1. 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:

   - Part I: Overview of notification requirements
   - Part II: Listing of the notification obligations
   - Part III: Relevant document(s) concerning guidelines and formats
   - Part IV: List of notifications since 1995
   - Part V: Text of the agreement

2. For acceding countries, the deadlines for the submission of their notifications will be governed by their respective Protocols of Accession.

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

OVERVIEW OF NOTIFICATION REQUIREMENTS

Introduction:

1. 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 antidumping duties in cases where there are dumped imports, injury to the industry in the importing country, and a causal link between the two.

2. Under the WTO system, the Anti-Dumping Agreement governs the imposition by Members of antidumping 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.

3. Although Members are not required to have antidumping legislation, the Agreement specifies that antidumping 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 antidumping 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.

4. The Agreement requires that all Members ensure the conformity of their laws in the antidumping area with the provisions of the Agreement.

1 WHAT SHOULD 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 antidumping 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 antidumping laws or regulations should notify that fact by providing a nil notification. 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).

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 antidumping 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/*.

Notifications of Preliminary and Final Actions. Article 16.4 requires Members to report without delay all preliminary or final antidumping 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 antidumping actions they have taken, as well as a list of all antidumping 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).
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 antidumping 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 antidumping actions taken accordingly.

2 WHICH MEMBERS SHOULD 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."

3 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 antidumping 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.
4 HOW TO NOTIFY?

- 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 antidumping notifications, including the ad hoc reports on all antidumping 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 and 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.

- 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 antidumping 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.

- 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 II

### LISTING OF NOTIFICATION OBLIGATIONS

Notification obligations of indefinite duration (i.e., currently in effect)

<table>
<thead>
<tr>
<th>Notification requirements</th>
<th>Type of measure</th>
<th>Members notifying</th>
<th>Periodicity</th>
<th>Comments on Periodicity(^1)</th>
<th>Format</th>
<th>To whom</th>
<th>Notification Symbol</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Agreement on Implementatio n of Article VI of the GATT 1994, Article 16.4 - ad hoc</td>
<td>Anti-dumping actions (preliminary and final).</td>
<td>All WTO Members</td>
<td>Ad hoc</td>
<td>Without delay</td>
<td>No (There is no format per se, but a list of minimum information to be notified (G/ADP/2/Rev.2)</td>
<td>Committee on Anti-Dumping Practices</td>
<td>G/ADP/N/*</td>
</tr>
<tr>
<td>2. Agreement on Implementatio n of Article VI of the GATT 1994, Article 16.4- semi-annual</td>
<td>Anti-dumping actions (taken within the preceding 6 months).</td>
<td>All WTO Members</td>
<td>Regular-semi-annual</td>
<td>Mid-February (reporting period covering July-December) &amp; Mid-August (reporting period covering January – June).</td>
<td>Yes (G/ADP/1/Rev.1 Format)</td>
<td>Committee on Anti-Dumping Practices</td>
<td>G/ADP/N/*</td>
</tr>
<tr>
<td>3. Agreement on Implementatio n of Article VI of the GATT 1994, Article 16.5</td>
<td>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.</td>
<td>All WTO Members</td>
<td>One time</td>
<td>One time and upon introduction of any future changes. As appropriate, upon entry into force of the WTO Agreement for the Member concerned.</td>
<td>No (There is no format per se, but compilation of investigating authorities contact details (G/ADP/N/14/*))</td>
<td>Committee on Anti-Dumping Practices</td>
<td>G/ADP/N/14/*</td>
</tr>
</tbody>
</table>

\(^1\) For acceding countries, the deadlines for the submission of their notifications will be governed by their respective Protocols of Accession.
### Agreement on the Implementation of Article VI of the GATT 1994

<table>
<thead>
<tr>
<th>What should be notified?</th>
<th>Which Members should notify?</th>
<th>When to notify?</th>
<th>How to notify?</th>
<th>Format</th>
<th>To whom</th>
<th>Notification Symbol</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agreement on Implementation of Article VI of the GATT 1994, Article 18.5</td>
<td>Laws/regulations and changes thereto, including changes in the administration of such laws (concerning the languages of notification under Article 18.5, see document G/ADP/1 and G/ADP/N/1/Suppl.1).</td>
<td>Ad hoc</td>
<td>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.</td>
<td>No (There is no format per se, but guidelines adopted by the ADP Committee and contained in (G/ADP/1 &amp; G/ADP/N/1/Suppl.1))</td>
<td>Committee on Anti-Dumping Practices</td>
<td>G/ADP/N/1/*</td>
</tr>
</tbody>
</table>

1 For acceding countries, the deadlines for the submission of their notifications will be governed by their respective Protocols of Accession.
PART III

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 IV

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 V

TEXT OF THE AGREEMENT

Agreement on implementation of article VI of the General Agreement on Tariffs and Trade 1994

LT/UR/A-1A/3