Protection against subsidised imports from countries non members of the EC, Uruguay round

1994/0231(CNS) - 05/10/1994 - Legislative proposal

This proposal for a regulation sought to implement the new agreement on subsidies and countervailing measures, which was concluded as part of the negotiations of the Uruguay Round. The regulation transposed into Community legislation this new agreement which contained new detailed rules relating to subsidies and investigations in respect of countervailing duties. The main changes comprised clarifications and amendments to the following: - definition of a subsidy (financial contribution from the public authorities which conferred a benefit to the recipient enterprise); - the notion of a subsidy which was liable for countervailing measures (list of conditions under which these measures applied, particularly as regards agriculture - "green box"); - the amount of subsidy which was liable for countervailing measures (the calculation was made in accordance with the principle of "the benefit conferred to the recipient"); - the injury to Community industries; - the initiation of a procedure for the application of countervailing measures and the definition of the conditions under which investigations could be initiated; - the conclusion of the investigations (within 12 months); - the undertakings (institution of a definitive duty by the Community in cases of breach of the undertakings, but importers rights were preserved by a system of re-examination); - negligible volumes of imports and subsidies were to be considered de minimis if their amount was less than 1% ad valorem; - restitution of measures and re-examination; - circumvention; - sampling for countervailing duties; - lack of cooperation on the part of an exporter country and the confidential handling of investigations; - link between countervailing measures and multilateral solutions in order that only measures of one type were taken in respect of the product concerned.