



BILL S-211: UPDATED GUIDANCE RELATING TO THE APPLICATION OF THE ACT.

As mentioned in our [prior publication](#), Bill S-211, *An Act to enact the Fighting Against Forced Labour and Child Labour in Supply Chains Act and to amend the Customs Tariff*, (the “Act”) requires certain private-sector entities to submit an annual report to the Minister of Public Safety each year. The report must detail the steps taken during the previous financial year to prevent and reduce the risk that forced labour or child labour is used by them or in their supply chains.

Public Safety Canada has updated its reporting guidance with respect to format and length, publishing requirements on the entity’s website, how to submit in both official languages, how financial statements should be assessed for subsidiaries and parent companies, and activities that create reporting obligations.

MONTRÉAL

1981 McGill College
Montréal QC H3A 0G6
514.934.3400

TORONTO

181 Bay St., #3510
Bay Wellington Tower
Toronto ON M5J 2T3
416.488.2345

CHICAGO

200 South Wacker, #3100
Chicago IL 60606
312.828.0800

ACTIVITIES THAT CREATE REPORTING OBLIGATIONS

The most important change in the guidance relates to the activities that create reporting obligations.

According to the prior version of the guidance, the reporting requirements applied to entities that have activities listed in section 9 of the Act, which include selling and distributing goods in Canada or elsewhere. The new updated guidance indicates now that reporting requirements are only for entities producing goods in Canada or elsewhere, or importing goods produced outside Canada. Reporting requirements are also for entities controlling other entities engaged in these activities.

If a corporation or a trust, partnership or other unincorporated organization is not involved in any of the prescribed activities, Public Safety Canada indicates that it does not need to report, even if it meets the definition of entity.

You can review the [guidance on the ministry's Website](#).

We want to remind you that the first report will be due May 31, 2024, and failure to file could result in fines up to \$250,000 for the entity or for any of its officers or directors.

GUIDING YOU TOWARDS COMPLIANCE

Ensuring compliance for your business will take time and resources. Richter can support you by providing a well thought-through and customized approach to meet your reporting requirements and ensure your business complies. Richter stays abreast of any amendments to the Act and accordingly advises clients that may be impacted by such changes. Our team can assist in completing the report and questionnaire, amongst various other services that cater to your business and needs. Richter can also support you to develop a roadmap to improve your processes to ensure that you adequately manage the risks of forced labour and child labour in your supply chain. We invite you to reach out to your Richter partner and/or our dedicated experts mentioned below.

Learn more about how [Bill S-211 may impact your business in our first publication](#).

MASSIMO CECERE
CPA, CRMA
PARTNER
RISK, PERFORMANCE AND
TECHNOLOGY ADVISORY DIVISION
T 514.934.8636
mcecere@richter.ca

STÉPHANE MARCASSA
LL.B., D.E.S.S., FISC.
PARTNER
TAX
T 514.934.3412
smarcassa@richter.ca