

DISCLAIMER

The Handbook on Notification Requirements does not constitute a legal interpretation of the notification obligations under the respective Agreement(s) or relevant legal provision(s). It has been prepared by the Secretariat to assist Members in complying with their notification obligations.

TECHNICAL COOPERATION HANDBOOK ON NOTIFICATION REQUIREMENTS

AGREEMENT ON THE
IMPLEMENTATION OF
ARTICLE VI OF THE GATT 1994

This section of the Handbook on Notification Requirements covers the notification obligations under the **AGREEMENT ON THE IMPLEMENTATION OF ARTICLE VI OF THE GATT 1994**. It consists of the following five parts:

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TEXT OF THE
AGREEMENT

For Members which acceded pursuant to Article XII of the Marrakesh Agreement, their respective Protocols of Accession may contain notification obligations in addition to those set out in the WTO Agreements, and may govern the deadlines for the submission of their initial notifications.

PART 1

OVERVIEW OF NOTIFICATION REQUIREMENTS

INTRODUCTION

In very general terms, dumping is the sale of a product in the territory of an importing country at less than the price for which that product is sold in domestic market of the exporting country. Article VI of GATT allows Members to impose anti-dumping duties in cases where there are dumped imports, injury to the industry in the importing country, and a causal link between the two.

Under the WTO system, the Anti-Dumping Agreement governs the imposition by Members of anti-dumping duties on products imported from another Member. The Agreement contains detailed procedural and substantive requirements concerning the initiation and conduct of investigations to determine whether imports are dumped, whether there is injury to the domestic industry in the importing Member, and whether there is a causal link.

Although Members are not required to have anti-dumping legislation, the Agreement specifies that anti-dumping measures may only be applied pursuant to investigations initiated and conducted in accordance with the Agreement. The Agreement contains the basic rules for such investigations but is not itself sufficient to govern all aspects of an investigation. Therefore, a Member that foresees the need to impose anti-dumping duties is likely to find it necessary to enact additional legislation or regulations in order to carry out investigations in accordance with the provisions of the Agreement.

The Agreement requires that all Members ensure the conformity of their laws in the anti-dumping area with the provisions of the Agreement.

WHAT MUST BE NOTIFIED?

Notifications of Anti-Dumping legislation and/or regulations.

[Article 18.5](#) of the AD Agreement requires Members to notify their domestic laws and/or regulations relating to anti-dumping to the Anti-Dumping Practices Committee (ADP Committee). These notifications are in the form of the full texts of the relevant laws and/or regulations in English or French or Spanish. Any modification to the laws, regulations or administrative procedures must be notified promptly. Members that have no anti-dumping

laws or regulations should notify that fact by providing a nil notification. If a Member is unable to notify the text of existing legislation, it should submit an explanation of why such legislation is not notified. ([G/ADP/1](#) & [G/ADP/N/1/Suppl.1](#)).

Notifications of Competent Authorities.

[Article 16.5](#) requires Members to notify to the ADP Committee which of its authorities are competent to initiate and conduct anti-dumping investigations. The list of such notifications includes addresses and contact numbers. It is periodically updated and can be found in document [G/ADP/N/14/*](#). The addendum document with the highest number contains the most recent information.

Notifications of Preliminary and Final Actions.

[Article 16.4](#) requires Members to report without delay all preliminary or final anti-dumping actions taken. The notifications often are made by submitting the full text of a Member's public notice regarding the action in English, French or Spanish, but in any event, notifications should contain the minimum information to be provided as adopted by the ADP Committee in document [G/ADP/2/Rev.2](#).

Notifications of Anti-Dumping Actions.

[Article 16.4](#) also requires Members to submit a report of all anti-dumping actions they have taken, as well as a list of all anti-dumping measures in force, twice a year. These reports are normally submitted by mid-February, covering the period 1 July through 31 December of the previous calendar year, and by mid-August, covering the period 1 January through 30 June of the same calendar year. A **format** for these reports, with detailed instructions adopted by the ADP Committee, can be found in document [G/ADP/1/Rev.1](#). Members that have not taken any actions during a covered period and have no ongoing investigations or proceedings or measures in force do not need to use the format but shall instead submit a nil notification (simple two sentences indicating that no actions have been taken during that period; i.e. a nil notification).

PART 1

OVERVIEW OF NOTIFICATION REQUIREMENTS

One-time notification "OTN" (to be submitted only by a specific category of Members as described below).

The Committee adopted on 21 October 2009 a notification format under [Articles 16.4](#) and [16.5](#) of the AD Agreement. This format ([G/ADP/19](#)) provides for a so-called "one-time notification". This format was developed to be used by Members that have not yet established an investigating authority and, accordingly, have not taken any anti-dumping action, as a one-time notification that would remain valid until further notice. Should this situation change, the Member in question should notify the Committee upon the establishment of an authority competent to initiate and conduct investigations and should report, without delay, any anti-dumping actions taken accordingly.

WHICH MEMBERS MUST NOTIFY?

All WTO Members.

With respect to Observer governments, a decision by the Committee in 1995 contained in [G/ADP/N/1/Suppl.1](#) was adopted, and it reads as follows:

"An Observer government shall provide the Committee with any information the Observer government considers relevant to matters within the purview of the Agreement, including the text of its laws and regulations regarding AD duties, and information regarding any AD measures taken by the Observer government. At the request of any Party or the Observer government itself, any matter contained in such information could be brought to the attention of the Committee after governments have been allowed sufficient time to examine the information."

WHEN TO NOTIFY?

In case of legislative notifications.

[Article 18.5](#) ([G/ADP/1](#) & [G/ADP/N/1/Suppl.1](#)), the notification is to be made once, upon entry into force of the WTO Agreement for the notifying Member for existing laws and regulations, and thereafter on an *ad hoc* basis, as and when laws/regulations are established, or changes effected. Please see [illustrative mock examples](#) listing different situations and explaining when/how to notify depending on the situation.

In case of Ad hoc notifications.

[Article 16.4](#), Members are to report **without delay** all preliminary and final anti-dumping actions taken.

In case of Semi-Annual reports.

[Article 16.4](#), twice per year, the **first** should be submitted by **mid-February covering the period July–December of the previous calendar year** (the Secretariat issues a request for the notification in December of a given year and a reminder in January of the subsequent year), while the **second** should be submitted by **mid-August and should cover the period January–June of the same calendar year** (the Secretariat issues a request for the notification in June and a reminder in July of the same year). If no actions were taken during a given reporting period, the Member concerned should submit a simple nil notification whereby the format would not be used. However, if the Member concerned did not have any actions to report during a given reporting period but has pending actions such as ongoing investigations or proceedings during previous reporting periods, or has measures in force, etc., the format should be used to report those.

In case of the establishment of an authority competent to initiate and conduct investigations.

[Article 16.5](#), this should also be notified only once. Any future modifications introduced should also be notified on an ad hoc basis.

OTN.

Under [Articles 16.4](#) and [16.5](#) should be submitted only once by certain Members that fall in the category of Members described in [G/ADP/19](#).

PART 1

OVERVIEW OF NOTIFICATION REQUIREMENTS

HOW TO NOTIFY?¹

As a general matter, it should be noted that pursuant to a Decision adopted by the Committee in 2009 ([G/ADP/20](#)), each Member shall submit all anti-dumping notifications, including the ad hoc reports on all anti-dumping actions and the minimum information format, in an **electronic form**.

In case of legislative notifications.

[Article 18.5](#) ([G/ADP/1](#) & [G/ADP/N/1/Suppl.1](#)), the notification is to be made once, upon entry into force of the WTO Agreement for the notifying Member for existing laws and regulations, and thereafter on an *ad hoc* basis, as and when laws/regulations are established, or changes effected. Please see [illustrative mock examples](#) listing different situations and explaining when/how to notify depending on the situation. **This notification should be sent by email to crn@wto.org with a copy to the Secretary of the ADP Committee. As this document would be formatted by the WTO Secretariat prior to circulation, it should be submitted in a WORD format.**

In case of Ad hoc notifications.

[Article 16.4](#), Members should provide – on an ad hoc basis without delay – the minimum information contained in [G/ADP/2/Rev.2](#). Alternatively, Members working in English, French or Spanish can provide the full text of their public notices regarding the notified action. **This notification should be sent by email to crn@wto.org with a copy to the Secretary of the ADP Committee. As these notifications are not circulated per se, but kept with the Secretariat for inspection by Members, it could be submitted in a WORD or PDF formats. The Secretariat circulates monthly reports reflecting the Members submitting such notifications during a given month, the products subject to the notified action, and the names of the exporting countries.**

¹ All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in document [WT/INF/25/Rev.1](#). Notifications may be submitted through online submission systems, as electronic attachments to emails, by fax or on paper. As it may be practice, a copy of the notification may be sent to the Secretariat unit substantially handling the notification.

In case of Semi-Annual reports.

[Article 16.4](#) – twice per year, by mid-February (reporting period July – December of the preceding calendar year) and mid-August (reporting period January-June of the same calendar year):

In case of actions to report, the format adopted by the Committee and contained in [G/ADP/1/Rev.1](#) shall be used.

In case of no actions to report and no pending actions pertaining to previous periods, a nil notification would suffice, and the format in [G/ADP/1/Rev.1](#) would not be used. Example of nil notification:

"In accordance with [Article 16.4](#) of the Agreement on Implementation of Article VI of the GATT 1994, and in response to the request for semi-annual reports contained in document G/ADP/N/XX, the Government of [name of Member] notifies the Committee on Anti-Dumping Practices that it has taken no anti-dumping actions during the period 1 January – 30 June/1 July through 31 December."

In case of no actions to report during a given reporting period, but the Member concerned has pending actions such as ongoing investigations or proceedings during previous reporting periods, or has measures in force, etc., the format should be used to report those.

All such notifications **should be sent by email to crn@wto.org with a copy to the Secretary of the ADP Committee. As this document would be formatted by the WTO Secretariat prior to circulation, it should be submitted in a WORD format.**

In case of the establishment of an authority competent to initiate and conduct investigations.

[Article 16.5](#), this should also be notified once. A simple email containing the contact details of the newly established authority (name of the Head of the authority, its address, email, website, phone numbers, etc.) would suffice. Any subsequent changes introduced should also be reported – on an ad hoc basis – via email. **This email should be sent to crn@wto.org with a copy to the Secretary of the ADP Committee.**

PART 1

OVERVIEW OF NOTIFICATION REQUIREMENTS

OTN.

Under [Articles 16.4](#) and [16.5](#) should be submitted by certain Members that fall in the category of Members described in [G/ADP/19](#). Members falling in this category should make the notification using the format contained in [G/ADP/19](#) and circulated in the document series [G/ADP/N/193/*](#). This notification is **made only once and remains valid until further notice by the Member concerned**. Submitting such a notification would replace submitting the other notifications under [Articles 16.4](#) and [16.5](#) until such time the circumstances change as described in [G/ADP/19](#). **This notification should be sent by email to crn@wto.org with a copy to the Secretary of the ADP Committee. As this document would be formatted by the WTO Secretariat prior to circulation, it should be submitted in a WORD format.**

PART 2

LISTING OF THE NOTIFICATION OBLIGATIONS

	WHAT MUST BE NOTIFIED?		WHICH MEMBERS MUST NOTIFY?	WHEN TO NOTIFY?		HOW TO NOTIFY?		
	Notification requirements	Type of measure	Members notifying	Periodicity	Comments on Periodicity	Format	To whom ²	Notification Symbol
1.	Agreement on the Implementation of Article VI of the GATT 1994, Article 16.4 (Ad hoc).	Anti-dumping actions (preliminary and final).	All WTO Members	Ad hoc	Ad hoc, without delay.	No (There is no format <i>per se</i> , but a list of minimum information to be notified (G/ADP/2/Rev.2)).	Committee on Anti-Dumping Practices.	G/ADP/N/*
2.	Agreement on the Implementation of Article VI of the GATT 1994, Article 16.4 (Semi-annual).	Anti-dumping actions (taken within the preceding 6 months).	All WTO Members	Regular – Semi-annual	Mid-February (reporting period covering July-December) & Mid-August (reporting period covering January – June).	Yes (G/ADP/1/Rev.1 Format).	Committee on Anti-Dumping Practices.	G/ADP/N/*

² All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in document [WT/INF/25/Rev.1](#). Notifications may be submitted through online submission systems, as electronic attachments to emails, by fax or on paper. As it may be practice, a copy of the notification may be sent to the Secretariat unit substantially handling the notification.

PART 2

LISTING OF THE NOTIFICATION OBLIGATIONS

	WHAT MUST BE NOTIFIED?		WHICH MEMBERS MUST NOTIFY?	WHEN TO NOTIFY?		HOW TO NOTIFY?		
	Notification requirements	Type of measure	Members notifying	Periodicity	Comments on Periodicity	Format	To whom ²	Notification Symbol
3.	Agreement on the Implementation of Article VI of the GATT 1994, Article 16.5 .	Investigating authorities competent to initiate and conduct investigations referred to in Article 16.5, and domestic procedures governing the initiation and conduct of such investigations.	All WTO Members	One time	One time and upon introduction of any future changes. As appropriate, upon entry into force of the WTO Agreement for the Member concerned.	No (There is no format per se, but a compilation of investigating authorities contact details (G/ADP/N/14/*)).	Committee on Anti-Dumping Practices.	G/ADP/N/14/*

² All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in document [WT/INF/25/Rev.1](#). Notifications may be submitted through online submission systems, as electronic attachments to emails, by fax or on paper. As it may be practice, a copy of the notification may be sent to the Secretariat unit substantially handling the notification.

PART 2

LISTING OF THE NOTIFICATION OBLIGATIONS

	WHAT MUST BE NOTIFIED?		WHICH MEMBERS MUST NOTIFY?	WHEN TO NOTIFY?		HOW TO NOTIFY?		
	Notification requirements	Type of measure	Members notifying	Periodicity	Comments on Periodicity	Format	To whom ²	Notification Symbol
4.	Agreement on the Implementation of Article VI of the GATT 1994, Article 18.5 .	Laws/regulations and changes thereto, including changes in the administration of such laws (concerning the languages of notification under Article 18.5, <i>see</i> document G/ADP/1 and G/ADP/N/1/Suppl.1).	All WTO Members -Observer governments requested to provide information considered relevant including texts of laws and regulations and information regarding measures taken.	Ad hoc	Ad hoc, once enacted. Full integrated text in a WTO language once upon entry into force of the WTO Agreement for existing laws and regulations (by 15 March 1995) (G/ADP/1 and G/ADP/N/1/Suppl.1); ad hoc as and when a Member/Observer government establishes such laws and regulations or makes changes in existing laws and regulations or in the administration thereof. Nil notifications are required in case of no laws/regulations.	No (There is no format per se, but guidelines adopted by the ADP Committee and contained in G/ADP/1 & G/ADP/N/1/Suppl.1).	Committee on Anti-Dumping Practices.	G/ADP/N/1/*

² All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in document [WT/INF/25/Rev.1](#). Notifications may be submitted through online submission systems, as electronic attachments to emails, by fax or on paper. As it may be practice, a copy of the notification may be sent to the Secretariat unit substantially handling the notification.

PART 3

RELEVANT DOCUMENT(S) CONCERNING GUIDELINES AND FORMATS

Format for information provided in the semi-annual reports [G/ADP/1/Rev.1](#).

Minimum information to be provided under Article 16.4 of the Agreement in the reports on all preliminary or final Anti-Dumping actions [G/ADP/2/Rev.2](#).

Notification of laws and regulations under Article 18.5 of the Agreement [G/ADP/1](#) and [G/ADP/N/1/Suppl.1](#).

List of competent authorities notified & updates [G/ADP/N/14/*](#).

Notifications under Articles 16.4 and 16.5- Format adopted by the Committee on 21 October 2009 OTN [G/ADP/19](#).

Decision on the electronic submission of all anti-dumping notifications [G/ADP/20](#).

PART 4

LIST OF NOTIFICATIONS SINCE 1995

LIST OF NOTIFICATIONS UNDER ARTICLE 16.4

Notifications under [Article 16.4 – Ad hoc](#).

Notifications under [Article 16.4 – Semi-annual](#).

LIST OF NOTIFICATIONS UNDER ARTICLE 16.5

Notifications under [Article 16.5](#).

LIST OF NOTIFICATIONS UNDER ARTICLE 18.5

Notifications under [Article 18.5](#).

LIST OF NOTIFICATIONS UNDER ARTICLES 16.4 & 16.5

OTN – Decision by the ADP (G/ADP/19).

PART 5

TEXT OF THE AGREEMENT

Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 [LT/UR/A-1A/3](#).