

WORLD TRADE ORGANIZATION

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G/ADP/Q1/URY/5

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21 April 1997

(97-1722)

Committee on Anti-Dumping Practices
Committee on Subsidies and Countervailing Measures

Original: Spanish

NOTIFICATION OF LAWS AND REGULATIONS UNDER ARTICLES 18.5 AND 32.6 OF THE AGREEMENTS

Questions from CHILE to URUGUAY¹

The following communication, dated 14 April 1997, has been received from the Permanent Mission of Chile.

1. Please clarify the expression "primary or non-primary products" in Article 1 of your legislation.
2. Please specify whether the provisions of Article 32 of your anti-dumping legislation would cover the initiation of an investigation supported by domestic producers who represent a low percentage of the total output of the like product.
3. Please clarify what elements are used to establish the "conditions of competition" mentioned in Article 22 of your anti-dumping legislation for the cumulative assessment of the effects of the imports under investigation.
4. With regard to the amount of anti-dumping duties, please clarify what provision is made in your anti-dumping legislation for the imposition of a duty which is equal to the margin of injury and corrects only the injury caused.
5. Please describe the procedure followed under Article 54 of your anti-dumping legislation for informing the interested parties of the essential facts. Is a written copy of the mentioned hearing provided? Is a copy sent to parties that did not attend the hearing?
6. What considerations are taken into account under Articles 15 and 16 of your legislation and in your anti-dumping practices with respect to adjustments for quality of the product under investigation?
7. Please clarify how the investigations mentioned in Article 107 of your legislation are carried out, in connection with the investigation of producers or exporters of countries who have not exported the product during the period of investigation. How are the appropriate transparency and notification of parties guaranteed?

¹G/ADP/N/1/URY/2.

8. What criteria are used for interpreting, in accordance with Article 2.2 of the Anti-Dumping Code, the concept of "particular market situation" for rejecting the domestic price of the exporting country as the normal value?

9. Article 92 of your legislation provides for the refund of any excess amount arising from a provisional duty. Is this refund adjusted for the corresponding financial costs?

10. In connection with Article 37(e) of your legislation, in what way are industrial users of the investigated product considered an interested party?