

WORLD TRADE  
ORGANIZATION

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Committee on Subsidies and Countervailing Measures

Original: English

NOTIFICATION OF LAWS AND REGULATIONS  
UNDER ARTICLE 32.6 OF THE AGREEMENT

ZAMBIA

The following communication, dated 13 April 1995, has been received from the Permanent Mission of Zambia.

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GOVERNMENT OF ZAMBIA

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STATUTORY INSTRUMENT No. 54 OF 1994

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**The Customs and Excise Act  
(Laws, Volume XII, Cap. 662)**

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**The Customs and Excise (Countervailing Duty)  
(Investigations) Regulations, 1994**

IN EXERCISE of the powers contained in section *one hundred and ninety-eight* of the Customs and Excise Act, the following Regulations are hereby made:

1. These Regulations may be cited as the Customs and Excise (Countervailing Duty) (Investigations) Regulations 1994.
2. In these Regulations, unless the context otherwise requires -
  - "complaint" means a complaint under regulation *three*;
  - "countervailing duty" means the duty chargeable under section *seventy-four A* of the Act;
  - "domestic value", in relation to any goods, has the meaning ascribed to it in section *seventy-four* of the Act;
  - "goods of Zambian origin" means goods that are grown, manufactured or produced in Zambia;
  - "subsidized imports" means goods in respect of which any export compensation, incentive, subsidy or other payment is paid or payable to an exporter, manufacturer or supplier of the goods.
- 3.(1) A person who considers that -
  - (a) an industry by which goods of Zambian origin are grown, produced or manufactured has been or is likely to be adversely affected by reason of the importation or likely importation into Zambia of subsidized imports: and
  - (b) a countervailing duty ought to be imposed on those subsidized imports:

may make a complaint to the Controller in writing in a form approved by the Controller.

- (2) The complainant shall furnish the following information in support of his complaint:
- (a) a precise description and precise specifications of the subsidized imports:
  - (b) the country of origin and the country from which the goods are exported to Zambia:
  - (c) the name and address of the producer of the subsidized imports:
  - (d) the name and address of the exporter of the goods to Zambia:
  - (e) the name and address of the importer or seller of the subsidized imports:
  - (f) the domestic value of the subsidized imports in their country of origin or in the country from which the goods are exported to Zambia:
  - (g) the cost, including freight and insurance, at which the subsidized imports have been or are likely to be imported into Zambia:
  - (h) the amount of the export compensation, incentive, subsidy or other payment alleged to be paid or payable in respect of the goods:
  - (i) a precise description and precise specifications of goods of Zambian origin which have been or are likely to be sold in competition with the subsidized imports:
  - (j) the selling price and the cost structure of the goods of Zambian origin likely to be affected by the sale of the subsidized imports:
  - (k) the extent to which the sale of the goods of Zambian origin is likely to be adversely affected by the sale of the subsidized imports.
4. On receipt of a complaint, it shall be the duty of the Controller -
- (a) forthwith to undertake an investigation into the amount of any export compensation, incentive, subsidy or other payment paid or payable in respect of the goods to which the complaint relates: and
  - (b) to report to the Minister the results of his investigation.
5. On receipt of the report made by the Controller under regulation *four*, the Minister may cause further investigation of the complaint to be undertaken in consultation with the Minister responsible for trade, to ascertain whether, having regard to all the circumstances of the case and to the procedures and conditions stipulated in any international trade agreements to which the Republic is a signatory, it would be in the public interest to impose a countervailing duty in respect of the subsidized imports to which the complaint relates.