

WORLD TRADE ORGANIZATION

RESTRICTED

G/ADP/AHG/W/9

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(97-3691)

**Committee on Anti-Dumping Practices
Ad Hoc Group on Implementation**

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TIMELINE, CONFIDENTIAL INFORMATION, AND LESSER DUTY RULE (PARAGRAPH 3 OF WTO/AIR/643)

Information Provided by Malaysia

The following communication, dated 8 September 1997, has been received from the Permanent Mission of Malaysia.

Malaysia's timeline for the anti-dumping investigation process is as follows:

- (i) The decision on whether to initiate/reject the petition must be made within 14 days from the date of submission as provided by Regulation 6(1) of the Countervailing and Anti-Dumping Duties Regulations 1994 (CADDR). If the Investigation Authority (IA) decides to initiate, it has to publish a notice in the Government Gazette of their intention, before or by the 14th day.
- (ii) The IA then has another 90 days to conduct a preliminary investigation. However, in special circumstances, the IA has the discretion to extend the time period by an additional 30 days (Regulation 10(2) of the CADDR).
- (iii) The IA has 120 days to make a final determination from the date of publication of the notice of the preliminary determination (Regulation 15(1) of the CADDR).
- (iv) Regulation 39(1) provides that the interested party may submit a written request for a hearing within ten days from the date of the publication of the preliminary determination.
- (v) The interested party should be given at least 30 days to submit the written submission (Regulation 9(2)) and an extension may be granted if requested by a party in writing and the IA is satisfied with the reasons given for the request.
- (vi) The IA will publish the notice of a final determination as required under Regulation 15(2) immediately after the Final Determination (normal practice, within 1-2 days).

Please note that for other procedures which are not provided under the Malaysian Law, the IA will administratively follow the provisions under the WTO Anti-Dumping Agreement pursuant to Section 2(3) of the Countervailing and Anti-Dumping Duties Act 1993.