

WORLD TRADE ORGANIZATION

RESTRICTED

G/SG/W/161

23 April 1996

(96-1488)

Committee on Safeguards

Original: English

REPLIES TO QUESTION POSED BY CANADA¹ CONCERNING THE NOTIFICATION
PROVIDED BY THE UNITED STATES² OF LAWS AND REGULATIONS
UNDER ARTICLE 12.6 OF THE AGREEMENT

The following communication, dated 18 April 1996, has been received from the Permanent Mission of the United States.

Are there specific provisions in the US law that would allow for the refund of provisional duties following a determination that provisional relief should not have been granted?

Section 202(d)(4)(A) of the Trade Act provides that provisional relief ends when there is a negative final determination, or an affirmative final determination but the President decides not to provide relief or to provide relief in some other form. Section 202(d)(4)(D) provides that, in such a case, entries covered by the provisional relief will be liquidated at the rate that applied before the provisional relief was imposed.

¹G/SG/W/52.

²G/SG/N/1/USA/1.