

No. 53597*

**Canada
and
Israel**

**Agreement between the Government of Canada and the Government of the State of Israel
on mutual assistance in custom matters. Ottawa, 11 December 2012**

Entry into force: *24 July 2013 by notification, in accordance with article 16*

Authentic texts: *English, French and Hebrew*

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**Canada
et
Israël**

**Accord entre le Gouvernement du Canada et le Gouvernement de l'État d'Israël concernant
l'assistance mutuelle en matière douanière. Ottawa, 11 décembre 2012**

Entrée en vigueur : *24 juillet 2013 par notification, conformément à l'article 16*

Textes authentiques : *anglais, français et hébreu*

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[ENGLISH TEXT – TEXTE ANGLAIS]

AGREEMENT

BETWEEN

THE GOVERNMENT OF CANADA

AND

THE GOVERNMENT OF THE STATE OF ISRAEL

ON MUTUAL ASSISTANCE

IN CUSTOMS MATTERS

THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF THE STATE OF ISRAEL, (hereafter referred to as the "Parties");

CONSIDERING that offences against the Customs laws are prejudicial to the security and public health of their respective countries, as well as their economic, fiscal and commercial interests;

CONSIDERING the importance of the accurate assessment of customs duties and other taxes collected on the importation and exportation of goods, the correct determination of the classification, value and origin of those goods, as well as the proper implementation of measures of prohibition, restriction and control by their Customs authorities;

CONSIDERING that illegal trafficking in weapons and explosives, as well as in chemical, biological and nuclear substances, narcotic drugs, psychotropic substances, endangered species, hazardous goods and other prohibited, regulated or controlled goods, constitutes a danger to public health and to society;

RECOGNIZING the need for international cooperation in matters related to the administration and enforcement of the Customs laws;

CONVINCED that action against Customs offences can be made more effective by cooperation between their Customs authorities;

HAVING REGARD to the relevant instruments of the Customs Cooperation Council, now known as the World Customs Organization, in particular the Recommendation of the Council on Mutual Administrative Assistance of December 5, 1953;

HAVING REGARD ALSO to international conventions of which both Parties are members, which set out prohibitions, restrictions and measures of control in respect of specific goods;

HAVE AGREED as follows:

ARTICLE 1

Definitions

For the purposes of this Agreement:

1. “**Criminal**” shall mean, in relation to a Customs offence, an offence that may result in punishment enforceable by fine, imprisonment or both.
2. “**Customs authority**” shall mean, for the Government of Canada, the Canada Border Services Agency; for the State of Israel, the Customs Directorate of the Israel Tax Authority of the Ministry of Finance; or any other governmental administration designated by a Party to the other Party as responsible for administering Customs laws;
3. “**Customs laws**” shall mean such laws and regulations in force in the respective territories of the Parties concerning the importation, exportation, and transit of goods, as they relate, *inter alia*, to customs duties, charges and other taxes or to prohibitions, restrictions and other controls in respect of the movement of goods across national boundaries;
4. “**Customs offence**” shall mean any violation or attempted violation of the Customs laws;
5. “**information**” shall mean any data, whether or not processed or analyzed, and reports, records and other communications, in any format, including electronic format, as well as certified or authenticated copies of those documents and other documentation;

6. **“person”** shall mean a natural person or a legal entity;
7. **“personal data”** shall mean data concerning an identified or identifiable natural person;
8. **“requesting Customs authority”** shall mean the Customs authority that makes a request for assistance under this Agreement;
9. **“requested Customs authority”** shall mean the Customs authority that receives a request for assistance under this Agreement;
10. **“requesting Party”** shall mean the Party whose Customs authority requests assistance;
11. **“requested Party”** shall mean the Party whose Customs authority is requested to provide assistance.

ARTICLE 2

Scope of the Agreement

1. The Parties shall, through their Customs authorities, provide mutual administrative assistance, under the terms set out in this Agreement, in order to ensure the proper application of Customs laws and to prevent, investigate, prosecute and combat Customs offences.
2. The Parties shall provide assistance under this Agreement in accordance with their domestic law and administrative provisions, within the limits of their Customs authorities' competence and available resources.
3. The provisions of this Agreement are solely intended to provide for mutual assistance in customs matters between the Parties. They do not in any way confer a right on any person to obtain, suppress or exclude evidence, or to impede the execution of a request.