing of chemical installations/entities/use of materials	X	1. Schedule 1 Chemicals Regulations (Chemical Weapons Convention) 2004 require a license to produce, use, acquire or possess 2. CWC Implementation Act 1995, section 16	X	CWC Implementation Act 1995, sections 20-25	
13	Reliability check of personnel					
14	Measures to account for/secure/ physically protect means of delivery					
15	National CWC authority	X	CWC Implementation Act 1995, section 3	X	Ministry of Foreign Affairs and Trade, Canadian National Authority, Chemical Weapons Convention	

16	Reporting Schedule I, II and III chemicals to OPCW		1. CWC Implementation Act 1995, section 11 and 16-17 2. Declarations Regulations (Chemical Weapons Convention) 2004 3. Schedule 1 Chemicals Regulations (Chemical Weapons Convention) 2004	X	CWC Implementation Act 1995, sections 20-25	
17	Account for, secure or physically protect old chemical weapons					
18	Other legislation/ regulations controlling chemical materials					
19	Other	X	Security of Information Act (R.S., c. O-5)	X	Canadian worked with other national authorities to identify undeclared Schedule 2 facilities	

OP 3 (a) and (b) - Account for/Secure/Physically protect NW including Related Materials

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Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties, and others		Remarks
		YES	if YES, indicate source document	YES	if YES, indicate source document	
1	Measures to account for production	X		X		
2	Measures to account for use	X		X	1. Nuclear Safety and Control Act (1997, c.9), Sections 30-35 (inspection) and 48-63 (offences and punishment) 2. Criminal Code (R.S. 1985, c. C-46), Section 487	
3	Measures to account for storage	X		X		
4	Measures to account for transport	X		X		
5	Other measures for accounting					
6	Measures to secure production	X	1. Class I Nuclear Facilities Regulations P.C. 2000-784 31 May, 2000	X	1. Nuclear Safety and Control Act (1997, c.9), Sections 30-35 (inspection) and 48-63 (offences and punishment)	
7	Measures to secure use	X	2. Class II Nuclear Facilities and Prescribed Equipment Regulations P.C. 2000-785 31 May, 2000	X		
8	Measures to secure storage	X		X		
9	Measures to secure transport	X	1. Transportation of Dangerous Goods Act, 1992 2. Transportation of Dangerous Goods Act Regulations	X	2. Criminal Code (R.S. 1985, c. C-46), Section 487	
10	Other measures for securing					

11	Regulations for physical protection of facilities/materials/ transports	X	1. Nuclear Security Regulations P.C. 2000-789 31 May, 2000 2. Class I Nuclear Facilities Regulations P.C. 2000-784 31 May, 2000 3. Packaging and Transport of Nuclear Substances Regulations	X	1. Security of Information Act (R.S., c. O-5) 2. Government Order requiring the licensees to increase security at major nuclear facilities	
12	Licensing of nuclear installations/entities/use of materials	X	1. Nuclear Safety and Control Act (1997, c.9) 2. Class I Nuclear Facilities Regulations P.C. 2000-784 31 May, 2000, Section 6 3. Class II Nuclear Facilities and Prescribed Equipment Regulations P.C. 2000-785 31 May, 2000 4. Nuclear Substances and Radiation Devices Regulations P.C. 2000-787 31 May, 2000	X	Nuclear Safety and Control Act (1997, c.9), Sections 48 and 50	
13	Reliability check of personnel	X	Class I Nuclear Facilities Regulations P.C. 2000-784 31 May, 2000			
14	Measures to account for/secure/ physically protect means of delivery					
15	National regulatory authority	X	Nuclear Safety and Control Act (1997, c.9)	X	Canadian Nuclear Safety Commission	
16	IAEA Safeguards Agreements	X	1. Safeguards Agreement in force 21 February 1972 2. Additional Protocol in force 8 September 2000	X	1. Safeguards Agreement in force 21 February 1972 2. Additional Protocol in force 8 September 2000	
17	IAEA Code of Conduct on Safety and Security of Radioactive Sources			X	Expressed support to the IAEA DG	
18	IAEA Database on Illicit Trafficking of Nuclear Materials and other Radioactive Sources			X	Participates in Database Programme	
19	Other Agreements related to IAEA					
20	Additional national legislation/regulations related to nuclear materials including CPPNM					

21	Other	?	<p>1. Canadian Nuclear Safety Commission Regulations: disposal, possession and packaging</p> <p>2. Hazardous Products Act</p> <p>CHAPTER H-3: Regulations apply to radioactive substances but not to substances covered under the Nuclear Safety and Security Act</p> <p>3. Nuclear Security regulations are being updated to incorporate all of the new requirements and are scheduled to come into force by mid 2006</p>	X	Hosted an IAEA review service mission in 2009	
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**OP 3 (c) and (d) and related matters from OP 6 and OP 10 -
Controls of BW including Related Materials**

State:

Canada

Date of Report:

31 December 2004

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19 January 2006

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	Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc		Remarks
		YES	if YES, indicate source document	YES	if YES, indicate source document	
1	Border control	X	1. Customs Act 1985, as amended 2009 to enhance the powers of Customs officers 2. Canada Border Services Agency Act 2005 3. Health of Animals Act, Sections 14-18 and 19 4. Plant Protection Act, Sections 7-9	X	1. Customs Border Services Agency (CBSA) 2. Canadian Border Services Agency (CBSA) 3. Royal Canadian Mounted Police 4. National Risk Assessment Centre established in 2004 5. Health of Animals Act 2005, Sections 65-66 6. Plant Protection Act 1990, Sections 48-50	
2	Technical support of border control measures	X	Customs Act 1985, as amended 2009, sections 5-8	X	1. EXCOL is an internet-based system which allows applicants to apply for export control documents electronically. 2. A variety of technologies is used in the examination of both inbound (import) and outbound (export) shipments	
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	X	1. Defence Production Act 2. Firearms Act 3. Export and Import Permits Act	X	Criminal Code: conspiracy activity	

4	Enforcement agencies/authorities	X	<ol style="list-style-type: none"> 1. Canada Border Services Agency Act 2005 2. Customs Act 1985, as amended 2009 3. Export and Import Permits Act 1985, as last amended 2006, sections 24-26 	X	<ol style="list-style-type: none"> 1. Customs Border Services Agency (CBSA) 2. Canadian Border Services Security Agency (CBSA) under the aegis of Public Security and Emergency Preparedness Canada (PSEPC); CBSA has a Strategic Export Control Unit for countering WMD proliferation 3. Royal Canadian Mounted Police 	
5	Export control legislation in place	X	<ol style="list-style-type: none"> 1. Export and Import Permits Act 1985, as last amended 2006 2. Health of Animals Act, 1990 Section 19 3. Plant Protection Act, 1990 	X	<ol style="list-style-type: none"> 1. Export and Import Permits Act 1985, as last amended 2006, sections 19-21 2. Criminal Code, sections 103-104 	
6	Licensing provisions	X	<ol style="list-style-type: none"> 1. Export and Import Permits Act 1985, as amended 2006, sections 7-8, 10-11, and 15-18 2. Export Permits Regulations (SOR/97-204) 1997, sections 3-14 	X	Export and Import Permits Act 1985, as last amended 2006, Sections 19-21	
7	Individual licensing	X		X		
8	General licensing	X		X		
9	Exceptions from licensing	X		X		
11	National licensing authority	X		<ol style="list-style-type: none"> 1. Export and Imports Permits Act 1985, as last amended 2006 2. Export Permits Regulations (SOR/97-204) 1997, section 1 identifies the Minister as the Minister for Foreign Affairs 3. Import Permits Regulations 		X
12	Interagency review for licenses			X	Export Control Handbook 2009 indicates that the Ministry of Foreign Affairs and Trade consults with other agencies as appropriate	

13	Control lists	X	1. Human Pathogens and Toxins Act (HPTA) of 2009, schedules 1-5 2. Export and Import Permits Act 1985, as last amended 2006,	X		
14	Updating of lists	X	sections 3-4 and 6: Export and Area Control Lists	X	1. Order amending the Export Control List 2010 2. Order amending the Export Control List 2009 specifically amends the list to include technologies	
15	Inclusion of technologies	X	1. Human Pathogens and Toxins Act (HPTA) of 2009, schedules 1-5 2. Export and Import Permits Act 1985, as last amended 2006, sections 3 and 6	X		
16	Inclusion of means of delivery	X		X		
17	End-user controls	X	1. Export and Imports Permits Act 1985, as last amended 2006 2. Export Permits Regulations (SOR/97-204) 1997	X	1. Export and Import Permits Act, R.S., c E-17, Section 3 2. Order amending the Export Control List Amendment 2010, especially Item 5505 adjustments 3. Export Control Handbook 2009 identifies a variety of end-use assurances available	
18	Catch all clause	X		X	Order amending the Export Control List 2010, especially Item 5505 adjustments	
19	Intangible transfers	X	Export and Imports Permits Act 1985, as last amended 2006	X	Export Control Handbook 2009 indicates that export controls include the export of technology by intangible means, with instructions for such applications	
20	Transit control	X		X		
21	Trans-shipment control	X	1. Export and Import Permits Act 1985, as last amended 2006, section 12 2. Transshipment Regulations (C.R.C., c. 606) 2010	X	Export and Import Permits Act 1985, as last amended 2006, Sections 19-21	
22	Re-export control					

23	Control of providing funds	X	Proceeds of Crime (Money Laundering) and Terrorist Financing Act, 2000, C.17, s.1;2001, c.41, s.48, Section 13		
24	Control of providing transport services	X	Transportation of Dangerous Goods Act 1992 as amended 2009 requires security plans, training and clearances	X	Transportation of Dangerous Goods Act 1992 as amended 2009, sections 33-42
25	Control of importation	X	<ol style="list-style-type: none"> 1. Human Pathogens and Toxins Act (HPTA) of 2009, sections 7-8, 18-30 2. Export and Import Permits Act 1985, as amended 2006, sections 5-6 and 14: Prohibitions and Import Control List 3. Health of Animals Act, Sections 14-18 4. Plant Protection Act, Sections 7-9 5. Fertilizers Act: regulates imports and movement 6. Human Pathogens Importation Regulations 	X	<ol style="list-style-type: none"> 1. Human Pathogens and Toxins Act (HPTA) of 2009, sections 40-64 2. Criminal Code, Subsections 103(1) and 104(1) 3. Plant Protection Act 1990, Sections 48-50
26	Extraterritorial applicability			X	Criminal Code, Subsection 7(3.72)
27	Other	X	Export and Import Permits Act, R.S., c E-17, Section 12: Governor in Council makes regulations		

**OP 3 (c) and (d) and related matters from OP 6 and OP 10 -
Controls of CW including Related Materials**

State: **Canada**
 Date of Report: **31 December 2004**
 Date of Addendum 1: **19 January 2006**
 Date of Addendum 2: **31 January 2008**
 Date of Addendum 3: **12 August 2010**

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of CW and Related Materials ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc		Remarks
	YES	if YES, indicate source document	YES	if YES, indicate source document	
1 Border control	X	1. Customs Act 1985, as amended 2009 to enhance the powers of Customs officers 2. Canada Border Services Agency Act 2005 3. Declarations Regulations (Chemical Weapons Convention)	X	1. Customs Border Services Agency (CBSA) 2. Canadian Border Services Agency (CBSA) 3. Royal Canadian Mounted Police 4. National Risk Assessment Centre established in 2004	
2 Technical support of border control measures	X	Customs Act 1985, as amended 2009, sections 5-8	X	1. EXCOL is an internet-based system which allows applicants to apply for export control documents electronically. 2. A variety of technologies is used in the examination of both inbound (import) and outbound (export) shipments	
3 Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	X	1. Defence Production Act 2. Firearms Act 3. Export and Import Permits Act	X	Criminal Code: conspiracy activity	

4	Enforcement agencies/authorities	X	<ol style="list-style-type: none"> 1. Canada Border Services Agency Act 2005 2. Customs Act 1985, as amended 2009 3. Export and Import Permits Act 1985, as last amended 2006, sections 24-26 	X	<ol style="list-style-type: none"> 1. Customs Border Services Agency (CBSA) 2. Canadian Border Services Security Agency (CBSA) under the aegis of Public Security and Emergency Preparedness Canada (PSEPC); CBSA has a Strategic Export Control Unit for countering WMD proliferation 3. Royal Canadian Mounted Police
5	Export control legislation in place	X	<ol style="list-style-type: none"> 1. Export and Import Permits Act 1985, as last amended 2006 2. Export Permits Regulations 1997 3. Declarations Regulations (Chemical Weapons Convention) 2010 	X	<ol style="list-style-type: none"> 1. Export and Import Permits Act 1985, as amended 2006, sections 19-21 2. CWC Implementation Act 1995, sections 8-10 and 20-26 3. Criminal Code, sections 103-104
6	Licensing provisions	X	<ol style="list-style-type: none"> 4. Schedule 1 Chemicals Regulations (Chemical Weapons Convention) 2004, section 12 	X	<ol style="list-style-type: none"> 1. Export and Import Permits Act 1985, as amended 2006, sections 19-21 2. CWC Implementation Act 1995, sections 8-10 and 20-26
7	Individual licensing	X		X	
8	General licensing	X	<ol style="list-style-type: none"> 1. Export and Import Permits Act 1985, as amended 2006, sections 7-8, 10-11, and 15-18 2. Export Permits Regulations (SOR/97-204) 1997, sections 3-14 	X	<ol style="list-style-type: none"> Export and Import Permits Act 1985, as last amended 2006, Sections 19-21
9	Exceptions from licensing	X	X		
10	Licensing of deemed export/visa				
11	National licensing authority	X	<ol style="list-style-type: none"> 1. Export and Imports Permits Act 1985, as last amended 2006 2. Export Permits Regulations (SOR/97-204) 1997, section 1 identifies the Minister as the Minister for Foreign Affairs 	X	<ol style="list-style-type: none"> 1. Export and Imports Permits Act 1985, as amended 2006, sections 19-21 2. Ministry of Foreign Affairs and Trade, Canadian National Authority, Chemical Weapons Convention

12	Interagency review for licenses			X	Export Control Handbook 2009 indicates that the Ministry of Foreign Affairs and Trade consults with other agencies as appropriate	
13	Control lists	X	Export and Import Permits Act 1985, as last amended 2006, sections 3-4 and 6: Export and Area Control Lists	X	1. Order amending the Export Control List 2010 2. Order amending the Export Control List 2009 specifically amends the list to include technologies	
14	Updating of lists	X		X		
15	Inclusion of technologies	X		X		
16	Inclusion of means of delivery	X		X		
17	End-user controls	X	1. Export and Imports Permits Act 1985, as last amended 2006 2. Export Permits Regulations (SOR/97-204) 1997	X	1. Export and Import Permits Act 2006, as last amended 2006, sections 19-21 2. Order amending the Export Control List Amendment 2010, especially Item 5505 adjustments 3. Export Control Handbook 2009 identifies a variety of end-use assurances available	
18	Catch all clause	X		X	Order amending the Export Control List 2010, especially Item 5505 adjustments	
19	Intangible transfers	X	Export and Imports Permits Act 1985, as last amended 2006	X	Export Control Handbook 2009 indicates that export controls include the export of technology by intangible means, with instructions for such applications	
20	Transit control	X	1. Export and Import Permits Act	X		

21	Trans-shipment control	X	1985, as last amended 2006, section 12 2. Transshipment Regulations (C.R.C., c. 606) 2010	X	Export and Import Permits Act 1985, as last amended 2006, Sections 19-21	
22	Re-export control			?	Criminal Code, Subsection 7(3.72)	
23	Control of providing funds	X	Proceeds of Crime (Money Laundering) and Terrorist Financing Act, 2000, sections 1, 13, and 48			
24	Control of providing transport services	X	Transportation of Dangerous Goods Act 1992 as amended 2009 requires security plans, training and clearances	X	Transportation of Dangerous Goods Act 1992 as amended 2009, sections 33-42	
25	Control of importation	X	1. CWC Implementation Act (1995, c. 25) Sections 8-10 2. Declarations Regulations (Chemical Weapons Convention) 2010 3. Schedule 1 Chemicals Regulations (Chemical Weapons Convention) 2004, section 12	X	1. CWC Implementation Act (1995, c. 25) Sections 8-10 and 20-26 2. Criminal Code, Subsections 103(1) and 104(1)	
26	Extraterritorial applicability			X	Criminal Code, Subsection 7(3.72)	
27	Other					

**OP 3 (c) and (d) and related matters from OP 6, and OP 10 -
Controls of NW including Related Materials**

State: **Canada**
 Date of Report: **31 December 2004**
 Date of Addendum 1: **19 January 2006**
 Date of Addendum 2: **31 January 2008**
 Date of Addendum 3: **12 August 2010**

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW and Related Materials ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc		Remarks
	YES	if YES, indicate source document	YES	if YES, indicate source document	
1 Border control	X	1. Customs Act, R.S.1985, c.1 (2nd. Supp.), as amended 2009 to enhance the powers of Customs officers 2. Canada Border Services Agency Act 2005	X	1. Customs Border Services Agency (CBSA) 2. Canadian Border Services Agency (CBSA) 3. Royal Canadian Mounted Police 4. National Risk Assessment Centre established in 2004	
2 Technical support of border control measures	X	Customs Act 1985, as amended 2009, sections 5-8	X	1. EXCOL is an internet-based system which allows applicants to apply for export control documents electronically. 2. A variety of technologies is used in the examination of both inbound (import) and outbound (export) shipments	
3 Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	X	1. Defence Production Act 2. Firearms Act 3. Export and Import Permits Act	X	Criminal Code: conspiracy activity	

4	Enforcement agencies/authorities	X	<ol style="list-style-type: none"> 1. Canada Border Services Agency Act 2005 2. Customs Act 1985, as amended 2009 3. Export and Import Permits Act 1985, as last amended 2006, sections 24-26 	X	<ol style="list-style-type: none"> 1. Customs Border Services Agency (CBSA) 2. Canadian Border Services Security Agency (CBSA) under the aegis of Public Security and Emergency Preparedness Canada (PSEPC); CBSA has a Strategic Export Control Unit for countering WMD proliferation 3. Royal Canadian Mounted Police
5	Export control legislation in place	X	<ol style="list-style-type: none"> 1. Export and Import Permits Act 1985, as last amended 2006 2. Export Permits Regulations 1997 3. Nuclear Non-proliferation Import and Export Control Regulations 2000- 	X	<ol style="list-style-type: none"> 1. Export and Import Permits Act, R.S., c E-17, Section 19 2. Nuclear Safety and Control Act (1997, c.9), sections 24, 26 and 48 3. Criminal Code, Subsections 103(1) and 104(1)
6	Licensing provisions	X	<ol style="list-style-type: none"> 5. Nuclear Safety and Control Act 1997, sections 24, 26 and 48 	X	<ol style="list-style-type: none"> 1. Export and Import Permits Act 1985, as amended 2006, sections 19-21
7	Individual licensing	X		X	<ol style="list-style-type: none"> 2. Nuclear Safety and Control Act 1997, sections 24, 26 and 48
8	General licensing	X	<ol style="list-style-type: none"> 1. Export and Import Permits Act 1985, as amended 2006, sections 7-8, 10-11, and 15-18 2. Export Permits Regulations (SOR/97-204) 1997, sections 3-14 	X	<ol style="list-style-type: none"> Export and Import Permits Act 1985, as last amended 2006, Sections 19-21
9	Exceptions from licensing	X		X	
10	Licensing of deemed export/visa				
11	National licensing authority	X	<ol style="list-style-type: none"> 1. Export and Imports Permits Act 1985, as last amended 2006 2. Export Permits Regulations (SOR/97-204) 1997, section 1 identifies the Minister as the Minister for Foreign Affairs 3. Nuclear Safety and Control Act 1997 	X	<ol style="list-style-type: none"> 1. Ministry of Foreign Affairs and Trade 2. Canadian Nuclear Safety Commission, Non-Proliferation, Security and Safeguards Division

12	Interagency review for licenses			X	Export Control Handbook 2009 indicates that the Ministry of Foreign Affairs and Trade consults with other agencies as appropriate	
13	Control lists	X	1. Export and Import Permits Act 1985, as last amended 2006, sections 3-4: Export and Area Control Lists 2. Nuclear Non-proliferation Import and Export Control Regulations (NNIECR)	X	1. Order amending the Export Control List 2010 2. Order amending the Export Control List 2009 specifically amends the list to include technologies	
14	Updating of lists	X	1. Export and Import Permits Act 1985, as last amended 2006, section 6 2. Regulations Amending the Nuclear Non-proliferation Import and Export Control Regulations 2010	X		
15	Inclusion of technologies	X	1. Export and Import Permits Act 1985, as last amended 2006, sections 3 and 6 2. Nuclear Non-proliferation Import and Export Control Regulations (NNIECR)	X		
16	Inclusion of means of delivery	X	3. Regulations Amending the Nuclear Non-proliferation Import and Export Control Regulations 2010	X		
17	End-user controls	X	1. Export and Import Permits Act 1985, as last amended 2006, section 6 2. Regulations Amending the Nuclear Non-proliferation Import and Export Control Regulations 2010	X		Order amending the Export Control List 2010, especially Item 5505 adjustments
18	Catch all clause	X		X		

19	Intangible transfers	X	Export and Imports Permits Act 1985, as last amended 2006	X	Export Control Handbook 2009 indicates that export controls include the export of technology by intangible means, with instructions for such applications	
20	Transit control	X	1.Export and Import Permits Act 1985, as last amended 2006, section 12	X	Export and Import Permits Act 1985, as last amended 2006, Sections 19-21	
21	Trans-shipment control	X	2.Transshipment Regulations (C.R.C., c. 606) 2010	X		
22	Re-export control	X	Nuclear Cooperation Agreements with 43 countries requires permission for re-transfer / re-exports	X	1. Administrative Arrangements for NCAs 2. Criminal Code, Subsection 7(3.72)	
23	Control of providing funds	X	Proceeds of Crime (Money Laundering) and Terrorist Financing Act, 2000, sections 1, 13, and 48			
24	Control of providing transport services	X	Transportation of Dangerous Goods Act 1992 as amended 2009 requires security plans, training and clearances	X	Transportation of Dangerous Goods Act 1992 as amended 2009, sections 33-42	
25	Control of importation	X	1. Nuclear Safety Control Act 2. Nuclear Non-proliferation Import and Export Control Regulations (NNIER)	X	1. Nuclear Safety and Control Act (1997, c.9), sections 24, 26 and 48 2. Criminal Code, Subsections 103(1) and 104(1)	
26	Extraterritorial applicability			X	Criminal Code, Subsection 7(3.72)	
27	Other					

OP 6, 7 and 8 (d) - Control lists, Assistance, Information

State:

Date of Report:

Date of Addendum 1:

Date of Addendum 2:

Date of Addendum 3:

Canada

31 December 2004

19 January 2006

31 January 2008

12 August 2010

Can information be provided on the following issues ?		YES		Remarks
1	Control lists - items (goods/ equipment/ materials/ technologies)	X	1. Export and Import Permits Act, R.S., c E-17, Section 3: Export Control List available at http://www.drait-maeci.gc.ca/trade/eicb/military/content-en.asp and is in accordance with the five major supplier regimes 2. Export and Import Permits Act, R.S., c E-17, Section 4: Automatic Firearms Export or Area Control List 3. Export and Import Permits Act, R.S., c E-17, Section 4: Import Control List	
2	Control lists - other	X	1. Area Control List is a list of countries to which the Governor-in-Council deems it necessary to control the export of any and all goods 2. Human Pathogens and Toxins Act (HPTA) of 2009, schedules 1-5 includes all the multilateral biological lists but much more in terms of threats to human, animal, and plant health SCHEDULE 1 – TOXINS SCHEDULE 2 - RISK GROUP 2 HUMAN PATHOGENS SCHEDULE 3 - RISK GROUP 3 HUMAN PATHOGENS SCHEDULE 4 - RISK GROUP 4 HUMAN PATHOGENS SCHEDULE 5 - PROHIBITED HUMAN PATHOGENS AND TOXINS	

3	Assistance offered	X	<p>Updating its offers in its most recent submission of additional information, Canada identified the following topics as potential areas for cooperation:</p> <ol style="list-style-type: none"> 1. OP3 a: Nuclear and biological material accountancy; Transportation of dangerous goods, including nuclear materials; 2. OP3 b: Physical security of nuclear and biological materials and facilities; 3. OP3 c: Customs and excise / law enforcement; Export controls, border enforcement, export control / proliferation intelligence and enforcement; 4. OP3 d: Licensing and enforcement of imports and exports of nuclear, missile, chemical and biological goods and technologies (including dual-use); Technical review and assessment of dual-use, military, nuclear, missile, chemical and biological goods and technologies under multilateral arrangements; 5. Other Areas: Flag state consent for interdictions; Marine security policy and innovation; International capacity-building on marine security issues; and Management of controlled goods programs; <p>2. Canada also is drafting a chapter for the OSCE Best Practices Guide that outlines</p>	
4	Assistance requested			

5	Assistance in place (bilateral/plurilateral/multilateral)	X	<p>In its most recent additional information submitted to the 1540 Committee, Canada noted that it had:</p> <ol style="list-style-type: none"> 1. Canada funded a regional awareness-building workshop in the Dominican Republic (February 2008), and a follow-up regional workshop on export controls and maritime security in Jamaica (June 2009). 2. For international engagements, to date, Canada's Global Partnership Program has spent more than C\$122M on nuclear and radiological security in Russia and countries of the Former Soviet Union; contributed approximately C\$12M through the International Atomic Energy Agency's (IAEA) Nuclear Security Fund (NSF) to strengthen nuclear security in various countries of the Former Soviet Union, including the purchase of portal monitors, one rail monitor, radioisotope identification devices, and 320 personal detection devices); contributed over C\$10 	
6	Information for industry	X	<p>The relevant federal Government departments and agencies responsible for the import and export of nuclear and nuclear-related dual-use items have established outreach programmes aimed at providing general information to their main stakeholders and clients. These activities are also supplemented, as required, by additional, specifically-targeted outreach activities. The Canadian National Authority for the CWC pursues an active program of outreach to the Canadian chemical industry, research institutions and universities, including a web site to advise interested parties of these obligations, http://www.dfait-maeci.gc.ca/nndi-agency/cwc_index-en.asp. Outreach to and consultation with other government departments, industry and academia will be an integral aspect of the implementation process of the newly enacted Biological and Toxin Weapons Convention Implementation Act (BTWCIA).</p>	
7	Information for the public	X	<p>Foreign Affairs maintains a website devoted to information on Canada's nonproliferation, arms control and disarmament policies. The website can be found at: http://www.disarmament.gc.ca</p>	