REPLIES BY HUNGARY TO QUESTIONS RAISED BY THE UNITED STATES CONCERNING THE LEGISLATION OF HUNGARY (ADP/1/Add.14/Rev.1)

The following communication, dated 6 December 1994, has been received from the Permanent Mission of Hungary.

Answer 1

Apart from legislation necessary for the implementation of the Agreement on Implementation of Article VI of the GATT 1994, further regulations or other legal documents on how the dumping law will be applied are expected to be issued only after the authorities gained experience in anti-dumping investigations.

Answer 2

Provisional measures (Article 25) may be applied based only on a preliminary determination of dumping which causes injury. This is based on Article 10:1 of the present Code which is part of the Hungarian legislation under the Government Decree 40/1980.(X.7) MT, notified at that time to the Committee.

Answer 3

The point mentioned by the US delegation will be taken care of in the framework of the legislation on the implementation of the Uruguay Round package.

Answer 4

Under Article 31 a decision on the imposition of the duty may be appealed to the Minister within 15 days from its publication. The decision of the Minister may be brought to the Court under Article 35 as the Act on the General Rules of the Administrative Procedures includes a right to appeal a state administrative decision to the Court in 30 days after it is delivered to the party. The decision of the Court may be further appealed to the Court of the second instance in 15 days.