QUESTIONS CONCERNING THE COUNTERVAILING DUTY LEGISLATION OF THE PHILIPPINES

EEC

1. What measures do the authorities take to ensure that the provisions of Article 2:1 of the Code requiring that authorities have sufficient evidence of subsidization, injury and a causal link between them before initiating a countervailing duty investigation are met?

2. Do the amendments introduced by Presidential Decree No. 1973 amending Section 302 of Decree 1464 allow the Philippine authorities to impose immediate countervailing duties on the basis of only prima facie evidence of subsidization and injury to a domestic industry before a preliminary affirmative finding has been made that a subsidy exists and that there is sufficient evidence of injury?

3. What is the basis, under the Code, for the provisions in Section 4 of Department Order No. 300 under which

   (i) goods may be released, pending investigation and final decision of the case, only if a bond is filed at double the dutiable value thereof;

   (ii) the provisions under (i) above shall apply equally to goods imported 60 days preceding the filing of information?