

# GENERAL AGREEMENT ON

RESTRICTED

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## TARIFFS AND TRADE

Special Distribution

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Committee on Anti-Dumping Practices

Original: English

### QUESTIONS SUBMITTED BY AUSTRALIA ON THE LEGISLATION OF YUGOSLAVIA

(ADP/1/Add.30)

#### Law on Foreign Trade Transactions - Article 75

##### Paragraph 6

Why does the paragraph refer to "retarding the development of a branch of a domestic industry" rather than adopting wording like that in Article VI:1 of the GATT: "... materially retards the establishment of a domestic industry"?

##### Paragraph 7

Why is there no provision (along the lines of Article 9:2 of the Anti-Dumping Code) requiring a review of the need for the continued imposition of anti-dumping duties where an interested party requests it and submits positive information substantiating the need for review?

##### Paragraph 8

If producers bringing a request to levy anti-dumping duties only accounted for a minor proportion of domestic production would the chamber of economy refuse to consider the request unless it had sufficient (U/L 1) evidence of dumping which caused "injury" (within the meaning of that term in Article VI of the GATT as interpreted by the Anti-Dumping Code?).

##### Paragraph 10

Apart from an anti-dumping duty being imposed in a manner inconsistent with the terms of paragraph 5, on what basis could the imposition of such a duty be challenged? Would it include 'inconsistency with "the relevant international agreement" mentioned in Article 4 or failure to conduct the investigation in accordance with paragraphs 9 and 12?

##### Paragraph 11

What does the term "the effect" mean?

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Could that term be construed in the light of paragraph 4 to mean "the material injury or threat of material injury to an established industry" and "the material retardation of the establishment of an industry"?

What does the term "certain goods" mean?

Paragraph 12

Is the reference to "the federal law" a reference to the specific Federal Law adopting the Anti-Dumping Code?

Are the Federal Law and its regulations consistent with the Anti-Dumping Code and will they remain so?

What is the legal situation if the implementation of the Article is carried out in accordance with paragraph 12 but not in conformity with "the relevant international agreement" referred to in paragraph 4?