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Committee on Safeguards

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NOTIFICATION OF LAWS, REGULATIONS AND ADMINISTRATIVE PROCEDURES RELATING TO SAFEGUARD MEASURES

PARAGUAY

The following communication, dated 15 July 1999, has been received from the Permanent Mission of Paraguay.

Decree No. 1827/99

DESIGNATING THE MINISTRY OF INDUSTRY AND TRADE AND THE MINISTRY OF FINANCE TO IMPLEMENT LAW NO. 444/94 CONCERNING THE WTO AGREEMENT ON SAFEGUARDS AND LAYING DOWN THE APPLICABLE PROCEDURES

Asunción, 29 January 1999

HAVING REGARD TO: Law No. 260/93 Approving the Protocol of Accession of the Republic of Paraguay to the General Agreement on Tariffs and Trade (GATT), signed in Geneva, Switzerland, on 1 July 1993;

Law No. 444/94 Ratifying the Final Act of the Uruguay Round of the GATT, by which the provisions of the Agreement on Safeguards of the World Trade Organization (WTO) are adopted;

Decree No. 15.286/96 Designating the Ministry of Industry and Trade and the Ministry of Finance to implement Law No. 444/94 Concerning the Agreement on Implementation of Article VI of the GATT 1994 and the Agreement on Subsidies and Countervailing Measures and Laying down the Applicable Procedures; and

WHEREAS: it is necessary to determine the corresponding procedures for the effective implementation of the Agreement on Safeguards and establish the agencies responsible for its application;

By virtue of his constitutional and legal powers,

THE PRESIDENT OF THE REPUBLIC OF PARAGUAY

HEREBY DECREES:

CHAPTER I

SCOPE

Article 1. This Decree lays down the rules for the application of safeguard measures, that is the measures specified in Article XIX of GATT 1994 "Emergency Action on Imports of Particular Products", in accordance with the interpretation given in the Agreement on Safeguards of the World Trade Organization (WTO).

CHAPTER II

CONDITIONS OF APPLICATION

Article 2. A safeguard measure may be applied to a product if an investigation has shown that such product is being imported in such increased quantities, absolute or relative to domestic production, and under such conditions as to cause or threaten to cause serious injury to the domestic industry that produces like or directly competitive products.

Article 3. Safeguard measures shall be applied to a product being imported irrespective of its source.

CHAPTER III

DOMESTIC INDUSTRY

Article 4. For the purposes of this Decree, the term domestic industry shall be understood to mean the producers as a whole of like or directly competitive products operating in the country or those whose collective output of like or directly competitive products constitutes a major proportion of the total production of those products in the country.

CHAPTER IV

DETERMINATION OF SERIOUS INJURY OR THREAT THEREOF

Article 5. For the purposes of this Decree:

- (a) "serious injury" shall be understood to mean a significant overall impairment in the position of a domestic industry;
- (b) "threat of serious injury" shall be understood to mean serious injury that is clearly imminent, in accordance with the provisions of Article 6 below. A determination of the existence of a threat of serious injury shall be based on facts and not merely on allegation, conjecture or remote possibility.

Article 6. In the investigation to determine whether increased imports have caused or are threatening to cause serious injury to a domestic industry the relevant factors of an objective and quantifiable nature having a bearing on the situation of that domestic industry shall be evaluated and, in particular, the following:

- (a) the rate and amount of the increase of imports of the product concerned in absolute and relative terms;
- (b) the share of the domestic market taken by increased imports;
- (c) changes in the level of sales, production, productivity, capacity utilization, profits and losses, and employment.

Article 7. For the purposes of the investigation referred to in Article 6 above, other factors may also be considered, for example, import prices, especially in order to determine whether there has been significant price undercutting in relation to the price of the like product in the domestic market, and the trend of domestic prices for the like or directly competitive products, in order to determine whether they would have fallen or whether price increases which would otherwise occur did not take place.

Article 8. If a threat of serious injury is suspected, in addition to the above-mentioned factors, consideration shall be given to whether it can be foreseen that a particular situation is actually likely to develop into serious injury. For this purpose, account may be taken of such factors as the rate of increase of exports to the domestic market and export capacity in the country of origin or exportation, actual and potential in the near future, and the probability of that capacity being used to export to Paraguay.

Article 9. The determination of serious injury or threat thereof referred to in Article 6 above shall be based on objective evidence which demonstrates the existence of a causal link between increased imports of the product concerned and serious injury or threat thereof. When factors other than increased imports are causing injury to the domestic industry at the same time, such injury shall not be attributed to increased imports.

CHAPTER V

APPLICATION OF SAFEGUARD MEASURES

Section 1

Competent Authorities

Article 10. The Minister of Industry and Trade and the Minister of Finance shall be responsible for the application of provisional safeguard measures and safeguard measures, their extension and withdrawal and for increasing the pace of liberalization.

Article 11. The Minister of Industry and Trade shall be responsible for deciding whether to initiate an investigation and whether to close an investigation without applying measures.

Article 12. The functions of the Trade Defence Commission established by Decree No. 15.286/96 shall be extended in order to set up a Trade Defence and Safeguards Commission, hereinafter referred to as the Commission. The Commission shall be responsible for ensuring the implementation of the provisions of this Decree, considering the reports prepared by the Undersecretariat of State for Trade of the Ministry of Industry and Trade, hereinafter referred to as SSEC-MIC, and giving opinions thereon.

Article 13. SSEC-MIC shall consider the admissibility of the application and accept or reject it; conduct the investigation for the purpose of determining increased imports of the product concerned, the existence of serious injury, or threat thereof, to the domestic industry producing like or directly

competitive products and a causal link between increased imports of the product concerned and serious injury or threat thereof.

Article 14. The Ministry of External Relations shall be responsible for making notifications to the WTO Committee on Safeguards, in accordance with the provisions of Article 55 and 56 below.

Section 2

Application

Article 15. The application for the imposition of a safeguard measure must be submitted to SSEC-MIC in writing by the enterprises or the entities representing them, together with sufficient evidence of increased imports, serious injury or threat thereof and a causal link between the two and an adjustment plan which improves the domestic industry's ability to compete with imports. Applications for the imposition of a safeguard measure must be submitted in accordance with the form drawn up by SSEC-MIC and approved by the Commission.

Article 16. SSEC-MIC shall examine the admissibility of an application and accept or reject it within a maximum of 20 days from receipt of the application. The applicant shall be notified of the result of the examination. If further information is required, the applicant shall be informed and shall provide the information within a maximum of 30 days. Failure to provide the information requested within this time-limit shall result in the application being withdrawn and the case filed.

Section 3

Initiation

Article 17. Once the application has been accepted, SSEC-MIC shall prepare and forward to the Minister of Industry and Trade, within a maximum of 40 days, a report on the appropriateness of initiating an investigation which shall include a preliminary determination concerning the existence of injury to the domestic industry, or threat thereof, caused by increased imports of the product concerned, together with a preliminary analysis of the adjustment plan submitted by the applicant.

Article 18. The Minister of Industry and Trade shall decide on the initiation of an investigation within 20 days of receiving the Commission's opinion, by issuing a Ministerial Resolution.

18.1 The Ministerial Resolution ordering the initiation of an investigation shall contain a summary of the grounds for the initiation decision, for the purpose of informing all the known interested parties. The Resolution shall be published in the Official Gazette within 10 days of its being issued.

18.2 The Ministerial Resolution ordering the initiation of an investigation shall establish:

- (a) The period within which interested parties may submit evidence to SSEC-MIC and set out their views in writing, so that they may be taken into account in the investigation, and within which they shall have the opportunity to respond to the presentations of other parties and to submit their views, *inter alia*, as to whether or not the application of a safeguard measure would be in the public interest;
- (b) the period within which interested parties may request SSEC-MIC to hold hearings, in accordance with Article 23 below.

18.3 The Minister of External Relations shall notify the WTO Committee on Safeguards of the biministerial Resolution ordering the initiation of an investigation within 15 days of the date of issue of the Ministerial Resolution.

18.4 If it is decided not to initiate an investigation, SSEC-MIC shall notify the applicant of the decision, duly substantiated, and shall proceed to file the case.

Section 4

Investigation

Article 19. SSEC-MIC shall be responsible for conducting investigations for the purpose of applying a safeguard measure and, to this end, shall gather the relevant information and data. The duration of an investigation for the application of a safeguard measure shall not exceed NINE (9) months from the initiation of the investigation. In exceptional cases this period may be extended by a maximum of a further TWO (2) months. In the event of provisional measures being applied, the maximum duration of the investigation shall be two hundred (200) days from the date of application of such measures.

Article 20. During the investigation, SSEC-MIC may send out questionnaires to interested parties and consult other sources of information, as well as carry out on-the-spot checks.

Article 21. For the purposes of the investigation, governments of exporting countries, domestic producers of the like or directly competitive product, importers or consignees of the said product, foreign producers and/or exporters and other parties, domestic or foreign, who, in the judgement of SSEC-MIC, have a substantial interest in the investigation shall be deemed to be interested parties.

Article 22. Interested parties wishing to participate in the investigation must accredit their legal representatives to SSEC-MIC in writing.

Article 23. SSEC-MIC shall hear interested parties which can show that they may actually be affected by the result of the investigation and have reason to be heard and which request the holding of hearings in writing within the time-limit laid down for the purpose in the Ministerial Resolution referred to in Article 18 above.

Article 24. During the investigation, SSEC-MIC shall evaluate the action envisaged in the adjustment plan submitted by the applicant for the domestic industry to see whether it is adequate for the proposed purposes, in accordance with the provisions of Article 15 above.

Article 25. SSEC-MIC shall prepare and submit to the Commission a report on the determination of serious injury to the domestic industry, or threat thereof, caused by increased imports of the product in question, as well as on the feasibility of the adjustment plan for the domestic industry, for the purposes of the decision on the application of a safeguard measure.

Article 26. Any information which is by nature confidential or which is provided on a confidential basis by interested parties to a safeguard investigation shall, upon cause being shown, be treated as such by SSEC-MIC, the Commission, the Minister of Industry and Trade and the Minister of Finance. Such information shall not be disclosed without permission of the party submitting it. Parties providing confidential information may be requested to furnish non-confidential summaries thereof or, if such parties indicate that such information cannot be summarized, the reasons why a summary cannot be provided. However, if SSEC-MIC finds that a request for confidentiality is not warranted and if the party concerned is either unwilling to make the information public or to authorize its

disclosure in generalized or summary form, SSEC-MIC may disregard such information unless it can be demonstrated to its satisfaction from appropriate sources that the information is correct.

Section 5

Consultation

Article 27. At its first meeting after receiving the report mentioned in Article 25 above, the Commission shall examine the said report and on the basis thereof issue an opinion which it shall submit to the Minister of Industry and Trade and the Minister of Finance within a maximum of 20 days.

Article 28. On the basis of the SSEC-MIC report and the opinion of the Commission, the Minister of Trade and Industry and the Minister of Finance shall decide whether or not they intend to adopt a safeguard measure, taking into account the determination of:

- (a) the existence of serious injury or threat thereof caused by increased imports, and
- (b) the feasibility of the adjustment plan and the adequacy of the action envisaged in relation to the objectives proposed.

28.1 If any one of the conditions laid down in subparagraphs (a) and (b) of this Article is not satisfied, the investigation shall be terminated without the application of safeguard measures, the provisions of Article 39.1 and 2 below being applicable.

28.2 If the Minister of Industry and Trade and the Minister of Finance propose to apply a safeguard measure, the Minister of External Relations shall so notify the WTO Committee on Safeguards before the eventual application of the measure, in accordance with the provisions of Articles 55 and 56 below. This notification shall also indicate Paraguay's readiness to hold consultations.

28.3 If the Minister of Industry and Trade and the Minister of Finance propose to adopt a safeguard measure, they shall provide adequate opportunity for prior consultations with the Governments of those countries having a substantial interest as exporters of the product concerned, with a view to reviewing the information provided to the WTO Committee on Safeguards, exchanging views on the measure it is intended to adopt and reaching an understanding on ways to achieve the objective of maintaining a substantially equivalent level of concessions and other obligations to that existing under GATT 1994, in accordance with the provisions of Article 51 below.

28.4 SSEC-MIC shall coordinate the consultation proceedings and their results shall be recorded.

28.5 The consultation period may not exceed 60 days reckoned from the date of dispatch of the notifications referred to in section 2 of this Article.

Article 29. The Ministry of External Relations shall notify the WTO Committee on Safeguards of the result of the consultations mentioned in Article 28.3 above.

Section 6

Provisional Safeguard Measures

Article 30. If the application includes a request for the application of provisional measures, the applicant must demonstrate the existence of critical circumstances due to there having been a substantial increase in imports within a relatively short period and to this increase having created conditions for domestic producers such that any delay in the application of measures would result in the serious injury or threat thereof being difficult to repair in the time stipulated in this Decree.

Article 31. The Minister of Industry and Trade and the Minister of Finance may apply a provisional safeguard measure pursuant to a preliminary determination that there is clear evidence that increased imports have caused or are threatening to cause serious injury to the domestic industry.

31.1 In the event of a request for the application of a provisional safeguard measure, SSEC-MIC shall prepare and submit to the Commission a report on the preliminary determination of serious injury or threat thereof caused by increased imports of the product in question and on the existence of critical circumstances requiring an immediate measure.

Article 32. Within a maximum of 20 days from receiving the report mentioned in Article 31.1 above and on the basis thereof, the Commission shall issue an opinion on the application of a provisional measure which it shall submit to the Minister of Industry and Trade and the Minister of Finance.

Article 33. On the basis of the SSEC-MIC report and the opinion of the Commission, the Minister of Industry and Trade and the Minister of Finance shall take a decision on whether or not to apply a provisional measure, in the form of a biministerial Resolution.

33.1 The biministerial Resolution concerning the application of a provisional safeguard measure shall contain a summary of the preliminary determination of the existence of serious injury to the domestic industry or threat thereof and of a causal link between the increased imports and the serious injury or threat thereof, as well as of the existence of critical circumstances. The Resolution must be published in the Official Gazette within 10 days of the issuing of the said Resolution.

33.2 The Ministry of External Relations shall notify a biministerial Resolution deciding the application of a provisional safeguard measure to the WTO Committee on Safeguards before it is applied. This notification shall indicate Paraguay's readiness to hold consultations, immediately after the application of the provisional safeguard measure.

33.3 SSEC-MIC shall coordinate the consultation proceedings with the Governments of the countries having a substantial interest as exporters of the product concerned and the results shall be recorded.

33.4 The Ministry of External Relations shall notify the WTO Committee on Safeguards of the result of the consultations mentioned in section 3 of this Article.

Article 34. The duration of the provisional measure shall not exceed 200 days, during which period the pertinent provisions relating to "investigation", "notification" and "consultation" shall be observed.

Article 35. Provisional safeguard measures shall take the form of increases in import duties additional to the Common External Tariff which may be:

- (a) *ad valorem* duties
- (b) specific duties, or

- (c) a combination of the two.

Article 36. If the investigation referred to in Article 6 above does not determine that increased imports have caused or threatened to cause serious injury to the domestic industry, the duties collected as provisional measures shall be immediately refunded to the party concerned, in accordance with the provisions of the relevant national legislation.

Article 37. The duration of any provisional measure shall be counted as a part of the initial period of application of the safeguard measure and any extension referred to in Articles 44, 45 and 46 below.

Section 7

Application of Safeguard Measures

Article 38. The Commission shall review the result of the consultations and, on the basis of the report referred to in Article 25 above, shall issue an opinion which it shall submit to the Minister of Industry and Trade and the Minister of Finance.

Article 39. The Minister of Industry and Trade and the Minister of Finance shall take a decision on whether or not to apply a safeguard measure, in accordance with Article 40 below, in the form of a biministerial Resolution.

39.1 The biministerial Resolution containing the decision concerning the application of a safeguard measure shall set out the findings and the reasoned conclusions reached on all pertinent issues of fact and law, including a detailed analysis of the case subject to investigation and a demonstration of the relevance of the factors examined. The Resolution must be published in the Official Gazette within 10 days of its date of issue.

39.2 The Ministry of External Relations shall notify the WTO Committee on Safeguards of the biministerial Resolution containing the decision concerning the application of a safeguard measure, under the terms of Articles 55 and 56 below, within 15 days of its date of issue.

Article 40. Safeguard measures shall be applied only to the extent necessary to prevent or remedy serious injury and to facilitate the adjustment of the domestic industry.

Article 41. Safeguard measures shall be applied as increases in import duties additional to the Common External Tariff, in the form of *ad valorem* duties, specific duties or a combination of the two, or in the form of quantitative restrictions.

41.1 If a quantitative restriction is used, such a measure shall not reduce the quantity of imports below the level of a recent period which shall be the average of imports in the last three representative years for which statistics are available, unless clear justification is given that a different level is necessary to prevent or remedy serious injury.

Article 42. In cases in which a quota is allocated among supplying countries, agreement may be sought with respect to the allocation of shares in the quota with the Governments of those countries having a substantial interest in supplying the product concerned. In cases in which this method is not reasonably practicable, the Minister of Industry and Trade and the Minister of Finance, on the basis of a SSEC-MIC report, shall allot to countries having a substantial interest in supplying the product shares based upon the proportions, supplied by such countries during a previous representative period, of the total quantity or value of imports of the product, due account being taken of any special factors which may have affected or may be affecting the trade in the product.

Article 43. On the basis of the SSEC-MIC report and the opinion of the Commission, the Minister of Industry and Trade and the Minister of Finance may depart from the provisions of Article 42 above in cases of determination of the existence of serious injury, but not threat thereof, provided that consultations under section 3 of Article 28 above are conducted with the governments of the interested countries, under the auspices of the WTO Committee on Safeguards, and it is demonstrated that imports originating in certain countries have increased in disproportionate percentage in relation to the total increase of imports of the product concerned in the representative period. The reasons for the departure from the provisions of Article 42 above must be justified and the conditions of such departure must be equitable to all suppliers of the product concerned. The duration of any such measure shall not be extended beyond the initial period of four years under Article 44 below.

Section 8

Duration and Review of Safeguard Measures

Article 44. Safeguard measures shall be adopted only for such period of time as may be necessary to prevent or remedy serious injury and to facilitate the adjustment of the domestic industry. The period shall not exceed four years, unless it is extended under Article 45 below.

Article 45. The period of application of safeguard measures may be extended provided that the SSEC-MIC and the Commission have determined, in conformity with the procedures set out in this Decree, that the safeguard measure continues to be necessary to prevent or remedy serious injury and that there is sufficient evidence to show that the industry is adjusting.

45.1 If, on the basis of the SSEC-MIC report and the opinion of the Commission, the Minister of Industry and Trade and the Minister of Finance propose to extend the period of application of a safeguard measure, the Ministry of External Relations shall so notify the WTO Committee on Safeguards, under Articles 55 and 56 below, before its eventual extension. This notification shall indicate Paraguay's readiness to hold consultations.

45.2 Where the Minister of Industry and Trade and the Minister of Finance propose extending the period of application of a safeguard measure, they shall afford suitable opportunities for prior consultations to be held with the governments of countries having a substantial interest as exporters of the product concerned for the purpose of reviewing the information provided to the WTO Committee on Safeguards, exchanging views on the measure to be adopted and reaching an understanding on ways to achieve the objective of maintaining a substantially equivalent level of concessions and other obligations to that existing under the General Agreement on Tariffs and Trade 1994, as provided for in Article 51 below.

45.3 SSEC-MIC shall coordinate the consultation procedure with the governments of countries having a substantial interest as exporters of the product concerned, and the results of the consultations shall be set out in an official record.

45.4 The Ministry of External Relations shall notify the WTO Committee on Safeguards of the results of the consultations referred to in paragraphs 2 and 3 of this Article.

45.5 The Commission shall analyse the results of the consultations, and on the basis of the report referred to in paragraph 1 of this Article shall issue an opinion and forward it to the Minister of Industry and Trade and the Minister of Finance.

45.6 The Minister of Industry and Trade and the Minister of Finance shall decide on an extension of the period of application of the safeguard measure through a biministerial Resolution.

45.7 The biministerial Resolution ordering an extension of the safeguard measure shall set out the substantiated findings and conclusions reached on relevant issues of fact and law taken into account, including a detailed analysis of the case under investigation and a demonstration of the relevance of the factors reviewed. The Resolution shall be published in the Official Gazette within ten days of the signing of the Resolution.

45.8 The Ministry of External Relations shall notify the biministerial Resolution ordering the extension of the period of application of a safeguard measure to the WTO Committee on Safeguards, in accordance with Articles 55 and 56 below, within a period of 15 days from the date of issue of the Resolution.

Article 46. The total period of application of a safeguard measure, including the period of application of any provisional measure, the period of initial application and any extension thereof, shall not exceed eight years. In accordance with the provisions of Article 9 of the WTO Agreement on Safeguards, the Minister of Industry and Trade and the Minister of Finance may extend the period of application of a safeguard measure for a period of up to two years beyond the maximum period of eight years established for the duration of a safeguard measure.

Article 47. In order to facilitate adjustment in a situation where the expected duration of a safeguard measure is over one year, the measure shall be progressively liberalized at regular intervals during the period of application. If the duration of the measure exceeds three years, SSEC- MIC shall review the specific effects of the measure not later than the mid-term of its application, and, if appropriate, the Minister of Industry and Trade and the Minister of Finance shall withdraw it or increase the pace of liberalization. A measure extended in accordance with Article 45 above shall not be more restrictive than it was at the end of the initial period, and should continue to be liberalized. The Ministry of External Relations shall notify the results of the review referred to in this Article to the WTO Committee on Safeguards.

Article 48. Whenever the Minister of Industry and Trade and the Minister of Finance, on the basis of a report by SSEC- MIC, find that the efforts in the proposed adjustment of the domestic industry are insufficient or unsuitable or that changes have occurred in the situation that gave rise to the application of the safeguard measure, the measure may be revoked or the pace of liberalization increased.

Article 49. No safeguard measure shall be applied again to a product which has been subject to such a measure, for a period of time equal to half that in which such measure had been previously applied, provided that the period of non-application is at least two years.

Article 50. Notwithstanding the provision of the previous Article, a safeguard measure with a duration of 180 days or less may be applied again to the import of a product if:

- (a) At least one year has elapsed since the date of introduction of a safeguard measure on the import of that product; and
- (b) such a safeguard has not been applied on the same product more than twice in the five-year period immediately preceding the date of introduction of the measure.

CHAPTER VI

LEVEL OF CONCESSIONS AND OTHER OBLIGATIONS

Article 51. When safeguard measures are adopted or the duration thereof is extended, efforts shall be made, in accordance with this Decree, to maintain a substantially equivalent level of concessions and

other obligations to that existing under the GATT 1994, between Paraguay and the exporting countries which would be affected by such a measure. To achieve this objective, Paraguay and the exporting countries concerned may agree on any adequate means of trade compensation for the adverse effects of the measure on their trade.

Article 52. When it is decided to introduce a safeguard measure it shall be borne in mind that, if no agreement is reached on adequate means of trade compensation in the consultations under Article 28, paragraph 3, above, then the effected exporting countries may, in accordance with the terms of the WTO Agreement on Safeguards, suspend the application of substantially equivalent concessions or other obligations under GATT 1994, the suspension of which the WTO Council for Trade in Goods does not disapprove. The right of suspension of application of substantially equivalent concessions and other obligations referred to here shall be not exercised during the first three years that a safeguard measure is in effect, provided that the measure has been taken as a result of an absolute increase in imports and it conforms to the provisions of the WTO Agreement on Safeguards.

Article 53. The Ministry of External Relations shall notify to the WTO Committee on Safeguards the means of compensation referred to in Article 51 above and the proposed suspension of concessions and other obligations referred to in Article 52 above.

CHAPTER VII

DIFFERENTIAL TREATMENT FOR DEVELOPING COUNTRIES

Article 54. Safeguard measures shall not be applied against a product originating in a developing country as long as the its share of imports of the product concerned in Paraguay does not exceed 3 per cent, provided the developing countries with less than 3 per cent import share collectively account for not more than 9 per cent of total imports of the product concerned.

CHAPTER VIII

NOTIFICATIONS

Article 55. When the notifications referred to in this Decree are made to the WTO Committee on Safeguards, the Ministry of External Relations, on the basis of reports by SSEC-MIC, shall provide all pertinent information, which shall include evidence of serious injury or threat thereof caused by increased imports, a precise description of the product involved and the proposed date of introduction, the expected duration and the timetable for liberalization. In the case of an extension of a measure, evidence that the industry is adjusting shall also be provided.

Article 56. The provisions of this Decree concerning notification shall not require the disclosure of confidential information the disclosure of which would impede law enforcement or otherwise be contrary to the public interest or would prejudice the legitimate commercial interest of particular enterprises, public or private.

CHAPTER IX

GENERAL PROVISIONS

Article 57. In the cases of agricultural and textile products, and where appropriate, the safeguard measures provided for in Article 5 of the Agreement on Agriculture and Article 6 of the Agreement on Textiles and Clothing of the World Trade Organization may be applied.

Article 58. The products subject to safeguard measures shall be subject to the MERCOSUR rules of origin in intra-MERCOSUR trade.

Article 59. The procedures provided for in this Decree shall be written and records shall be kept at the hearings. Similarly, it shall be compulsory to use the Spanish language and provide a translation, by an official translator, of documents in another language.

Article 60. The Commission shall adopt the supplementary rules concerning the application of this Decree.

Article 61. The Commission may propose the revision of the provisions of this Decree.

Article 62. The time-periods provided in this Decree, expressed in "days", refer to calendar days unless otherwise specified.

CHAPTER X

ENTRY INTO FORCE

Article 63. This Decree shall enter into force on the date of its publication.

Article 64. This Decree shall be signed by the Minister of Industry and Trade, the Minister of Finance, the Minister of Agriculture and Livestock, and the Minister of Foreign Relations.

Article 65. This Decree shall be proclaimed, published and transmitted to the official registry.

Signed: RAUL ALBERTO CUBAS GRAU
 Gerardo Von Glasenapp Lefebre
 Heinz Gerhard Doll Schmelzlin
 Hiplólito Ramón Pereria Ramírez
 Dido Florentin Bogado
