

Revision of Community's Anti-dumping and Countervailing Legislation

1. The Community's legislation on protection against dumped or subsidized imports from third countries has been amended in the light of its experience in administering its current rules, which gave effect to the Agreements in this area arising from the Tokyo Round. The main effect of the changes is to simplify the procedures and make them more effective. They also clarify certain provisions and introduce minor technical amendments.
2. The amendments designed to make the legislation more effective are concerned primarily with the treatment of price undertakings. Henceforth, there will be strict time limits within which the undertakings may be offered, and if they are violated or withdrawn then anti-dumping or countervailing duties may be imposed by the Commission.
3. A novel feature of the changes designed to streamline and simplify the procedures is the introduction of sunset provisions whereby anti-dumping or countervailing measures will automatically lapse unless the need for their continued existence has been established. Other features include those which enable a review to be held in part, if necessary, and the procedures relating to the refund of duties.
4. The provisions which clarify the Community's practice in this area relate to the period of investigation; the calculation of costs of production; the treatment of related parties; the allowance to be made for differences in the conditions and terms of sale, the level of trade at which the sales are made, and the remission or refund of import charges and indirect taxes; and the calculation of subsidies.
5. The minor technical amendments are those required to take account of changes in the Community's custom legislation and its common rules on imports from non-market economy countries.
6. The amendments have been incorporated into consolidated versions of the Community's legislation which will replace Council Regulation (EEC) No. 3017/79 and Commission Recommendation No. 3018/79/ECSC. They will enter into force on 1st August 1984.