QUESTIONS CONCERNING THE LEGISLATIONS OF JAPAN AND PAKISTAN

AUSTRALIA

The following questions on the countervailing duty legislation of Japan and the countervailing duty legislation of Pakistan have been received from the Australian Permanent Mission.

JAPAN

Paragraph 9 of Japan's Guidelines for the Conduct of Countervailing Duty and Anti-Dumping Duty Investigation states that "Subsidies provided for in paragraph 1 of Article 8 of the Customs Tariff Law include, but are not limited to, the practices listed in the Annex to the SCM Code".

What additional measures would Japan envisage including in the definition of subsidies for the purpose of implementing this legislation?

PAKISTAN

1. At the meeting of the Committee in October 1986, the representative of Pakistan said that "there was no difference in meaning between the words 'injury' used in the Ordinance and the concept of 'material injury' used in the Agreement" (paragraph 22, SCM/M/32).

Could Pakistan clarify further how the Ordinance will ensure that a material injury threshold is applied as required under the Agreement?

2. At the meeting of the Committee in October 1986 the representative of Pakistan said (in response to a question by Australia about why a review was allowed only within fifteen days from the date of imposition of the duties) that "no provisions for review at a future date were being contemplated, in particular because the Agreement did not require such later reviews" (paragraph 26, SCM/M/32).

Could Pakistan clarify further how the Ordinance would allow for the modification or removal of countervailing duties in changed circumstances, particularly in view of the requirements of Article 4:9 of the Agreement?