

Chapter 7

Unfair Trade Practices

Anti-dumping and Countervailing Duty Matters

Article 7.01 Anti-dumping and Countervailing Duties

Except as provided in this Chapter, an antidumping measure or countervailing duty imposed by a Party on the goods imported from territory of the other Party shall be subject to Article VI of the GATT 1994, AD Agreement and the SCM Agreement, as appropriate.

Article 7.02 Consultations

Without prejudice to the right of any Party, a Party may invite the other Party for consultations, prior to initiating an antidumping or countervailing investigation under this Chapter, with the aim of clarifying the facts of the situation and to arrive at a mutually agreed solution.

Article 7.03 Standing of Domestic Industry

An antidumping or countervailing investigation shall not be initiated between the Parties unless the authorities have determined that the application has been made by or on behalf of the domestic industry whose collective output constitutes more than 50 percent of the total production of the like good produced by the domestic industry.

Article 7.04 Maximum Period for Completing on Investigation

An antidumping or countervailing investigation initiated by a Party against the products imported from the territory of the other Party shall be concluded within one year and, in special circumstances, this period may be extended to no more than 15 months, after its initiation.

Article 7.05 Duration of the Measures

Any definitive antidumping or countervailing duty imposed by a Party on a good imported from territory of the other Party shall be terminated on a date not later than four years from its imposition, notwithstanding the right to review in accordance with the WTO Agreement included in Article 7.01.

Article 7.06 Modifications

The Parties agree that negotiations for modifications of this Chapter will be initiated if a Party deems necessary.