

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

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Special Distribution

Committee on Anti-Dumping Practices

Original: English

Committee on Subsidies and
Countervailing Measures

INFORMATION ON IMPLEMENTATION AND ADMINISTRATION OF THE AGREEMENT

Legislation of Sweden

Supplement

The Permanent Mission of Sweden has transmitted to the secretariat an English translation of ¹the Swedish Ordinance SFS 1985:738 on Dumping and Subsidy Investigations.

ORDINANCE ON DUMPING AND SUBSIDY INVESTIGATIONS

issued on 5 September 1985

The Government prescribes the following:

Introductory provisions

Section 1. The following abbreviations are used in this Ordinance.

the Anti-Dumping Code, the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade (GATT) (Sweden's Agreements with Foreign Powers, SÖ 1980:61)

the Subsidies Code, the Agreement on Interpretation and Application of Articles VI, XVI and XXIII of the General Agreement on Tariffs and Trade (GATT) (Sweden's Agreements with Foreign Powers, SÖ 1980:58)

¹The Permanent Mission of Sweden has also transmitted an extract from the Record of the Cabinet Meeting (9 September 1985) at which the Ordinance was approved. This extract constitutes an explanatory statement by the Swedish Government on this Ordinance and is available in the GATT secretariat for inspection by government representatives. Interested delegations are requested to contact Miss S. Aspinall, Office 1023, Tel. Ext. 2153.

dumping and subsidy investigations, investigations to determine if the price of products imported to Sweden is being dumped or subsidized and thereby causes injury to Swedish industry or the industry of another country.

The conduct of dumping and subsidy investigations

Section 2. Upon the Government deciding to initiate dumping and subsidy investigations, the National Board of Trade shall conduct such investigations. They shall be conducted in accordance with the provisions of the Anti-Dumping Code and the Subsidies Code.

Section 3. The National Board of Trade shall inform the Ministry for Foreign Affairs in advance of any visit to foreign manufacturers or exporters concerned.

Petition concerning measures against dumped or subsidized imports, etc.

Section 4. A petition concerning measures against dumped or subsidized imports may be made

1. by the industry affected or
2. by organizations representing the industry affected or
3. by the authorities of a third country if the measures requested are in favour of that country.

Section 5. The petition shall be in writing and include sufficient evidence of

1. the existence of dumping or the existence of a subsidy
2. injury
3. a causal link between the dumped or subsidized imports and the alleged injury.

The petition shall be filed with the National Board of Trade.

Section 6. The National Board of Trade shall make a finding on a petition under Section 4 no later than two months after its receipt of the petition. If the National Board of Trade finds that there is sufficient evidence to propose to the Government the initiation of an investigation, the Board shall, together with its own opinion, present the documentation in the case to the Government. Otherwise the Board shall deny the petition.

Presentation of dumping and subsidy investigations

Section 7. The National Board of Trade shall, no later than nine months after the decision by the Government to initiate a dumping investigation or a subsidy investigation, present the results thereof to the Government, together with conclusions made and the proposals of the Board as to measures to be taken.

Undertakings

Section 8. If an undertaking under Article 7 of the Anti-Dumping Code or Article 4 of the Subsidies Code is offered, the National Board of Trade shall report such an offer to the Government together with the Board's opinion.

Provisional measures

Section 9. If the National Board of Trade finds it necessary to take provisional measures under Article 10 of the Anti-Dumping Code or Article 5 of the Subsidies Code, the National Board of Trade shall refer the matter to the Government together with its own opinion.

Consultation

Section 10. Before presenting opinions under Sections 6, 7 and 9 to the Government, the National Board of Trade shall consult with the National Board of Customs. The National Agricultural Market Board shall also be consulted when the opinion concerns a product for which that Board is the licensing authority under the Ordinance (1984:53) on the Regulation of Imports and Exports.

Appeal

Section 11. A decision by the National Board of Trade to deny a petition made under Section 6 can be appealed to the Government.

This Ordinance enters into force four weeks after the date when the Ordinance - as is stated in latter - was issued by the printers in the Swedish Code of Statutes.