

# GENERAL AGREEMENT ON

RESTRICTED

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## TARIFFS AND TRADE

Special Distribution

Committee on Anti-Dumping Practices

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### INFORMATION ON IMPLEMENTATION AND ADMINISTRATION OF THE AGREEMENT

#### Legislation of Yugoslavia

The following communication, dated 4 April 1991, has been received from the Permanent Mission of Yugoslavia.

I have the honour to inform you that Yugoslavia recently introduced a mechanism against unfair trade.

Taking into account the fact that the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade has been ratified in the form of federal law and became mandatory legislation, the Law on Foreign Trade Transactions (Official Gazette of the SFRY No. 63/89) with amendments (Official Gazette of the SFRY No. 11/91) determined the competent investigation authority and other elements of the framework necessary for conducting anti-dumping investigations.

Attached please find the provisions of Article 75 of the Law on Foreign Trade Transactions relating to anti-dumping.

#### Law on Foreign Trade Transactions - Article 75

4. The Federal Executive Council may invoke the measures as referred to in this Article in conformity with the relevant international agreement.
5. The Federal Executive Council may introduce anti-dumping duties if, following the relevant procedure, the existence of material injury or threat of material injury to domestic industry is determined.
6. Dumping shall be deemed to exist when a product is imported at a price less than its normal value and thereby causing or threatening to cause material injury to Yugoslav industry or retarding the development of a branch of domestic industry.

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7. If it is determined that the requirements for the introduction of anti-dumping duties are met, they cannot be greater in amount than the margin of dumping and shall remain in force as long as and to the extent necessary to offset dumping which is causing injury.
8. Interested enterprises may request the levying of anti-dumping duties through the Yugoslav Chamber of Economy. The request must contain evidence of the existence of dumping, injury and causal link between the dumped imports and the caused or possible injury.
9. The Federal Secretariat for Foreign Economic Relations examines the requests from paragraph 8 of this Article, conducts the investigation in accordance with the Federal Law which adopted the Code on Anti-Dumping and proposes to the Federal Executive Council to introduce measures from paragraph 5 of this Article.
10. Against the decision referred to in paragraph 5 of this Article an administrative litigation proceeding may be instituted.
11. For the purpose of neutralizing the effect of subsidies or incentives which are granted directly or indirectly in the country of origin or exporting country of certain goods which are imported in Yugoslavia, the Federal Executive Council may introduce countervailing duty up to the amount of the subsidy or incentive.
12. The implementation of the measures as referred to in this Article is carried out in accordance with the procedure as regulated by the Federal Law and the regulations enacted on the basis of that Law.