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1 ARTICLE 25

1.1 Text of Article 25

Article 25

Notifications

25.1 Members agree that, without prejudice to the provisions of paragraph 1 of Article XVI of GATT 1994, their notifications of subsidies shall be submitted not later than 30 June of each year and shall conform to the provisions of paragraphs 2 through 6.

25.2 Members shall notify any subsidy as defined in paragraph 1 of Article 1, which is specific within the meaning of Article 2, granted or maintained within their territories.

25.3 The content of notifications should be sufficiently specific to enable other Members to evaluate the trade effects and to understand the operation of notified subsidy programmes. In this connection, and without prejudice to the contents and form of the questionnaire on subsidies⁵⁴, Members shall ensure that their notifications contain the following information:

(footnote original) ⁵⁴ The Committee shall establish a Working Party to review the contents and form of the questionnaire as contained in BISD 9S/193-194.

- (i) form of a subsidy (i.e. grant, loan, tax concession, etc.);
- (ii) subsidy per unit or, in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy (indicating, if possible, the average subsidy per unit in the previous year);
- (iii) policy objective and/or purpose of a subsidy;
- (iv) duration of a subsidy and/or any other time-limits attached to it;
- (v) statistical data permitting an assessment of the trade effects of a subsidy.

25.4 Where specific points in paragraph 3 have not been addressed in a notification, an explanation shall be provided in the notification itself.

25.5 If subsidies are granted to specific products or sectors, the notifications should be organized by product or sector.

25.6 Members which consider that there are no measures in their territories requiring notification under paragraph 1 of Article XVI of GATT 1994 and this Agreement shall so inform the Secretariat in writing.

25.7 Members recognize that notification of a measure does not prejudice either its legal status under GATT 1994 and this Agreement, the effects under this Agreement, or the nature of the measure itself.

25.8 Any Member may, at any time, make a written request for information on the nature and extent of any subsidy granted or maintained by another Member (including any subsidy referred to in Part IV), or for an explanation of the reasons for which a specific measure has been considered as not subject to the requirement of notification.

25.9 Members so requested shall provide such information as quickly as possible and in a comprehensive manner, and shall be ready, upon request, to provide additional information to the requesting Member. In particular, they shall provide sufficient details to enable the other Member to assess their compliance with the terms of this Agreement. Any Member which considers that such information has not been provided may bring the matter to the attention of the Committee.

25.10 Any Member which considers that any measure of another Member having the effects of a subsidy has not been notified in accordance with the provisions of paragraph 1 of Article XVI of GATT 1994 and this Article may bring the matter to the attention of such other Member. If the alleged subsidy is not thereafter notified promptly, such Member may itself bring the alleged subsidy in question to the notice of the Committee.

25.11 Members shall report without delay to the Committee all preliminary or final actions taken with respect to countervailing duties. Such reports shall be available in the Secretariat for inspection by other Members. Members shall also submit, on a semi-annual basis, reports on any countervailing duty actions taken within the preceding six months. The semi-annual reports shall be submitted on an agreed standard form.

25.12 Each Member shall notify the Committee (a) which of its authorities are competent to initiate and conduct investigations referred to in Article 11 and (b) its domestic procedures governing the initiation and conduct of such investigations.

1.2 Articles 25.1-25.7: Subsidy notifications

1.2.1 Questionnaire format for subsidy notifications

1. At its meeting of 28 October and 1 and 8 December 2003, the SCM Committee adopted a revised Questionnaire Format for Subsidy Notifications under Article 25 of the SCM Agreement and under Article XVI of the GATT 1994¹, which consists of general rules relating to the notifications and information to be provided in the notifications.

1.2.2 Periodicity of submission and review of subsidy notifications

2. At its meeting on 8 May 2003, the Committee took note of the Chair's statement concerning Members' views that their resources would be best utilized by giving maximum priority to submitting new and full subsidy notifications every two years and by de-emphasizing the review of

¹ [G/SCM/M/48](#), item O. The text of the Questionnaire can be found in [G/SCM/6/Rev.1](#).

updating notifications in the intervening years.² This was a continuation of the situation described in the Chair's statement of 31 May 2001, of which the Committee had previously taken note.³

1.2.3 Written procedure

3. In April 2005, the Committee adopted a procedure for the review of the 2005 new and full subsidy notifications pursuant to Article 25.1.⁴ This procedure provides that the review of new and full notifications will be held on the basis of a written procedure, i.e. on the basis of written questions and written answers provided before the meeting, so as to avoid the repetition of lengthy questions and answers in the meeting. It sets out timeframes for that purpose. The procedure has been followed in subsequent years.⁵

1.2.4 Overview of subsidy notifications

4. Several Members have submitted new and full subsidy notifications pursuant to Article 25.1.⁶ A Secretariat note of 1 May 2020 provides the status of subsidy notifications by WTO Members as well as a list of all such notifications, covering the period between 1995 and 2019.⁷

1.3 Article 25.8: Requests for information

5. Requests by Members for information on the nature and extent of any subsidy granted or maintained by another Member can be found in the document series [G/SCM/Q2/*](#), as can answers to information requests, where such have been provided. In a Secretariat note of 1 May 2020, all information requests received at that date are listed.⁸

1.4 Article 25.10: Requests for notification of alleged subsidies

6. Requests by Members for notification of alleged subsidies which have not been notified can be found in the document series [G/SCM/Q2/*](#). In a Secretariat note of 1 May 2020, all notification requests received at that date are listed.⁹

1.5 Article 25.11: Countervailing duty notifications

1.5.1 Reports on all preliminary or final countervailing actions

7. At its meeting of 13 June 1995, the SCM Committee adopted the requirements for the minimum information to be provided under Article 25.11 in the reports on all preliminary or final countervailing actions.¹⁰

8. In 2009 the Committee revised the guidelines for the minimum information to be provided under Article 25.11.¹¹

² [G/SCM/M/46](#), item R.4.

³ [G/SCM/M/30](#), paras. 6-7.

⁴ [G/SCM/117](#).

⁵ See, for the 2007 new and full subsidy notifications, [G/L/840](#), para. 6; for the 2009 new and full subsidy notifications, [G/L/906](#), para. 7; for the 2011 new and full subsidy notifications, [G/L/970](#), para. 7; for the 2013 new and full subsidy notifications, [G/L/1052](#), para. 9; for the 2015 new and full subsidy notifications, [G/L/1133](#), para. 9; for the 2017 new and full subsidy notifications, [G/L/1195](#), para. 8; and for the 2019 new and full subsidy notifications, [G/L/1341](#), para. 9.

⁶ These notifications can be found in the document series [G/SCM/N/343/*](#) for 2019; [G/SCM/N/315*](#) for 2017; [G/SCM/N/284/*](#) for 2015; [G/SCM/N/253/*](#) for 2013; [G/SCM/N/220/*](#) for 2011; [G/SCM/N/186/*](#) for 2009; [G/SCM/N/155/*](#) for 2007; [G/SCM/N/123/*](#) for 2005; [G/SCM/N/95/*](#) for 2003; [G/SCM/N/71/*](#) for 2001; [G/SCM/N/38/*](#) for 1998; and [G/SCM/N/3/*](#) for 1995. Updating notifications can be found in the documents series [G/SCM/N/60/*](#) for 2000; [G/SCM/N/48/*](#) for 1999; [G/SCM/N/25/*](#) for 1997; [G/SCM/N/16/*](#) for 1996.

⁷ [G/SCM/W/546/Rev.11](#), Annex B.

⁸ [G/SCM/W/546/Rev.11](#), Annex C.

⁹ [G/SCM/W/546/Rev.11](#), Annex D.

¹⁰ [G/SCM/3](#).

¹¹ [G/SCM/3/Rev.1](#).

1.5.2 Semi-annual reports

9. At its meeting of 13 June 1995, the SCM Committee issued guidelines for information to be provided in the semi-annual reports.¹²

10. In 2009, the SCM Committee adopted a revised format for semi-annual reports made pursuant to Article 25.11.¹³

11. A Secretariat note of 29 March 2018 provides a table with a summary of semi-annual reports of countervailing duty actions between 1 January 1995 and 31 December 2017.¹⁴

1.6 Article 25.12: Notification of authorities and procedures for initiation of countervailing duty investigations

12. 76 Members have notified the Committee of authorities competent to initiate and conduct countervailing duty investigations, as well as domestic procedures governing the initiation and conduct of such investigations.¹⁵ These notifications are circulated in document [G/SCM/N/18](#) and addenda.¹⁶

1.7 "One-time" notifications under Articles 25.11 and 25.12

13. In 2009, the SCM Committee adopted a format for so-called "one-time" notifications, to be used when a Member has not established an authority competent to initiate and conduct an investigation within the meaning of Article 25.12 and thus has not, to date, taken any countervailing actions within the meaning of Article 25.11 of the Agreement and does not anticipate taking any countervailing actions for the foreseeable future.¹⁷

¹² [G/SCM/2](#).

¹³ [G/SCM/2/Rev.1](#). The new notification formats were circulated in document [G/SCM/W/549](#) dated 12 October 2009.

¹⁴ [G/SCM/W/546/Rev.11](#), Annex E. All semi-annual reports made pursuant to Article 25.11 can be found in the document series [G/SCM/N/356/*](#) for the second half of 2019; [G/SCM/N/349/*](#) for the first half of 2019; [G/SCM/N/342/*](#) for the second half of 2018; [G/SCM/N/334/*](#) for the first half of 2018; [G/SCM/N/328/*](#) for the second half of 2017; [G/SCM/N/321/*](#) for the first half of 2017; [G/SCM/N/313/*](#) for the second half of 2016; [G/SCM/N/305/*](#) for the first half of 2016; [G/SCM/N/298/*](#) for the second half of 2015; [G/SCM/N/289/*](#) for the first half of 2015; [G/SCM/N/281/*](#) for the second half of 2014; [G/SCM/N/274/*](#) for the first half of 2014; [G/SCM/N/267/*](#) for the second half of 2013; [G/SCM/N/259/*](#) for the first half of 2013; [G/SCM/N/250/*](#) for the second half of 2012; [G/SCM/N/242/*](#) for the first half of 2012; [G/SCM/N/235/*](#) for the second half of 2011; [G/SCM/N/228/*](#) for the first half of 2011; [G/SCM/N/219/*](#) for the second half of 2010; [G/SCM/N/212/*](#) for the first half of 2010; [G/SCM/N/203/*](#) for the second half of 2009; [G/SCM/N/195/*](#) for the first half of 2009; [G/SCM/N/185/*](#) for the second half of 2008; [G/SCM/N/178/*](#) for the first half of 2008; [G/SCM/N/170/*](#) for the second half of 2007; [G/SCM/N/162/*](#) for the first half of 2007; [G/SCM/N/153/*](#) for the second half of 2006; [G/SCM/N/144/*](#) for the first half of 2006; [G/SCM/N/138/*](#) for the second half of 2005; [G/SCM/N/130/*](#) for the first half of 2005; [G/SCM/N/122/*](#) for the second half of 2004; [G/SCM/N/113/*](#) for the first half of 2004; [G/SCM/N/106/*](#) for the second half of 2003; [G/SCM/N/98/*](#) for the first half of 2003; [G/SCM/N/93/*](#) for the second half of 2002; [G/SCM/N/87/*](#) for the first half of 2002; [G/SCM/N/81/*](#) for the second half of 2001; [G/SCM/N/75/*](#) for the first half of 2001; [G/SCM/N/68/*](#) for the second half of 2000; [G/SCM/N/62/*](#) for the first half of 2000; [G/SCM/N/56/*](#) for the second half of 1999; [G/SCM/N/52/*](#) for the first half of 1999; [G/SCM/N/47/*](#) for the second half of 1998; [G/SCM/N/40/*](#) for the first half of 1998; [G/SCM/N/35/*](#) for the second half of 1997; [G/SCM/N/30/*](#) for the first half of 1997; [G/SCM/N/23/*](#) for the second half of 1996; [G/SCM/N/19/*](#) for the first half of 1996; [G/SCM/N/12/*](#) for the second half of 1995; [G/SCM/N/7/*](#) for the first half of 1995.

¹⁵ These 76 Members consist of: Albania; Angola; Argentina; Armenia; Australia; Bahrain, Kingdom of; Bangladesh; Bolivia, Plurinational State of; Botswana; Brazil; Canada; Chile; China; Colombia; Costa Rica; Dominican Republic; Ecuador; Egypt; El Salvador; Eswatini; European Union; Fiji; Ghana; Guatemala; Honduras; Iceland; India; Indonesia; Israel; Jamaica; Japan; Jordan; Kazakhstan; Korea, Rep. of; Kuwait, the State of; Kyrgyz Republic; Lesotho; Madagascar; Malaysia; Mexico; Moldova, Rep. of; Montenegro; Morocco; Namibia; New Zealand; Nicaragua; Nigeria; North Macedonia; Norway; Oman; Pakistan; Panama; Paraguay; Peru; Philippines; Qatar; Russian Federation; Saint Vincent and the Grenadines; Samoa; Saudi Arabia; Singapore; South Africa; Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu; Thailand; Trinidad and Tobago; Tunisia; Turkey; Uganda; Ukraine; United Arab Emirates; United Kingdom; United States; Uruguay; Venezuela, Bolivarian Republic of; Viet Nam; Zimbabwe.

¹⁶ See also [G/SCM/W/546/Rev.11](#), Annex G.

¹⁷ [G/SCM/129](#).

14. As of 1 July 2020, 41 Members have submitted "one-time" notifications.¹⁸ These notifications can be found in the documents series [G/SCM/N/202/*](#).¹⁹

1.8 Timeliness and completeness of notifications

15. As part of the Committee's efforts, pursuant to a 2009 request from the Chairperson of the Trade Policy Review Body on "ways to improve the timeliness and completeness of notifications and other information flows on trade measures", at the request of the Committee Chairperson the Secretariat regularly updates and circulates document [G/SCM/W/546](#), which provides information on the state of compliance with various notification obligations under the SCM Agreement, including those under Article 25.²⁰

1. The Committee continues discussions on this matter, most recently at its regular meetings on 30 April and 19 November 2019.²¹ At those meetings, the Committee also continued to discuss a "Proposed Procedure for Submission of Questions and Answers under Articles 25.8 and 25.9 of the SCM Agreement", submitted by the United States.²²

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Current as of: July 2020

¹⁸ These 41 Members consist of: Afghanistan; Barbados; Belize; Benin; Burkina Faso; Burundi; Cameroon; Congo; Côte d'Ivoire; Cuba; Dominica; Gabon; The Gambia; Georgia; Guinea; Guyana; Haiti; Hong Kong, China; Kenya; Lao People's Democratic Republic; Liechtenstein; Macao, China; Malawi; Maldives; Mali; Mauritius; Mongolia; Mozambique; Myanmar; Nepal; Papua New Guinea; Saint Kitts and Nevis; Saint Lucia; Senegal; Sierra Leone; Sri Lanka; Suriname; Switzerland; Uganda; Vanuatu; and Zambia.

¹⁹ See also [G/SCM/W/546/Rev.11](#), Annex F.

²⁰ See, most recently, [G/SCM/W/546/Rev.11](#), dated 1 May 2020.

²¹ [G/SCM/M/109](#), paras. 85-127; and [G/SCM/M/111](#), paras. 47-83.

²² [G/SCM/W/557/Rev.3](#), dated 26 October 2018.