

WORLD TRADE ORGANIZATION

RESTRICTED

G/ADP/Q1/KOR/4

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14 April 1997

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

Original: English

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

Questions from the UNITED STATES to KOREA¹

The following communication, dated 9 April 1997, has been received from the Permanent Mission of the United States.

Article 10(6) of the Customs Act provides that an antidumping duty order shall lose its effect five years after the date of enforcement “except [for] cases where the imposition period is provided independently by the Ordinance of the Prime Minister.” How is this consistent with Article 11.3 of the 1994 Agreement on Implementation of Article VI of the GATT (“AD Agreement”), which provides that an antidumping order “shall be terminated” within five years of imposition unless “the authorities determine, in a review initiated before that date on their own initiative or upon a duly substantiated request made by or on behalf of the domestic industry within a reasonable period of time prior to that date, that expiry of the duty would be likely to lead to continuation or recurrence of dumping or injury”?

¹G/ADP/N/1/KOR/2.