

**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 Posed by Venezuela
Regarding the Notification of Ecuador¹

The following communication, dated 5 October 1998, has been received from the Permanent Mission of Venezuela.

QUESTIONS FROM VENEZUELA TO ECUADOR

Publications and notifications

1. Article 5.5 of the Anti-Dumping Agreement states that "... after receipt of a properly documented application and before proceeding to initiate an investigation, the authorities shall notify the government of the exporting Member concerned".

The Ecuadorian legislation does not provide for notification of the government of the exporting Member before an investigation is initiated. Would Ecuador please indicate whether, after receiving a duly documented application and before proceeding to initiate an investigation, the investigating authority will notify the government of the exporting Member?

Imposition of provisional measures

2. Article 29 of the Ecuadorian legislation provides that: "Within sixty (60) days of the initiation of a dumping or subsidies investigation, MICIP, through the investigating authority, shall prepare a technical report determining, where appropriate, the level of any provisional anti-dumping or countervailing measures and shall submit it to COMEXI for approval". Would Ecuador please clarify whether the application of anti-dumping duties is effected within the 60-day period referred to in the above-mentioned Article or after that period has expired, as stipulated by the corresponding provisions of the WTO Agreement?

¹ G/ADP/N/1/ECU/1-G/SCM/N/1/ECU/1 and
G/ADP/N/1/ECU/1/Suppl.1-G/SCM/N/1/ECU/1/Suppl.1-G/SG/N/1/ECU/2/Suppl.1

Price undertakings

3. Article 39 of the Ecuadorian legislation states that "the competent authorities of the country of origin or export or the producers or exporters may express, through the investigating authority, their intention to eliminate or limit the subsidy, revise the export prices **or cease exports to Ecuador ...**".

Could Ecuador indicate the objective and scope of the "undertakings to cease exports to Ecuador" provided for in this Article and how they are in conformity with Article 18.1 of the Agreement on Subsidies and Countervailing Measures and Article 8.1 of the Anti-Dumping Agreement?
