

WORLD TRADE ORGANIZATION

G/ADP/Q1/PAK/7
G/SCM/Q1/PAK/7
14 April 2003
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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 Posed by the EUROPEAN COMMUNITIES Regarding the Notification of PAKISTAN¹

The following communication, dated 10 April 2003, has been received from the Permanent Delegation of the European Commission.

Q1. Art. 7 (b) of the Countervailing Duties Rules states that the Commission may disregard any reply to a questionnaire which is not submitted within the time provided or in the form requested. Can Pakistan please explain how this provision relates to Article 12.7 and 12.11 ASCM?

Q2. The legislation does not seem to provide the possibility for a determination on the basis of the facts available according to Art. 12.7 ASCM. Can Pakistan please explain to what extent the investigating authorities will follow this provision and facts available will be considered for the determination?

Q3. Could Pakistan please explain how the last sentence of Article 14, according to which the disclosure before final determination shall not indicate whether a final determination is affirmative or negative, is to be understood?

¹ G/SCM/N/1/PAK/2/Suppl.1.