

WORLD TRADE ORGANIZATION

G/ADP/Q1/CHN/13
G/SCM/Q1/CHN/13
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Committee on Anti-Dumping Practices
Committee on Subsidies and Countervailing Measures

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

Questions Posed by the ARGENTINE REPUBLIC Regarding the Notification of the PEOPLE'S REPUBLIC OF CHINA¹

The following communication, dated 8 April 2003, has been received from the Permanent Mission of Argentina.

I have the honour to enclose herewith the questions submitted by the Argentine Republic concerning the anti-dumping legislation of the People's Republic of China (G/ADP/N/1/CHN/2), which will be discussed at the next ordinary meeting of the Committee on Anti-Dumping Practices, beginning on 1 May 2003.

¹ G/ADP/N/1/CHN/2

1. Various articles refer to the powers of the Ministry of Foreign Trade and Economic Cooperation and of the State of the Economic and Trade Commission.

Could the Chinese delegation clarify the specific functions of the two bodies and explain how they are related and communicate with each other?

2. Article 7 refers to investigations concerning agricultural products.

Please explain how investigations are conducted jointly with the Ministry of Agriculture.

3. Article 8 refers to the factors relating to injury that are to be examined. When referring to the threat of injury, no mention is made of the factors to be taken into account.

Could the Chinese delegation specify the factors concerned?

4. Please explain what is meant in Article 10 by the phrase "separate identification of the domestic production of the like product".

5. Could the Chinese delegation explain what is meant by "relevant organization" in Article 13, and what other parties may request an investigation?

6. Please explain what is meant by "facts already known" in Article 21.

7. Article 22: Could the Chinese delegation state whether "administrative protective orders" or a similar system is used to facilitate access by the lawyers and/or representatives of opposing parties to information declared confidential?

8. Please explain how notification of the essential facts referred to in Article 25 is effected.

9. With regard to subparagraph 5 of Article 27, please provide examples of what might be other circumstances not appropriate to continue the investigation.

10. Regarding provisional measures, please clarify the "special circumstances" referred to in Article 30 for extending the duration of such measures to nine months.

11. Could the Chinese delegation explain how the extension of the measure referred to in Article 28 is implemented?

12. Could the Chinese delegation explain how the provisions of Article 56 are consistent with the WTO Agreement?

13. Are the time-limits referred to in the Regulations calculated as working days or calendar days?
