

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

L/3252/Add.1
6 June 1970

Limited Distribution

Original: French

GREECE - ANTI-DUMPING LEGISLATION

Addendum

The secretariat has received from the permanent delegation of Greece the text of the Royal Decree of 6 May 1955 concerning procedures for the application and refund of anti-dumping and countervailing duties and the functioning of the relevant Advisory Committee.

The Greek delegation has explained that this Decree, which had been issued in pursuance of the former Act (No. 2755/54) on the application of anti-dumping and countervailing duties is still in force in conformity with the provisions of Article 9, paragraph 2 of the Act now in force, No. 4056/1960, as amended and supplemented by Legislative Decree No. 4418/1964, the text of which has already been communicated to the secretariat (document L/3252). In fact, as the decrees provided for in paragraph 1 of that Article have not yet been promulgated, the Decree of 6 May 1955 remains in force.

ROYAL DECREE NO. 6/4/1955

Concerning Procedures for the Application and Refund of Anti-Dumping and Countervailing Duties and for the Functioning of the Relevant Advisory Committee

WE PAUL

KING OF THE HELLENES

Having regard to Article 5 of Act No. 2775/1954 "concerning the application of anti-dumping and countervailing duties", acting upon a proposal by our Minister of Finance.

Resolve and decree as follows:

Article 1

1. In order to ascertain that all the conditions for the application of anti-dumping or countervailing duties are met, and to determine the margin of dumping, or the amount of the subsidy or bounty granted in the country of origin or export in respect

of any product imported into Greece, the Committee provided for in Article 5, paragraph 1 of Act No. 2775/1954 shall give an opinion only after having received requests and examined the information contained in such requests.

2. The opinion given by the above-mentioned Committee shall mention the following:

- (a) that in the particular case the conditions for the application of an anti-dumping or countervailing duty are duly met;
- (b) the margin of dumping or the amount of the subsidy or bounty granted in the country of origin or export;
- (c) the anti-dumping or countervailing duty which it is proposed to apply, and which shall be equivalent to the margin of dumping or to the amount of the subsidy or bounty granted;
- (d) the country or countries of origin or export of the goods in respect of which it is proposed to apply an anti-dumping or countervailing duty.

3. In each concrete case of dumping, or of a bounty or subsidy granted directly or indirectly, the Committee referred to above shall give its opinion after examining the true circumstances of the case on the basis of certificates issued by the competent authorities in the country or abroad, by Chambers of Commerce, Trade Exchanges or other similar organizations.

Article 2

The anti-dumping or countervailing duties provided for in the preceding Article shall be applied in pursuance of a Decision by the Minister of Finance, published in the Official Gazette, and shall be collected together with the customs duties, and the customs declaration shall mention the reference number of the said Decision and the number of the Official Gazette in which it was published.

Article 3

1. In the event that there is unmistakable evidence of dumping, or of a subsidy or bounty being granted, the Minister of Finance may determine, pending the final decision provided for in the preceding Article, and after the above-mentioned Committee has given its opinion which shall be published in the Official Gazette, that the product which is the subject of dumping, or in respect of which a production or export subsidy or bounty is granted in the country of origin or export, may be cleared through customs on the basis of a security in cash produced by the importer, in an amount covering, but not exceeding, according to the unmistakable evidence, the margin of dumping, or subsidy or bounty.

2. The final decision by the Minister of Finance determining the amount of anti-dumping or countervailing duty finally to be levied shall be made and published not later than six months after the date of publication of the ministerial Decision mentioned in the preceding paragraph.

The amount of duty fixed by this Decision shall be equivalent to the margin of dumping or to the amount of the subsidy or bounty granted, as the case may be.

3. The security provided for in paragraph 1 in respect of the amount of the anti-dumping or countervailing duty finally to be levied shall be charged by the competent customs authorities upon publication of said Decision.

Article 4

The anti-dumping or countervailing duties applied in pursuance of Articles 1 and 2 of the present Royal Decree shall be rescinded by Decisions by the Minister of Finance, duly published in the Official Gazette and issued on the basis of the opinion of the Committee provided for in Article 5, paragraph 1 of Act No. 2775/1954, if the reasons for their application no longer exist.

Article 5

1. The quorum of the above-mentioned Committee shall consist of five of its members, four of whom shall be public officials.
2. The minutes of the meetings of the Committee shall be kept by a secretary who shall be present at the meetings and shall be appointed by the Minister of Finance.
3. The opinions of the Committee shall be adopted by a majority of the members present, mention being made in every case of the minority opinion, if any.

Athens, 6 April 1955

PAUL B.

The Minister of Finance
L. Eftaxias