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U.S. Subsidiaries In Canada Subject To Sanctions Upon Obeying U.S. Prohibition Of Trade With Cuba

by Erika Harding
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On Oct. 9, Canadian External Affairs Minister Barbara McDougall and Justice Minister Kim Campbell announced that US subsidiaries face fines or imprisonment if they obey a proposed US law that would impose penalties for trade with Cuba. Trade with the island has been a source of conflict in Canada-US relations for three decades. The Canadian federal blocking order carries a fine of up to US$8,500 or five years in prison for non-compliance. If President George Bush signs the National Defense Authorization Act passed by Congress earlier in the week, executives of a US subsidiary based in Canada could be punished under Canadian law for obeying US law. Campbell said, "This order is intended to protect the primacy of Canadian trade law and policy...If left unchallenged, the measure passed by Congress...would be an intrusion of US law into Canada and could adversely affect significant Canadian interests." The order is being invoked under authority of the Foreign Extraterritorial Measures Act, approved by Parliament in 1984 to counter the adverse effects of foreign countries trying to apply their laws to Canada's international trade. (Source: Associated Press, 10/09/92)

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