

ILLUSTRATIVE MOCK EXAMPLES

ILLUSTRATIVE¹ MOCK EXAMPLES OF NOTIFICATIONS UNDER ARTICLE 18.5

Case 1: Your country has no anti-dumping laws and/or regulations.²

A simple letter stating this fact is sufficient.

EXAMPLE:

"With reference to Article 18.5 of the Agreement on Implementation of Article VI of the GATT 1994, the Government of [name of Member] notifies the Committee on Anti-Dumping Practices that it has no laws and/or regulations relevant to the Agreement."

Case 2: No specific anti-dumping laws and/or regulations are in existence in your country, BUT the Agreement is (a) incorporated into national law, or (b) has force of law.

The notification should state either (a) or (b), and in the case that (a) applies, should be accompanied by a copy of the domestic legal instrument (in English, French or Spanish) incorporating the Agreement into national law, if such exists.

EXAMPLES:

"With reference to Article 18.5 of the Agreement on Implementation of Article VI of the GATT 1994, the Government of [name of Member] notifies the Committee on Anti-Dumping Practices that it has no laws and/or regulations relevant to the Agreement. The Agreement was incorporated in national law by Act Number ___ of [date], published in the Official Gazette on [date]. A copy of that Act is enclosed."

"With reference to Article 18.5 of the Agreement on Implementation of Article VI of the GATT 1994, the Government of [name of Member] notifies the Committee on Anti-Dumping Practices that it has no laws and/or regulations relevant to the Agreement. The Agreement is applied with force of law in [name of Member]".

Case 3: No anti-dumping laws and/or regulations are in existence, BUT the Member is in the process of developing such laws and/or regulations.

The notification should state this fact and should state an estimated date when such laws and/or regulations will take effect and will be notified to the Committee.

EXAMPLE:

"With reference to Article 18.5 of the Agreement on Implementation of Article VI of the GATT 1994, the Government of [name of Member] notifies the Committee on Anti-Dumping Practices that it has no laws and/or regulations relevant to the Agreement. Such laws and/or regulations are currently being drafted and enactment is expected in [month, year], at which time a translation into a WTO language will be prepared and the law will be notified to the Committee."

¹ Please note that this is an illustrative non-exhaustive list of mock examples. Other situations may exist and in case of doubt, Members/Observer governments are requested to contact the Secretary of the ADP Committee.

² The fact that no-anti-dumping laws or regulations are in existence at the time the notification is made does not mean that such legislation cannot be introduced in future and in no way circumscribes the Member's right to develop such legislation.

Case 4: Yes, there are currently anti-dumping laws and/or regulations in existence.

The Member should submit to the Committee, (in English, French, or Spanish) the *full text(s)* of the laws and/or regulations, regardless of the date of enactment of such laws and/or regulations.

EXAMPLE:

"With reference to Article 18.5 of the Agreement on the Implementation of Article VI of the GATT 1994, the Government of [name of Member] submits the enclosed laws and/or regulations relevant to the Agreement".

Case 5: Yes, there are currently anti-dumping laws and/or regulations in existence, BUT the text of the laws and/or regulations is in a language other than English, French, or Spanish.

The Member should translate the text into English, French, or Spanish and submit the full translated text to the Committee. *In the meantime*, a letter stating the existence of such laws and/or regulations, and the date on which the Committee can expect to receive the translated text, should be sent to the Committee.

EXAMPLE:

"With reference to Article 18.5 of the Agreement on Implementation of Article VI of the GATT 1994, the Government of [name of Member] notifies the Committee on Anti-Dumping Practices that it has laws and/or regulations relevant to the Agreement. Such laws and/or regulations are currently being translated into [English][French][Spanish], and it is anticipated that the full text will be notified to the Committee in [month, year]."

Case 6: Yes, there are currently anti-dumping laws and/or regulations in existence, BUT new laws and/or regulations are being drafted.

The Member should submit to the Committee, (in English, French, or Spanish) the *full text(s)* of the currently existing laws and/or regulations *regardless* of the date of enactment of such laws and/or regulations. In addition, a letter stating the fact that new laws and/or regulations are being drafted and stating an estimated date when such laws and/or regulations will take effect and will be notified to the Committee, should be sent to the Committee.

EXAMPLE:

"With reference to Article 18.5 of the Agreement on Implementation of Article VI of the GATT 1994, the Government of [name of Member] submits the enclosed laws and/or regulations relevant to the Agreement. In addition, the Government of [name of Member] wishes to inform the Committee that new laws and/or regulations are currently being drafted. Enactment is expected in [month, year], at which time a translation into a WTO language will be prepared and the law will be notified to the Committee."