

WORLD TRADE ORGANIZATION

G/ADP/N/1/EGY/2/Rev.1/Suppl.1
G/SCM/N/1/EGY/2/Rev.1/Suppl.1
G/SG/N/1/EGY/2/Suppl.1
22 August 2008
(08-3954)

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

Original: English

NOTIFICATION OF LAWS AND REGULATIONS UNDER ARTICLES 18.5, 32.6 AND 12.6 OF THE AGREEMENTS

EGYPT

Supplement

The following communication, dated 18 August 2008, is being circulated at the request of the Delegation of Egypt.

Egypt wishes to notify the attached Decree of the Minister of Trade and Industry No. 569 of the Year 2008 Amending the Executive Regulation of Law No. 161/1998 Concerning the Protection of the National Economy from Injurious Effects of Unfair Practices in International Trade to the Committee on Anti-Dumping Practices, the Committee on Subsidies and Countervailing Measures, and the Committee on Safeguards.

This notification is made in accordance with Article 18.5 of the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994, Article 32.6 of the Agreement on Subsidies and Countervailing Measures, and Article 12.6 of the Agreement on Safeguards.

The referred to Decree was issued on 29 June 2008 and published in the Official Gazette on 30 June 2008.

Non-official Translation

Decree

of the Minister of Trade and Industry No. 569 of the Year 2008 Amending the Executive Regulation of Law No. 161/1998 Concerning the Protection of the National Economy from Injurious Effects of Unfair Practices in International Trade

The Minister of Trade and Industry,

Having regard to the Law No.161/1998 Concerning the Protection of the National Economy from Injurious Effects of Unfair Practices in International Trade;

the Presidential Decree No.72/1995 approving the Accession of the Arab Republic of Egypt to the World Trade Organization (WTO) and the Agreements included in the Final Act embodying the Results of the Uruguay Round of Multilateral Trade Negotiations as well as Egypt's schedules of concessions in the fields of trade in goods and services signed in Marrakech, Kingdom of Morocco on 15 April 1994; and,

the Decree of the Minister of Trade and Supply No. 549/1998 issuing the Regulation of the Law No.161/1998 referred to,

Has decided:

Article 1

A new Article shall be added to the Regulation referred to above as follows:

"Article 31*bis*: The following countries shall be deemed to be non-market economy countries: Albania, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, North Korea, Kyrgyzstan, Moldova, Mongolia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan and Vietnam."

Article2

The texts of Articles 4, 12, 16, 56, 88, and 92 of the Regulation of Law No. 161/98 shall be replaced with the following texts:

Article 4: The Head of the Trade Agreements Sector shall be authorized to request the data required to prove the cases of subsidy, dumping or unjustifiable increase of imports and shall also be authorized to interpret applied measures in accordance with the provisions of the present Regulation.

Article 12: Procedures, measures and duties applied in accordance with this Regulation shall be applicable to imported goods which enter into the trade of the Arab Republic of Egypt.

Article 16: The Investigating Authority may ask the applicant to provide information required for considering the acceptance of the application. The application shall be registered promptly after acceptance.

Article 56: The Investigating Authority shall carry out a review on its initiative or upon request by the domestic industry within a reasonable period of time before the expiry of the five year from the date of the imposition of definitive duties. The Investigating Authority shall review whether the expiry of the duties is likely to lead to the continuation or recurrence of dumping and injury. The duties shall remain in force pending the outcome of such a review. Any such review shall be completed within twelve months from the date of its initiation.

Article 88: Where a decision by the WTO Dispute Settlement Body or a final judgment is issued, the Investigating Authority shall implement any of these decisions, provided that, a Ministerial Decree has been issued by the Minister of Trade and Industry for this purpose.

Article 92: Measures taken pursuant to the provisions of this Regulation may be extended to imports from third countries of the product concerned, whether slightly modified or not, or parts thereof; or, to imports of the slightly modified product concerned or parts thereof, where it is found that circumvention of these existing measures is taking place.

Article Three

Articles 17 and 31 of the Executive Regulation of the Law No. 161 of 1998 shall be revoked.

Article Four

This decree shall be published in the Official Gazette and shall enter into force as from the date of its publication.

Minister of Trade and Industry

Eng. Rachid Mohamed Rachid
