

GENERAL AGREEMENT ON

RESTRICTED

ADP/W/308

21 February 1992

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TARIFFS AND TRADE

Committee on Anti-Dumping Practices

QUESTIONS SUBMITTED BY THE EUROPEAN COMMUNITIES CONCERNING THE LEGISLATION OF KOREA

(ADP/1/Add.13/Rev.1/Suppl.1)

1. Article 4.8 of the Presidential Decree stipulates that an anti-dumping duty or an undertaking will lose its effect 3 years after the date of imposition or acceptance, unless the applied period is fixed.

- (i) Does the Minister have complete discretion in fixing a specific application period? Is the Minister bound by any limit concerning the duration of the measures?
- (ii) In how many cases did the Minister make use of his power to choose a specific application period and in how many cases did the period exceed the 3 year period stipulated in Article 4.8? (give a percentage)

2. In determining whether the home market price is below the cost of the production what is the appropriate period for cost recovery?