

# GENERAL AGREEMENT ON TARIFFS AND TRADE

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Committee on Anti-Dumping Practices

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## FINLAND'S ANTI-DUMPING LEGISLATION

### Statement by the Representative of Finland in the Committee on 25 February 1969

Since the GATT working party on anti-dumping questions held its last session, the Finnish anti-dumping legislation has been completely amended. There are now two separate laws and one governmental decree regulating dumping.

Our aim is to facilitate international trade and to eliminate trade barriers. Therefore I will in this connexion once again emphasize the Finnish Government's primary object not to practise anti-dumping measures unless there is real necessity to do so.

The present Finnish anti-dumping legislation consists of the Act on the Prevention of Dumping, given on 28 June 1968 (Finnish Statutes No. 375/68) and of the Act concerning Approval of Certain Provisions of the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade, given on 7 June 1968 (Finnish Statutes No. 448/68).

The former, the so called Anti-Dumping Law (375), gives the Finnish authorities somewhat wider power to act in dumping cases than the latter, which brings the Anti-Dumping Code into effect in Finland. Even if the title of the latter law speaks about approval of only certain provisions of the Anti-Dumping Code, this does not mean that the Code would not be in force in its entirety. The law states that the provisions of the Anti-Dumping Code are in force in Finland as far as these provisions belong within the range of legislation. As I said a while ago, there is also a governmental decree concerning dumping. The Decree concerning the Bringing into Effect the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade, is given on 7 June 1968 (Finnish Statutes No. 449/68). This decree refers to the whole Anti-Dumping Code and is partially based - as far as legislation is concerned - on the Law No. 448.

After having given an account of the Finnish legal system, it is time to explain the thinking behind having two separate laws on dumping. The existence of two different legal frameworks on anti-dumping has been considered useful from the point of view that one thereby has a safeguard concerning also imports from non-members of the GATT. In the latter case, it could for example be difficult to find out the normal price or other relevant facts.

Anyway, the Finnish anti-dumping law (Law No. 375) is in conformity with the Code in almost all essential respects. It was drafted after the Kennedy Round negotiations were finished. In a way it is a kind of an abridgement of the Code. And with regard to the GATT countries, the Code has priority in every instance.