

WORLD TRADE ORGANIZATION

G/ADP/N/1/ARG/1/Suppl.6
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3 May 2002
(02-2521)

Committee on Anti-Dumping Practices
Committee on Subsidies and
Countervailing Measures

Original: Spanish

NOTIFICATION OF LAWS AND REGULATIONS UNDER ARTICLES 18.5 AND 32.6 OF THE AGREEMENTS

ARGENTINA

Supplement

The following communication, dated 26 March 2002, has been received from the Permanent Mission of Argentina.

Pursuant to Article 18.5 of the Agreement on Implementation of Article VI of the GATT 1994 and Article 25.12 of the Agreement on Subsidies and Countervailing Measures, I have the pleasure to notify the Committee on Anti-Dumping Practices and the Committee on Subsidies and Countervailing Measures of Decree No. 421/2002 of 5 March 2002, published in the Official Journal on 8 March 2002, which replaces Article 71 of Decree No. 1088/2001, providing for its entry into force within 15 days of promulgation of the supplementary regulations necessary for its application. The date of entry into force of Decree No. 421/2002 has been set as 1 January 2002.

FOREIGN TRADE

Decree No. 421/2002

Amending Decree No. 1088/2001, concerning the speeding up of investigations into unfair trading practices.

Buenos Aires, 5 March 2002

HAVING REGARD TO file No. 061/016936/2001 in the registry of the former Ministry of the Economy, Law No. 24,425 and Decree No. 1088 of 28 August 2001, and

WHEREAS:

The Final Act Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations, the Ministerial Decisions, Declarations and Understandings and the Marrakesh Agreement Establishing the World Trade Organization (WTO) were approved under Law No. 24,425;

Annex 1A of the above-mentioned Marrakesh Agreement Establishing the World Trade Organization contains the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade (GATT) and the Agreement on Subsidies and Countervailing Measures;

Decree No. 1088 was issued on 28 August 2001, with a view to speeding up procedures for investigation into unfair trading practices;

Pursuant to Article 74 of Decree No. 1088, supplementary regulations to the Decree shall be promulgated;

Article 71 of Decree No. 1088 establishes 1 January 2002 as the date of entry into force of the Decree;

Owing to the fact that the application forms and corresponding questionnaires for the initiation of an investigation have yet to be adopted, it is impossible for the Decree to be implemented on the established date;

Taking this into account, Article 71 of Decree No. 1088 needs to be replaced in order to postpone the date of entry into force;

The GENERAL DIRECTORATE FOR LEGAL AFFAIRS of the former Ministry of the Economy has taken appropriate action within its sphere of competence;

The NATIONAL EXECUTIVE is competent to enact this Act by virtue of the provisions of Article 99, paragraph 2, of the NATIONAL CONSTITUTION;

WHEREFORE,

The President of Argentina

DECREES:

Article 1. Article 71 of Decree No. 1088/2001 shall be replaced by the following:

"Article 71 – This Decree shall enter into force within FIFTEEN (15) days of promulgation of the supplementary regulations needed for its application and shall be applicable to investigations and reviews of existing measures initiated as a result of applications submitted after the date of its entry into force.

Investigations initiated under Decree No. 1326/98 shall be governed by this Decree until their conclusion, with the exception of the amount of duty, which shall be established on a retroactive basis.

When an annual period of validity of a definitive duty expires after the entry into force of this Decree, at the request of a party the amount of the duty shall be established retroactively for the subsequent year".

Article 2. This Decree shall enter into force on 1 January 2002.

Article 3. This Decree shall be proclaimed, published, transmitted to the National Directorate of Official Records and filed.

DUHALDE. – Jorge M. Capitanich. – José I. de Mendiguren
