RESPONSE BY TURKEY TO THE SUPPLEMENTARY QUESTION SUBMITTED BY AUSTRALIA CONCERNING THE TURKISH LEGISLATION ON THE PREVENTION OF UNFAIR COMPETITION IN IMPORTATION

(SCM/1/Add.28 of 23 October 1989)

Turkish Legislation on the Prevention of Unfair Competition in Importation covering the procedures of measures against dumped or subsidized imports consists of the Law, the Decree and the Regulation which should be taken into account as a whole in implementation.

As is expressed in our response to the questions submitted by the European Communities, issued in the document ADP/W/276 and SCM/W/221, the "ex-officio" initiation of investigation shall be limited to special circumstances stated in the Code.

According to the Turkish Legislation, in case where, it is determined that there is injury caused by dumped and/or subsidized importation, an ex-officio investigation may be initiated. The provision related to this matter is included in Article 10 of the Law on the Prevention of Unfair Competition in Importation.

In this respect, Article 10 of the Law is in conformity with Article 2:1 of the Subsidies Code.