

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

### Questions Posed by the EUROPEAN COMMUNITIES Regarding the Notification of ZIMBABWE<sup>1</sup>

The following communication, dated 10 March 2003, has been received from the Permanent Delegation of the European Communities.

1. Could Zimbabwe please clarify whether the provisions of the Anti-Dumping Agreement (“ADA”) which are not reflected in the Anti-Dumping Regulation, are directly applied by the Commission and the Minister, or how it is ensured that they are complied with? See in particular several provisions regarding the determination of injury (Article 3 ADA), the contents of an application (Article 5.2 ADA), evidence (Article 6 ADA), undertakings (Article 8 ADA), imposition and collection of anti-dumping duties (Article 9 ADA) and public notices (Article 12 ADA).
2. Could Zimbabwe confirm that parties shall be deemed to be related under the conditions of Article 2(5) of the Anti-Dumping Regulation, provided that there are grounds for believing or suspecting that the effect of the relationship is such as to cause the producer concerned to behave differently from non-related producers, in accordance with footnote 11 ADA?
3. Should Article 14(3)(c) of the Anti-Dumping Regulation be understood as requiring the Commission to examine other known factors of injury and not to attribute such injury to the dumped imports in accordance with Article 3.5 ADA?
4. Could Zimbabwe please clarify the duration of provisional measures referred to in Article 22(4) of the Anti-Dumping Regulation?
5. Could Zimbabwe confirm that any determination as referred to in Article 23(7)(b) of the Anti-Dumping Regulation will only be made after the importers concerned have been given an opportunity to comment, in accordance with Article 10.6 ADA?
6. Could Zimbabwe please clarify the meaning of “the period prescribed” in Article 26(2) of the Anti-Dumping Regulation?

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<sup>1</sup> G/ADP/N/1/ZWE/2/Suppl.1-G/SCM/N/1/ZWE/2/Suppl.1.

7. Could Zimbabwe confirm that the Minister or the Commission may decide not to disregard information presented in the cases of Article 32(7) of the Anti-Dumping Regulation if it can be demonstrated from appropriate sources that the information is correct?

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