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

Original: Spanish

**NOTIFICATION OF LAWS AND REGULATIONS UNDER
ARTICLES 18.5 AND 32.6 OF THE AGREEMENTS**

TEMPORARY CHANGE TO FILING PROCEDURES

ARGENTINA

Supplement

The following communication, dated 15 June 2020, is being circulated at the request of the delegation of Argentina.

Argentina hereby notifies that, in response to concerns related to the coronavirus COVID-19 pandemic, the Secretariat for Industry, the Knowledge Economy and Foreign Trade Management has decided to implement temporary changes to procedures for filing documents in investigations concerning unfair international trade practices.

The temporary changes entered into effect on 9 June 2020 and will remain in place for the duration of the "social, preventive and mandatory isolation" measure provided for in Decree No. 297/2020 and amendments thereto.

SUMMARY: Pursuant to Secretariat for Industry, the Knowledge Economy and Foreign Trade Management Resolution No. 77/2020 (RESOL-2020-77-APN-SIECYGCE#MDP) of 8 June 2020 (Official Journal of 9 June 2020), interested parties shall make their submissions and respond to requests in connection with investigations into alleged dumping or subsidization, by means of notes and documentation in digital form. Information submitted requiring confidential treatment shall be properly identified and placed in a separate file to public information.

DATES: Immediately and until further notice.

FURTHER INFORMATION: Resolution No. 77/2020 may be viewed online at <https://www.boletinoficial.gob.ar/detalleAviso/primera/230357/20200609>. The text of the measure is provided below.

Resolution No. 77/2020

RESOL-2020-77-APN-SIECYGCE#MDP

City of Buenos Aires, 08/06/2020

HAVING REGARD TO File No. EX-2020-36111301- -APN-DGD#MPYT, Law No. 24.425, Decree No. 1.393 of 2 September 2008, and Resolution No. 293 of 25 September 2008 of the former

SECRETARIAT FOR INDUSTRY, TRADE AND SMALL AND MEDIUM-SIZED ENTERPRISES of the former MINISTRY OF THE ECONOMY AND PRODUCTION, and

WHEREAS:

The Final Act Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations, the Ministerial Decisions, Declarations and Understandings, and the Marrakesh Agreement Establishing the WORLD TRADE ORGANIZATION (WTO) were approved under Law No. 24.425;

Annex 1A of the above-mentioned Marrakesh Agreement Establishing the World Trade Organization, approved under Law No. 24.425, contains the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 and the Agreement on Subsidies and Countervailing Measures;

Decree No. 1.393 of 2 September 2008 laid down the rules and regulations for the effective application of the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 and the Agreement on Subsidies and Countervailing Measures, and appointed the implementing authorities for those rules and regulations;

Article 1 of Necessity and Urgency Decree No. 260 of 12 March 2020 and the amendment thereto extended the public health emergency established under Law No. 27.541, for ONE (1) year from the entry into force of the Decree, in view of the pandemic declared by the WORLD HEALTH ORGANIZATION (WHO) in relation to coronavirus COVID-19;

In light of the existing health emergency in our country and so as not to affect the healthcare services provided to the population, it was decided, in view of the new coronavirus COVID-19 outbreak, to issue Decree No. 297 of 19 March 2020 establishing the "social, preventive and mandatory isolation" measure, which was subsequently extended by Decrees Nos. 325 of 31 March 2020, 355 of 11 April 2020, 408 of 26 April 2020, 459 of 10 May 2020, 493 of 24 May 2020 and 520 of 7 June 2020;

Decree No. 1.063 of 4 October 2016 approved the implementation of the Remote Procedure Management Platform, comprising the "Remote Procedure" module of the Electronic Document Management System, as a means of interaction between citizens and the administration;

Article 3 of the Decree mentioned in the preambular paragraph above provides that the national public sector entities and jurisdictions listed in Article 8 of Law No. 24.156 shall use the electronic "Remote Procedure" platform and the "Assistance and Transfer Manager" and "Comprehensive Addressee Register" modules of the Electronic Document Management System, in accordance with the timetable set by the MINISTRY OF MODERNIZATION;

In view of the complexity of the matter, the above-mentioned procedures are still being incorporated, by the competent body, into the electronic "Remote Procedure" platform, for investigations into unfair trade practices and sunset or changed circumstances reviews of existing anti-dumping measures handled through Electronic File Management, which is currently under development;

In order to ensure the normal and delay-free functioning of procedures for investigations into alleged dumping or subsidization within the framework of Article 6 of the Agreement on Implementation of Article VI and Article 12 of the Agreement on Subsidies and Countervailing Measures, tools must be provided to reconcile this need with the healthcare measures that are required in these exceptional circumstances to prevent infections and the spread of the virus to the detriment of public health;

Accordingly, it is appropriate to ensure the availability of instruments that permit interaction between the parties concerned within the framework of the Electronic Document Management System; in this way, concerns, enquiries and replies to requests that cannot, according to reasonability parameters or other criteria, be deferred, may be transmitted through the website www.argentina.gob.ar and/or by email;

The relevant entities have taken action;

The Directorate-General of Legal Affairs of the MINISTRY OF PRODUCTION DEVELOPMENT has taken the appropriate action within its sphere of competence;

The present Resolution is issued under the powers conferred by Decree No. 1.393 of 2 September 2008;

Accordingly,

THE SECRETARY FOR INDUSTRY, THE KNOWLEDGE ECONOMY AND FOREIGN TRADE MANAGEMENT
HEREBY DECIDES AS FOLLOWS:

ARTICLE 1.- Interested parties shall, for the duration of the "social, preventive and mandatory isolation" measure provided for in Decree No. 297 of 19 March 2020 and amendments thereto, make their submissions and respond to requests in connection with investigations into alleged dumping or subsidization, by submitting notes and documentation in digital form through the official website at <https://www.argentina.gob.ar/produccion/mesa-entradas-aspo/formulario-tramites> and/or by email to mgedesarrolloproductivo@gmail.com, which is the address for the Office of Incoming Communications of the Document Management Directorate of the SECRETARIAT FOR ADMINISTRATIVE MANAGEMENT of the MINISTRY OF PRODUCTION DEVELOPMENT, for matters pertaining to the UNDER-SECRETARIAT FOR TRADE POLICY AND MANAGEMENT of the SECRETARIAT FOR INDUSTRY, THE KNOWLEDGE ECONOMY AND FOREIGN TRADE MANAGEMENT of that Ministry. Interested parties shall obtain, as proof of the initiation of the procedure, an electronic file number in the Electronic Document Management System, so as to ensure subsequent follow-up.

Information submitted requiring confidential treatment shall be properly identified and placed in a separate file to public information. Where this requirement is not met, the staff of the Office of Incoming Communications of the MINISTRY OF PRODUCTION DEVELOPMENT shall be free from any form of responsibility regarding confidentiality, this falling instead on the interested party.

Submissions to the NATIONAL COMMISSION FOR FOREIGN TRADE, a decentralized agency of the SECRETARIAT FOR INDUSTRY, THE KNOWLEDGE ECONOMY AND FOREIGN TRADE MANAGEMENT of the above-mentioned Ministry, shall, in the case of public information, be emailed to entradacnce@produccion.gob.ar, with a copy to entradacnce@gmail.com; in the case of confidential information, submissions shall be emailed to entradacnceconfidencial@produccion.gob.ar, with a copy to entradacnceconfidencial@gmail.com. An electronic file number shall be obtained in the Electronic Document Management System, so as to ensure subsequent follow-up.

Where the above requirement is not met, the staff of the National Commission for Foreign Trade shall be free from any form of responsibility regarding confidentiality, this falling instead on the interested party.

The submissions made shall take the form of a sworn statement under the terms of Article 110 of the Regulations on Administrative Procedures, Decree No. 1.759/72, T.O. 2017, and must have been sent from an email address created in accordance with Article 2 of this Resolution.

ARTICLE 2.- In order for the investigating authority to make notifications, interested parties are required to set up a special electronic address under the terms of Article 19(b), (c) and (d) of the Regulations on Administrative Procedures, Decree No. 1.759/72, T.O. 2017. This address is to be notified to the UNDER-SECRETARIAT FOR TRADE POLICY AND MANAGEMENT, in accordance with Article 1, and to the NATIONAL COMMISSION FOR FOREIGN TRADE via the email addresses referred to in the Article above. For ongoing procedures, interested parties shall have a period of TEN (10) working days from the publication of this Resolution.

ARTICLE 3.- Requests to view files shall be submitted in the manner described in Article 1 of this measure by means of a note indicating the representative's taxpayer identification code (CUIT) and the corresponding electronic file number.

Once the request has been received, the representative shall be notified of its approval through the "Remote Procedure" module of the Electronic Document Management System. The file shall be deemed to have been viewed by the interested party as of the day following this notification, in

accordance with the provisions of Article 41(h) of the Regulations on Administrative Procedures, Decree No. 1.759/72, T.O. 2017.

Article 38(b)(4) of the Regulations on Administrative Procedures, Decree No. 1.759/72, T.O. 2017, is not applicable.

ARTICLE 4.- Notifications to producers/exporters concerning the initiation of the investigation or review shall be sent to the relevant diplomatic representation.

ARTICLE 5.- The relevant notifications shall be made within the framework of the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994, which was incorporated into our legislation by Law No. 24.425, as regulated by Decree No. 1.393 of 2 September 2008.

ARTICLE 6.- This Resolution shall take effect as of the day of its publication in the Official Journal.

ARTICLE 7.- For communication, publication, transmittal to the NATIONAL DIRECTORATE OF OFFICIAL RECORDS, and archiving.
