FOLLOW-UP QUESTIONS RAISED BY THE UNITED STATES ON
THE LEGISLATION OF NEW ZEALAND

(ADP/1/Add.15/Rev.1)
(SCM/1/Add.15/Rev.3)

Section 3(1) --

In its response, New Zealand indicates that the definition of domestic industry would in all cases exclude importers of the allegedly dumped or subsidized goods. How might the New Zealand authorities then deal with a situation in which a firm that accounted for a majority of the domestic production of the like product was also an importer of the like product? What if this firm were the only domestic producer or, alternatively, what if it opposed the filing of a complaint brought by another domestic producer accounting for only a minimal portion of domestic production?

Section 5 --

Notwithstanding the literal provisions of Article VI:1(a), would the New Zealand authorities concur that it is companies, and not countries, which in fact engage in dumping? If so, the United States again questions why, in the case of an exporter having no home market sales, the sales of other domestic companies in that market would be preferred to the same exporter's sales to third countries as the proper basis of comparison.