

TEN TIPS FOR BETTER BORDER BUSINESS

A primer designed to help Canadian business people understand the legal and practical basics of crossing the USA border to take advantage of the world's largest and most responsive market.

1. **ESTABLISH** a USA business "presence". Most American businesses and consumers love to buy foreign goods and services. However, they much prefer to deal with suppliers who can communicate and deliver on "domestic" terms. By having a USA mailing and delivery address, and a USA phone and fax, you are significantly positioned with a strong edge on your USA-based competitors.
2. **LEARN** the tax benefits of forming the correct corporate structure for your USA business. There are adverse tax ramifications for Canadians who choose Limited Liability Company (LLC) status instead of a Corporation when operating a USA entity.
3. **KNOW** your advisor's credentials. Make sure your immigration advisor is a licensed USA attorney. USA law bars immigration consultants and foreign attorneys from presenting your case to USA immigration authorities.
4. **ACQUIRE** a NEXUS pass for pre-approved cross-border travel. Use these dedicated lanes to avoid unpredictable border lineups, thus maximizing your time for business.
5. **REALIZE** the benefits of a properly structured corporation. There are significant hazards to the "Do It Yourself" approach. Long term, it is well worth investing in experienced legal counsel and accounting/tax advisor.
6. **RESPECT** the job of USA border officials. The USA is very pro-business and pro-trade. Most border officials are anxious to help business travelers, but they must be alert for security and compliance issues. Help them do their difficult job by being prepared, honest and courteous.
7. **PLAN AHEAD**. The lucrative USA market attracts many Canadian entrepreneurs bidding on USA projects. However, it may be challenging to find qualified tradespersons for projects in certain areas of the USA. Research before you bid!
8. **AVOID** denial of entry or loss of work permits or visas. Unless you are a U.S. citizen or have a "green card", your USA travel/work authorization could be revoked or denied if you fail to observe limitations to lawful activities you may undertake in the USA. This applies to *any* business border crossing. Know these limitations and follow them!
9. **WAREHOUSE AND DISTRIBUTE** from the USA. Your USA warehouse may be real or virtual, but either way it will pay dividends in cost savings, response, certainty, and control. Plan ahead to anticipate storage of trade show booths, USA purchase of collateral materials, and for returns and repairs. Avoid headaches by shipping your products, literature and other material directly through your nearest USA port of entry.
10. **DON'T ASSUME** that business practices in Canada apply to the USA. And, **DON'T ASSUME** you know how to get people or goods through the border. Though it seems logical, it isn't necessarily true. Do your research!

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